

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Seventh Judicial Circuit, County of Sangamon, State of Illinois

Donnelly, et al. v. Aspen Dental Management, Inc.

Case No. 2025LA000036

IF YOU BOOKED AN APPOINTMENT ONLINE ON WWW.ASPENDENTAL.COM FROM FEBRUARY 20, 2022, THROUGH JANUARY 1, 2025, YOU MAY BE ELIGIBLE TO RECEIVE A CASH PAYMENT FROM A CLASS ACTION SETTLEMENT.

This Litigation is titled *Donnelly, et al. v. Aspen Dental Management, Inc.*, Case No. 22025LA000036 and is pending in the Circuit Court of Sangamon County, State of Illinois. The Persons that filed the class action lawsuit are called Plaintiffs or Class Representatives and sued Aspen Dental Management, Inc. (“Aspen”) referred to herein as the “Defendant.”

The Litigation arises from Plaintiffs’ allegations that Defendant disclosed information about Plaintiffs and Settlement Class Members to third parties, including, but not necessarily limited to, Meta Platforms, Inc. d/b/a Meta (“Facebook”) and Google LLC (“Google”) via tracking pixels (the “Meta Pixel” or “Pixel”), and other tracking technologies, called Tracking Tools, installed on Defendant’s Website, www.aspendental.com. These alleged disclosures are also referred to as the Pixel Disclosure(s).

In the Litigation, Plaintiffs claim that Defendant’s implementation and usage of such Tracking Tools allegedly resulted in the invasion of Plaintiffs’ and Settlement Class Members’ privacy and other alleged common law and statutory violations. Defendant denies any wrongdoing whatsoever.

- **Who is a Settlement Class Member?** There are two subclasses that make up the Settlement Class:
 - 1) **Group 1** – you are a Group 1 Settlement Class Member if you booked an appointment between February 20, 2022, and June 1, 2023.
 - 2) **Group 2** – you are a Group 2 Settlement Class Member if you booked an appointment on the Website between June 2, 2023, and January 1, 2025.

Excluded from the Settlement Class are (i) the officers and directors of Defendant and its affiliates, parents, and subsidiaries; (ii) any judge, justice, or judicial officer presiding over the Litigation and the members of their immediate families and judicial staff; (iii) any individual who timely and validly excludes themselves from the Settlement, and (iv) the successors or assigns of any such excluded Persons.

Settlement Class Members under the Settlement Agreement will be eligible to receive compensation based on the Subclass they are in:

- ❖ **Group 1 Settlement Class Members:** Defendant has agreed to pay approximately \$2,700,000 into a Settlement Fund to pay the Notice and Settlement Administration Costs, Attorneys’ Fees and Expenses, and service awards, as approved by the Court. The Settlement Administrator will make *pro rata* Settlement payments for Valid Claims by Group 1 Settlement Class Members.

- ❖ **Group 2 Settlement Class Members:** Defendant has agreed to pay up to approximately \$16,000,000 for valid Claims made by Group 2 Settlement Class Members. In addition to paying Notice and Settlement Administration Costs, Attorneys' Fees and Expenses, Defendant will pay Valid Claims up to \$15.00, depending on the number of Valid Claims.

To submit a claim or obtain more information, visit www.aspendentalpixelsettlement.com or call (844) 496-0570 to request a Claim Form no later than **September 15, 2025**.

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	You must submit a Claim Form in order to receive the above-listed cash payment. Your Claim Form must include your unique Class Member ID found on the postcard or email notice sent to you (also available from the Settlement Administrator).	Submitted online or postmarked on or before September 15, 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 alleged Pixel Disclosure and Released Claims defined in the Settlement Agreement.	Mailed and postmarked on or before September 15, 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 20, 2025, at 9:30 a.m. , about the fairness of the Settlement, with or without your own attorney.	Mailed and postmarked on or before September 15, 2025
Do Nothing	You will not receive any Settlement payments from this class action Settlement. If the Settlement becomes final, you will give up your rights to sue Defendant (or any Released Parties) separately for claims relating to the Pixel Disclosure and Released Claims defined in the Settlement Agreement 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. Payments to Settlement Class Members will be made only if the Court approves the Settlement and after any possible appeals are resolved.

