

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**

**Summit County, Ohio Court of Common Pleas**  
***Doe v. Children’s Hospital Medical Center of Akron***  
**Case No. CV-2024-01-0093**

**A Court has authorized this Notice. This is not a solicitation from a lawyer.**

**If You Previously Received a Notice Stating You Were Potentially Impacted by the Defendant’s Pixel Usage, You Are Eligible to Receive a Payment and other Benefits from a Class Action Settlement**

- If you received a postcard or email notice, you may be eligible to receive a payment from a proposed class action settlement. To be eligible to make a claim, you must be one of approximately 313,700 individuals, as identified on the Class List, specifically, Ohio citizens whose Private Information may have been disclosed by Defendant to third parties through the usage of Meta Pixel and similar technology without authorization.
- Defendant denies any wrongdoing and denies that it has any liability but has agreed to settle the litigation on a class-wide basis.
- Eligible claimants under the Agreement will be eligible to receive:
  - ❖ **One-time Cash Payment of \$19.00;**  
**and/or**
  - ❖ **Identity Theft Protection Services for two years (including one-bureau credit monitoring and other services).**
- To submit a claim visit [www.PixelUsageSettlement.com](http://www.PixelUsageSettlement.com) or call 1-844-991-4199 to request a Claim Form. **You must submit a Claim Form online or to be postmarked no later than September 29, 2025.**
- For more information, visit [www.PixelUsageSettlement.com](http://www.PixelUsageSettlement.com) or call 1-844-991-4199.
- **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)
<b>Submit a Claim Form</b>	The only way to receive a payment from the settlement.	Submitted or postmarked on or before <b><u>September 29, 2025</u></b>

<b>Exclude Yourself by Opting Out of the Settlement Class</b>	Receive no payment. This is the only option that allows you to keep your right to bring any other lawsuit against the Releasees for the same claims.	Mailed and postmarked on or before <b><u>September 29, 2025</u></b>
<b>Object to the Settlement and/or Attend the Final Approval Hearing</b>	You can write the Court about why you agree or disagree with the settlement. The Court cannot order a different settlement. You can also ask to speak to the Court at the Final Approval Hearing on <b>October 10, 2025</b> , about the fairness of the settlement, with or without your own attorney.	Mailed and postmarked on or before <b><u>September 29, 2025</u></b>
<b>Do Nothing</b>	Receive no payment from the settlement. Give up any right to bring any other lawsuit against the Releasees for the same claims.	N/A

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

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### 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 give “final approval” to the settlement. This Notice explains the nature of the litigation that is the subject of the settlement, the general

terms of the settlement, and your legal rights and options.

Judge Alison McCarty of the Summit County, Ohio Court of Common Pleas is overseeing this case captioned as *Doe v. Children's Hospital Medical Center of Akron*, Case No. CV-2024-01-0093. Each person or company who brought the litigation is called a Plaintiff. Each person or company being sued is called a Defendant.

## **2. What is the lawsuit about?**

In the lawsuit Plaintiff alleges liability of Defendant for the Pixel Usage under claims for an alleged breach of confidence.

Defendant denies these claims and denies anything wrong was done. No court or other judicial entity has made any judgment or other determination that anything wrong was done by Defendant.

## **3. Why is this a class action?**

In a class action, one or more people called class representatives or representative plaintiffs sue on behalf of all people who have similar claims. Together, all of these people are called a "Class" or, if settling, a "Settlement Class," and the individuals are called "Class Members." One court resolves the issues for all 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 Plaintiff or Defendant. Instead, both sides agreed to the settlement in the Agreement. The settlement avoids the cost and risk of a trial and related appeals, while providing benefits to Class Members. The Class Representative appointed to represent the Settlement Class, and the attorneys for the Settlement Class ("Class Counsel," see Question 18) think the settlement is best for all Class Members.

# **WHO IS IN THE SETTLEMENT?**

## **5. How do I know if I am a part of the settlement?**

You are affected by the settlement and are potentially a Class Member if you are identified on the Class List, which means your Personal Information may have been compromised as a result of the pixel usage on the Defendant's website.

Only Class Members are eligible to receive benefits under the settlement. Specifically excluded from the Settlement Class are all persons who timely and validly request exclusion from the Settlement Class, the Judge assigned to evaluate the fairness of this settlement, Defendant's officers, directors, or legal representatives or court personnel in this case or a member of their immediate families.

