

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

United States District Court for the Southern District of New York

Cooper, et al., v. Mount Sinai Health System, Inc.

Case No. 1:23-cv-09485-PAE

A Court has authorized this Long-Form Notice (“Notice”). This is not a solicitation from a lawyer.

IF YOU ARE A MOUNT SINAI MYCHART ACCOUNT HOLDER WHO LOGGED INTO YOUR MYCHART ACCOUNT THROUGH [HTTPS://MYCHART.MOUNTSINAI.ORG/](https://mychart.mountsinai.org/) BETWEEN OCTOBER 27, 2020 AND OCTOBER 27, 2023, YOU MAY BE ELIGIBLE TO RECEIVE A CLAIM PAYMENT FROM A CLASS ACTION SETTLEMENT.

This Litigation is titled *Cooper, et al., v. Mount Sinai Health System, Inc.*, Case No. 1:23-cv-09485-PAE and is pending in the United States District Court for the Southern District of New York. The people that filed the class action lawsuit are called the Plaintiffs or Class Representatives and the company they sued is Mount Sinai Health System, Inc. referred to as the Defendant.

Defendant provides healthcare services in the State of New York. In connection with these services Defendant operates a public website, www.mountsinai.org, or Website, and an Epic MyChart patient portal, <https://mychart.mountsinai.org/>, or Patient Portal, and collectively with the Website, called the Web Properties. Through the Litigation, the named plaintiffs alleged that their personal health information was collected and shared with Facebook through Mount Sinai’s implementation of the Facebook Pixel and Conversions Application Programming Interface (CAPI) on its Website and Patient Portal. Mount Sinai denies this allegation, including specifically denying that any medical information from either the Patient Portal or the Website was shared with Facebook. Nonetheless, the Parties collectively agreed to resolve their dispute on a class-wide basis.

Who is a Settlement Class Member?

All Mount Sinai MyChart account holders who logged into their MyChart accounts through <https://mychart.mountsinai.org/> between October 27, 2020 and October 27, 2023.

The Settlement Class excludes: (a) officers and directors of Defendant, its agents, affiliates, subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendant or the Released Persons have a controlling interest; (b) all Settlement Class Members who timely and validly exclude themselves from the Settlement Class; (c) the Judge assigned to evaluate the fairness of this Settlement as well as their immediate family members and staff; and (d) Class Counsel.

Settlement Class Members under the Settlement Agreement will be eligible to receive the following compensation:

- ❖ **Claim Payment:** Claim Payments to each Settlement Class Member that submits a valid Claim Form;
 - Each Claim Payment shall equal the *pro rata* share of the monies remaining in the Settlement Fund after the payment of settlement class counsels’ attorneys’ fees and expenses, named plaintiff service awards, and settlement and administration costs.

To obtain more information, visit www.mountsinaisettlement.com or call (833) 890-5910.

Please read this Notice carefully. Your legal rights will be affected, and you have a choice to make at this time.

	Summary of Legal Rights	Deadline(s)
Submit a Claim Form	The only way to receive a Claim Payment from the Settlement.	Submitted or postmarked on or before October 14, 2025 .
Exclude Yourself by Opting Out of the Class	Receive no payment from the Settlement. This is the only option that allows you to keep your right to bring any other lawsuit against Defendant relating to the Litigation.	Mailed and postmarked on or before October 14, 2025 .
Object to the Settlement and/or Attend the Final Approval Hearing	You can write the Court about why you agree or disagree with the Settlement. You can also ask to speak at the Final Approval Hearing on October 24, 2025 at 2:30 p.m. ET about the fairness of the Settlement, with or without your own attorney.	Mailed and postmarked on or before October 14, 2025 .
Do Nothing	You will not receive any Claim Payment from this class action Settlement. If the Settlement becomes Final, you will give up your rights to sue Defendant (or any Related Entities) separately for claims relating to the Litigation or to continue to pursue any such claims you have already filed.	N/A

- Your rights and options as a Settlement Class Member – **and the deadlines to exercise your rights** – are explained in this Notice.
- The Court will still have to decide whether to approve the Settlement. Claim Payments to Settlement Class Members will be made only if the Court approves the Settlement and after any possible appeals are resolved.