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

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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 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 Schmidt of the Circuit Court of Sangamon County, State of Illinois is overseeing this case captioned as *Donnelly, et al. v. Aspen Dental Management, Inc.*, Case No. 2025LA000036. The people who brought the lawsuit are called the Representative Plaintiffs. The entity being sued, Aspen Dental Management, Inc., is called the Defendant.

2. What is the Litigation about?

The Litigation arises from Representative Plaintiffs’ allegations that Defendant disclosed information about Representative Plaintiffs and Settlement Class Members to third parties, including, but not necessarily limited to, Meta Platforms, Inc. d/b/a Meta (“Facebook”) and Google LLC (“Google”) via tracking pixels (the “Meta Pixel” or “Pixel”), and other tracking technologies, called Tracking Tools, installed on Defendant’s Website. These alleged disclosures are also referred to as the Pixel Disclosure(s).

Defendant denies any wrongdoing whatsoever. No court or other judicial body has made any judgment or other determination that Defendant have done anything wrong.

3. Why is this a class action?

In a class action, one or more people called “Representative Plaintiffs” 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 Plaintiffs 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 Representative Plaintiffs 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?

There are two subclasses that make up the Settlement Class:

- 1) Group 1 Settlement Class Members** – you are a Group 1 Settlement Class Member if you booked an appointment on the Website between February 20, 2022, and June 1, 2023.
- 2) Group 2 Settlement Class Members** – you are a Group 2 Settlement Class Member if you booked an appointment on the Website between June 2, 2023, and January 1, 2025.

Excluded from the Settlement Class are (i) the officers and directors of Defendant and its affiliates, parents, and subsidiaries; (ii) any judge, justice, or judicial officer presiding over the Litigation and the members of their immediate families and judicial staff; (iii) any individual who timely and validly excludes themselves from the Settlement, and (iv) the successors or assigns of any such excluded Persons.

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 (844) 496-0570 with questions or email info@aspentalpixelsettlement.com. You may also write with questions to:

Donnelly, et al. v. Aspen Dental Management, Inc.
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

7. What does the Settlement provide?

The Settlement provides a Settlement Fund of more than \$18,000,000 to be used to pay for: (i) reasonable Notice and Settlement Administration Costs incurred in the administration of the Settlement, as approved by Class Counsel and the Court; (ii) any taxes owed by the Settlement Fund; (iii) any Service Awards to Representative Plaintiffs approved by the Court; (iv) any Attorneys' Fees and Expenses as approved by the Court; (v) *pro rata* cash payments to Group 1 Settlement Class Members who submit a Valid Claim Form; and (vi) \$15.00 cash payments to Group 2 Settlement Class Members who submit a Valid Claim Form, unless subject to a *pro rata* reduction depending on the number of Valid Claims submitted.

- ❖ Settlement Class Members under the Settlement Agreement may submit a claim to receive: **Group 1 Settlement Class Members:** Defendant has agreed to pay approximately \$2,700,000 into a Settlement Fund to pay the Notice and Settlement Administration Costs, Attorneys' Fees and Expenses, and service awards, as approved by the Court. The Settlement Administrator will make *pro rata* Settlement payments for valid Claims by Group 1 Settlement Class Members.
- ❖ **Group 2 Settlement Class Members:** Defendant has agreed to pay up to approximately \$16,000,000 for valid Claims made by Group 2 Settlement Class Members in an amount of \$15.00, unless subject to a *pro rata* reduction depending on the number of Valid Claims, Notice and Settlement Administration Costs, and Attorneys' Fees and Expenses.

HOW DO YOU SUBMIT A CLAIM?

8. How do I get a Settlement Payment?

To receive a Settlement Payment, you must complete and submit a Claim Form online at www.aspendentalpixelsettlement.com or by mail to Donnelly, et al. v. Aspen Dental Management, Inc., c/o Settlement Administrator, P.O. Box 25226 Santa Ana, CA 92799. Read the Claim Form instructions carefully, fill out the Claim Form and submit online by **September 15, 2025**, or by mail postmarked by **September 15, 2025**.

9. How will claims be decided?

The Settlement Administrator will distribute the Settlement Fund via cash payments to Settlement Class Members who submit a valid and timely Claim Form.

Settlement Class Members who request a replacement payments within 90 days after issuance will have an additional thirty (30) days to redeem their payment.

10. When will I get my Settlement Payment?

The Court will hold a Final Approval Hearing on **October 20, 2025, at 9:30 a.m. CT** 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. Payments will begin after the Settlement has obtained Court approval and the time for all appeals has expired, and the Settlement funds have been received for disbursement.