## **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 **1-844-991-4199**

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Questions? Call 1-844-991-4199 or visit [www.PixelUsageSettlement.com](http://www.PixelUsageSettlement.com).

with questions. You may also write with questions to:

Pixel Usage Settlement  
c/o Settlement Administrator  
1650 Arch Street, Suite 2210  
Philadelphia, PA 19103

## THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

### 7. What does the settlement provide?

The settlement provides for Defendant has removed pixels from its public facing website and will not use pixels on its patient portal or any forms located on its public facing website (unless HIPAA-compliant or necessary for website functionality), to pay Class Members who make valid claims a one-time payment of \$19.00, and to provide two years of Identity Theft Protection and Credit Monitoring Services, to include one-bureau credit monitoring and other services (CyberScan Dark Web monitoring, \$1,000,000 identity theft insurance, lost wallet assistance, and fully managed identity restoration and member advisory services).

Payment of attorneys' fees, costs and expenses and a Service Award to the Class Representative (see Question 19) and the Costs of Notice and Administration of the settlement will also be paid by Defendant.

### 8. What payments are available for reimbursement under the settlement?

Class Members who submit a valid claim are eligible to receive under the Agreement:

- a) **Cash Payment:** Any Class Member may submit a claim for a one-time Cash Payment of \$19.00.
- b) **Identity Theft Protection Services:** In addition to the benefits above, Class Members can receive 2 years of Identity Theft Protection and Credit Monitoring Services, to include one-bureau credit monitoring and other services (CyberScan Dark Web monitoring, \$1,000,000 identity theft insurance, lost wallet assistance, and fully managed identity restoration and member advisory services) at no cost.

## HOW DO YOU SUBMIT A CLAIM?

### 9. How do I get a benefit?

To receive a benefit under the settlement, you must complete and submit a claim online at [www.PixelUsageSettlement.com](http://www.PixelUsageSettlement.com), or by mail to *Pixel Usage Settlement, Attn: Claim Forms, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103*. Read the Claim Form instructions carefully, fill out the Claim Form, provide the required documentation, and submit **online by September 29, 2025**, or by mail to be **postmarked by September 29, 2025**.

### 10. How will claims be decided?

Questions? Call 1-844-991-4199 or visit [www.PixelUsageSettlement.com](http://www.PixelUsageSettlement.com).

The Settlement Administrator will decide whether and to what extent any claim made on each Claim Form is valid. The Settlement Administrator may require additional information from you. If you do not provide the additional information in a timely manner, the claim will be considered invalid and will not be paid.

**11. When will I get my payment?**

The Court will hold a hearing on **October 10, 2025, at 11:00 a.m. ET** to decide whether to approve the settlement. You do not need to attend. If the Court approves the settlement, there may be appeals from that decision and resolving them can take time, perhaps more than a year. It also takes time for all of the Claim Forms to be processed. Please be patient.

**12. What am I giving up as part of the settlement?**

The Defendant and possibly related entities get a release from all claims covered by this settlement. Thus, if the settlement becomes final and you do not exclude yourself from the settlement, you will be a Class Member and you will give up your right to sue the released parties for claims related to the pixel usage.

The full release is described in the Agreement, which is available at [www.PixelUsageSettlement.com](http://www.PixelUsageSettlement.com). If you have any questions, you can contact the law firms listed in Question 18 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.

**13. If I exclude myself, can I get a payment from the settlement?**

No. If you exclude yourself, you will not be entitled to receive any benefits from the settlement and you will not be bound by any judgment.

**14. If I do not exclude myself, can I sue released entities for the same thing later?**

No. Unless you exclude yourself, you give up any right to sue any Releasees for the claims that this settlement resolves. You must exclude yourself from the Settlement Class to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case. If you exclude yourself, do not submit a Claim Form to ask for any benefit under the Agreement.

**15. How do I exclude myself from the settlement?**

To exclude yourself, send a letter or request to opt out that says you want to be excluded from the settlement in *Doe v. Children’s Hospital Medical Center of Akron*, Case No. CV-2024-01-0093, Ohio court of Common Pleas, Summit County. Your letter must also include your full name, address, and telephone number; (b) contain your personal and original signature or the original signature of a person authorized by law to act on your behalf; and (c) state unequivocally your intent to be excluded from the Agreement. You must mail your exclusion request to be postmarked by the **Deadline to Opt-Out September 29, 2025** to:

Pixel Usage Settlement  
Attn: Exclusions  
P.O. Box 58220

Philadelphia, PA 19102

## OBJECTING TO THE SETTLEMENT

### 16. How do I tell the Court that I do not like 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. To object, you must mail your objection to the Settlement Administrator at the mailing addresses listed below, to be **postmarked by no later than September 29, 2025**.