What This Notice Contains

Basic Information.....	4
Who is in the Settlement.....	4
The Settlement Benefits—What You Get if You Qualify.....	5
How Do You Submit a Claim.....	5
Excluding Yourself from the Settlement.....	6
Objecting to the Settlement.....	7
The Lawyers Representing You.....	8
The Court’s Final Approval Hearing	8
If You Do Nothing	9
Additional Information.....	9

BASIC INFORMATION

1. Why is there a Notice?

The Court authorized this Notice because you have a right to know about the Settlement, and all of your options, before the Court decides whether to grant final approval and make the Settlement Final. This Notice explains the nature of the lawsuit that is the subject of the Settlement, the general terms of the Settlement, and your legal rights and options.

The Honorable Judge Paul A. Engelmayer of the United States District Court for the Southern District of New York is overseeing this case captioned as *Cooper, et al., v. Mount Sinai Health System, Inc.*, Case No. 1:23-cv-09485-PAE. The people who brought the lawsuit are called the Class Representatives. The company being sued, Mount Sinai Health System, Inc., is called the Defendant.

2. What is the Litigation about?

Defendant provides healthcare services in the State of New York. In connection with these services Defendant operates a public website, www.mountsinai.org, or Website, and an Epic MyChart patient portal, <https://mychart.mountsinai.org/>, or Patient Portal, and collectively with the Website, called the Web Properties. Through the Litigation, the named plaintiffs alleged that their personal health information was collected and shared with Facebook through Mount Sinai's implementation of the Facebook Pixel and Conversions Application Programming Interface (CAPI) on its Website and Patient Portal. Mount Sinai denies this allegation, including specifically denying that any medical information from either the Patient Portal or the Website was shared with Facebook. Nonetheless, the Parties collectively agreed to resolve their dispute on a class-wide basis. For more information regarding the case visit www.mountsinaisettlement.com which contains the relevant pleadings.

3. Why is this a class action?

In a class action, one or more people called Class Representatives sue on behalf of all people who have similar claims. Together, all of these people are called a Settlement Class, and the individuals are called Settlement Class Members. One court resolves the issues for all Settlement Class Members, except for those who exclude themselves from the Settlement Class.

4. Why is there a Settlement?

The Court has not decided in favor of the Class Representatives or Defendant. Instead, both sides agreed to this Settlement. The Settlement avoids the cost and risk of a trial and related appeals, while providing benefits to Settlement Class Members. The Class Representatives appointed to represent the Settlement Class, and the attorneys for the Settlement Class (also referred to as Class Counsel) think the Settlement is best for all Settlement Class Members.

WHO IS IN THE SETTLEMENT?

5. How do I know if I am part of the Settlement?

You are affected by the Settlement and potentially a Settlement Class Member if you are a Mount Sinai MyChart account holder who logged into their MyChart account through <https://mychart.mountsinai.org/> between October 27, 2020 and October 27, 2023. It is estimated that the Settlement Class consists of approximately 1,314,147 individuals.

The Settlement Class excludes: (a) officers and directors of Defendant, its agents, affiliates, subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendant or the Released Persons have a controlling interest; (b) all Settlement Class Members who timely and validly exclude themselves from the Settlement Class; (c) the Judge assigned to evaluate the fairness of this Settlement as well as their immediate family members and staff; and (d) Class Counsel.

6. What if I am not sure whether I am included in the Settlement?

If you are not sure whether you are included in the Settlement, you may call **(833) 890-5910** with questions. You may also write with questions to:

Mount Sinai Settlement
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

7. What does the Settlement provide?

Defendant agrees to deposit into a Settlement Fund, \$5,256,588 to pay for: (a) reasonable Claims Administration Costs, including the payment of any taxes on the Settlement Fund; (b) any Attorneys' Costs and Expenses and Attorneys' Fees Award approved by the Court; (c) any Service Award approved by the Court; (d) any benefits to Settlement Class Members; and (e) any *cy pres* distribution approved by the Court.

Settlement Class Members under the Settlement Agreement may submit a Settlement Claim to receive:

Claim Payment: Claim Payments to each Settlement Class Member that submits a valid Claim Form. Each Claim Payment shall equal the *pro rata* share of the monies remaining in the Settlement Fund after the payment of settlement class counsels' attorneys' fees and expenses, named plaintiff service awards, and settlement and administration costs.

HOW DO YOU SUBMIT A CLAIM?

8. How do I get a Claim Payment?

To receive a Claim Payment, you must complete and submit a Claim Form online at www.mountsinaisettlement.com or by mail to *Mount Sinai Settlement* c/o Kroll Settlement Administration LLC, P.O. Box 225391, New York, NY 10150-5391. Read the Claim Form instructions carefully, fill out the Claim Form and submit online by **October 14, 2025** or by mail postmarked by **October 14, 2025**.