Pixel Usage Settlement  
Attn: Objections  
P.O Box 58220  
Philadelphia, PA 19102

The Settlement Administrator will forward your objection and any accompanying documentation to Class Counsel and counsel for Defendants, and Class Counsel will file it with the Court.

Your objection must be written and must include all of the following: (i) your full name and address; (ii) the case name and docket number, *Doe v. Children's Hospital Medical Center of Akron*, Case No. CV-2024-01-0093; (iii) information identifying you as a Class Member; (iv) a statement as to whether the objection applies only to you, to a specific subset of the Settlement Class, or to the entire Settlement Class; (v) a detailed written statement of the specific legal and factual basis for each and every objection, accompanied by any legal support for the objection the objector believes applicable; (vi) the identity of any counsel representing you in connection with the objection; (vii) a statement whether you intend to appear at the Final Approval Hearing, either in person or through counsel; (viii) a list of all persons who will be called to testify at the Final Approval Hearing in support of the objections and any documents to be presented or considered; and (ix) your signature or the signature of the your duly authorized attorney or other duly authorized representative (if any) representing you in connection with the objection.

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

Objecting is telling the Court that you do not like the settlement and why you do not think it should be approved. You can object only if you are a 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 Class Member, and the case no longer affects you. If you submit both a valid objection and a valid request to be excluded, you will be deemed to have only submitted the request to be excluded.

## THE LAWYERS REPRESENTING YOU

### 18. Do I have a lawyer in this case?

Yes. The Court appointed the law firms of Stranch, Jennings & Garvey, PLLC; Cohen Malad, LLP, and Strauss Borrelli PLLC, as Class Counsel to represent the Settlement Class in settlement negotiations. If you want to be represented by your own lawyer, you may hire one at your own expense.

**19. How will the lawyers be paid?**

Class Counsel will ask the Court for an award for attorneys' fees and costs (and a Service Award Payment of up to \$2,500.00 for the Settlement Class Representative), totaling up to \$665,000.00.

Any award for attorneys' fees, costs and expenses for Class Counsel, and for a Service Award to the Class Representative must be approved by the Court. The Court may award less than the amounts requested. Class Counsel's papers in support of final approval of the settlement will be filed no later than **September 12, 2025** and their motion for attorneys' fees, expenses, and Service Awards will be filed no later than **September 14, 2025** and will be posted on the Settlement Website.

**THE COURT'S FINAL APPROVAL HEARING**

**20. When and where will the Court decide whether to approve the settlement?**

The Court will hold a Final Approval Hearing at **11:00 a.m. ET on October 10, 2025**, at The Summit County Court of Common Pleas, 209 S. High Street, Akron, OH 44308, or by remote or virtual means as ordered by the Court. You do not need to attend, but you can if you wish. 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 and will listen to people who have asked to speak at the hearing if such a request has been properly made. The Court will also rule on the request for an award of attorneys' fees and reasonable costs and expenses, as well as the request for Service Awards 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, so Class Counsel recommends checking the Settlement Website [www.PixelUsageSettlement.com](http://www.PixelUsageSettlement.com), or calling **1-844-991-4199**.

**21. Do I have to attend the hearing?**

No. Class Counsel will present the Agreement to 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 16, the Court will consider it.

**22. 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 16, including all the information required.

**IF YOU DO NOTHING**

**23. What happens if I do nothing?**

If you do nothing, you will not get any money from this settlement. If the settlement is granted final approval and the judgment becomes final, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendants or the other released persons based on any of the released claims.

## GETTING MORE INFORMATION

### **24. How do I get more information?**

This Notice summarizes the settlement. More details, and definitions for certain capitalized terms in this Notice, are in the Agreement itself. A copy of the Agreement is available at [www.PixelUsageSettlement.com](http://www.PixelUsageSettlement.com). You may also call or email the Settlement Administrator with questions or to receive a Claim Form at **1-844-991-4199**.