TO RECEIVE AN ELECTRONIC OR ACH PAYMENT FOR YOUR VALID SETTLEMENT CLAIM, YOU MUST FILE A CLAIM FORM ONLINE AT
WWW.MOUNTSINAISETTLEMENT.COM

9. When will I get my Claim Payment?

The Court will hold a Final Approval Hearing on **October 24, 2025, at 2:30 p.m. ET** to decide whether to approve the Settlement. You do not need to attend the Final Approval Hearing. If the Court approves the Settlement, there may be appeals from that decision and resolving them can take time. It also takes time for all of the Claim Forms to be processed. Please be patient. Claim Payments will begin after the Settlement has obtained Court approval and the time for all appeals has expired.

10. What am I giving up as part of the Settlement?

Defendant and its affiliates will receive a release from all claims that could have been or that were brought against Defendant relating to the Litigation. Thus, if the Settlement becomes Final and you do not exclude yourself from the Settlement, you will be a Settlement Class Member and you will give up your right to sue Defendant and it's past or present parents, subsidiaries, affiliates, divisions, and related or affiliated entities of any nature whatsoever, whether direct or indirect, as well as each of these entities' respective predecessors, successors, directors, managers, officers, employees, members, principals, agents, attorneys, insurers, and reinsurers, and includes, without limitation, any Person related to any such entity who is, was, or could have been named as a defendant in the Litigation. This Release is described in the Settlement Agreement, under Section VII, which is available at www.mountsinaisettlement.com. If you have any questions, you can talk to the law firms listed in **Question 16** for free or you can talk to your own lawyer.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to be part of the Settlement, then you must take steps to exclude yourself from the Settlement Class. This is sometimes referred to as "opting out" of the Settlement Class.

11. If I exclude myself, can I get a Claim Payment from this Settlement?

No. If you exclude yourself, you will not be entitled to receive any benefits from the Settlement.

12. If I do not exclude myself, can I sue the Related Entities for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Defendant and any other Related Entities for any claim that could have been or was brought relating to the Litigation. You must exclude yourself from the Settlement to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case.

13. How do I exclude myself from the Settlement?

To exclude yourself, send a request to opt-out or written notice of intent to opt-out. The written notice must include: (1) his/her name, current address, telephone number, and Unique ID; (2) a signature; (3) the name and number of the case; and (4) a statement that he or she wishes to be excluded from the Settlement Class for purposes of this Settlement. You must mail your request to opt-out to the Settlement Administrator **postmarked by October 14, 2025**, to:

Mount Sinai Settlement
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

All Persons who submit valid and timely request to opt-out from the Settlement Class shall not receive any benefits of or be bound by the terms of the Settlement Agreement. All Settlement Class Members who do not submit valid and timely request to opt-out from the Settlement Class shall be bound by the terms of the Settlement Agreement and Judgement.

OBJECTING TO THE SETTLEMENT

14. How do I object to the Settlement?

You can tell the Court that you do not agree with the Settlement or some part of it by objecting to the Settlement. Any Settlement Class Member who wishes to object to the Settlement Agreement must file an Objection with the Court and serve it upon Defendant's Counsel and Class Counsel at the addresses below, with a postmark date **no later than October 14, 2025**:

Clerk of the Court	Class Counsel	Defendant's Counsel
Thurgood Marshall United States Courthouse 40 Foley Square, New York, New York 10007	David S. Almeida, <i>Esq.</i> Almeida Law Group LLC 849 W. Webster Avenue Chicago, Illinois 60614	David Carney, <i>Esq.</i> Baker & Hostetler LLP 127 Public Square, Suite 2000 Cleveland, Ohio 44114

Each Objection must:

- 1) state the Settlement Class Member's full name, residential address, email address, and telephone number;
- 2) contain the Settlement Class Member's original signature;
- 3) contain proof that the Settlement Class Member is a member of the Settlement Class;
- 4) state that the Settlement Class Member objects to the Settlement, in whole or in part;
- 5) a statement as to the legal and factual basis for the Objection;
- 6) provide copies of any documents that the Settlement Class Members wishes to submit in support of his/her position;
- 7) identify all counsel representing the Settlement Class Member, if any;
- 8) contain the signature of the Settlement Class Member's duly authorized attorney or other duly authorized representative, if any, along with documentation setting forth such representation; and
- 9) contain a list including the case name, court, and docket number of all other cases in which the objector and/or the objector's counsel has filed an objection to any proposed class action settlement in the past three (3) years.

In addition to the above, if an objecting Settlement Class Member intends to appear at the Final Approval Hearing, with or without counsel, he or she must, by the Objection Deadline:

- a. mail, hand deliver, or file with the Court a notice of appearance in the Litigation;
- b. take all other actions and/or make any additional submissions required by this Settlement Agreement, the Long-Form Notice, or Court Order; and
- c. mail all documents submitted in response to this paragraph to Class Counsel and Defendant's Counsel.

If the objecting Settlement Class Member intends to appear at the Final Approval Hearing through counsel, he or she must identify the attorney(s) representing the objecting Settlement Class Member who will appear at the Final Approval Hearing and include the attorney(s) name, address, phone number, e-mail address, state bar(s) to which they are admitted, and their associated state bar number(s).

15. What is the difference between objecting and asking to be excluded?

Objecting is telling the Court that you do not like the Settlement or parts of it and why you do not think it should be approved. You can object only if you are a Settlement Class Member. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class and do not want to receive any payment from the Settlement. If you exclude yourself, you have no basis to object because you are no longer a Settlement Class Member, and the case no longer affects you.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

Yes. The Court appointed David S. Almeida and Britany A. Kabakov of Almeida Law Group LLC, as Class Counsel to represent the Settlement Class. If you want to be represented by your own lawyer, you may hire one at your own expense.

17. How will the lawyers be paid?

Class Counsel shall request the Court to approve the reimbursement of the actual costs and expenses incurred by Class Counsel in connection with commencing, prosecuting, and settling the Litigation on behalf of Class Members. The Court approved Attorneys' Costs and Expenses shall be paid from the Settlement Fund.

Class Counsel shall separately request the Court to approve an Attorneys' Fees Award not to exceed thirty-five percent (35%) of the Net Settlement Fund. The amount of Court approved Attorneys' Fees Award shall be paid from the Net Settlement Fund. Any such award would compensate Class Counsel for investigating the facts, litigating the case, and negotiating the Settlement and will be the only payment to them for their efforts in achieving this Settlement and for their risk in undertaking this representation on a wholly contingent fee basis.

Class Counsel will also ask the Court for a Service Award up to of \$2,500 to the Class Representatives, for each of the Plaintiffs: Ronda Cooper, Coral Fraser, and Gilbert Manda in recognition of their contributions to this Litigation. The Court approved Service Award shall be paid from the Net Settlement Fund.

THE COURT'S FINAL APPROVAL HEARING

18. When and where will the Court decide whether to approve the Settlement?

The Court may hold a Final Approval Hearing at **2:30 p.m. ET on October 24, 2025**, at the United States District Court for the Southern District of New York, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, or by video conference as ordered by the Court. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are timely and valid objections, the Court will consider them. The Court will also rule on any motion seeking payment of reasonable Attorneys' Fees and Expenses Award, as well as a Service Award for the Class Representative. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take. The hearing may be moved to a different date or time without additional notice.

19. Do I have to attend the hearing?

No. Class Counsel will represent the Settlement Class before the Court. You or your own lawyer are welcome to attend at your expense, but you are not required to do so. If you send an objection, you do not have to visit the Court to talk about it. As long as you filed your written objection on time with the Court and mailed it according to the instructions provided in **Question 14**, the Court will consider it.

20. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must file an objection according to the instructions in **Question 14**, including all the information required.

IF YOU DO NOTHING

21. What happens if I do nothing?

If you do nothing, you will not receive any benefits from this Settlement. If the Settlement is granted final approval and becomes Final, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendant or the other Related Entities based on any claim that could have been or that was brought relating to the Litigation.

ADDITIONAL INFORMATION

22. How do I get more information?

This Notice summarizes the Settlement. More details are in the Settlement Agreement itself. A copy of the Settlement Agreement is available at www.mountsinaisettlement.com. You may also call the Settlement Administrator with questions or to receive a Claim Form at **(833) 890-5910**.

23. What if my contact information changes or I no longer live at my address?

It is your responsibility to inform the Settlement Administrator of your updated information. You may do so at the address below, by calling toll-free **(833) 890-5910** or at the Contact section of the Settlement Website.

Mount Sinai Settlement
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

PLEASE DO NOT CONTACT THE COURT, CLERK OF THE COURT OR DEFENDANT FOR INFORMATION ABOUT THE CLASS ACTION SETTLEMENT