11. 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 Pixel Disclosure and Released Claim as defined in the Settlement Agreement. 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 past or present parents, subsidiaries, divisions, and related or affiliated entities of any nature whatsoever, whether direct or indirect, as well as each of Defendant's and these entities' respective predecessors, successors, assigns, shareholders, members, trustees, directors, officers, employees, principals, agents, attorneys, representatives, providers, advisors, consultants, contractors, vendors, partners, insurers, reinsurers, and subrogees, and includes, without limitation, any Person related to any such entity who could have been named as a defendant in this Litigation. This release is described in the Settlement Agreement, known as Released Claims, which is available at www.aspendentalpixelsettlement.com. If you have any questions, you can talk to 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.

12. If I exclude myself, can I get a payment from this Settlement?

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

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

No. Unless you exclude yourself, you give up any right to sue Defendant and any other Related Parties for any claim that could have been or was brought relating to the Pixel Disclosure and Released Claim as defined in the Settlement Agreement. 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.

14. How do I exclude myself from the Settlement?

To exclude yourself, send a Request for Exclusion or written notice of intent to opt-out that says you want to be excluded from the Settlement in *Donnelly, et al. v. Aspen Dental Management, Inc.*, Case No. 2025LA000036. The Request for Exclusion must: (i) identify the case name and number of this Litigation; (ii) state the Settlement Class Member's full name, address, and telephone number; (iii) contain the Settlement Class Member's personal and original signature; (iv) state unequivocally the Settlement Class Member's intent to be excluded from the Settlement Class; and (v) request exclusion only for that one Settlement Class Member whose personal and original signature appears on the request. You must mail your Request for Exclusion to the Settlement Administrator postmarked by September 15, 2025, to:

Donnelly, et al. v. Aspen Dental Management, Inc.
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

OBJECTING TO THE SETTLEMENT

15. How do I object to the Settlement?

You can tell the Court that you do not want the Settlement to be approved for anyone by filing an "Objection." For an Objection to be a valid Objection under the Settlement, it must be in writing, mailed to the Clerk of the Court at the address listed below, or filed online via the Illinois e-filing system, Odyssey, or postmarked or dated by **no later** than September 15, 2025.

Clerk of the Court
Circuit Clerk
Seventh Judicial Circuit Court, County of
Sangamon
200 S 9th St #405
Springfield, IL 62701

Your Objection must be written and must:

- i) include the case name and number of the Litigation;
- ii) set forth the Settlement Class Member's full name, current address, telephone number, and email address;
- iii) contain the Settlement Class Member's personal and original signature;
- iv) if the objecting Settlement Class Member is represented by an attorney, or received assistance from an attorney in drafting his or her objection, the name, address, telephone number, and email address of the attorney;
- v) contain a statement indicating the basis for the objecting Settlement Class Member's belief that he or she is a member of the Settlement Class;
- vi) state whether the objection applies only to the Settlement Class Member, to a specific

- subset of the Settlement Class, or to the entire Settlement Class;
- vii) set forth a statement of the legal and/or factual basis for the Objection;
- viii) contain a list, including 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; and
- ix) state whether the objecting Settlement Class Member intends to appear at the Final Approval Hearing, and if so, whether personally or through counsel.

If an objecting Settlement Class Member is represented by counsel and such counsel intends to speak at the Final Approval Hearing, the written Objection must also include: (i) the identity of witnesses whom the objecting Settlement Class Member intends to call to testify at the Final Approval Hearing; and (ii) a description of any documents or evidence that the objecting Settlement Class Member intends to offer at the Final Approval Hearing.

16. 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. If you submit both a valid objection and a valid Request for Exclusion, you will be deemed to have only submitted the request to be excluded.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

Yes. The Court appointed the Almeida Law Group and Peiffer Wolf Carr Kane Conway & Wise, LLP 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.

18. How will the lawyers be paid?

Class Counsel shall request the Court to approve an award of attorneys' fees to be paid from the Settlement Fund. Class Counsel anticipates seeking payment of approximately 29.4% of the Settlement Fund, plus reimbursement of reasonable litigation expenses, not to exceed \$60,000. 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 Service Awards up to \$2,500 for each of the Representative Plaintiffs, from the Settlement Fund, in recognition of their contributions to this Litigation.

THE COURT'S FINAL APPROVAL HEARING

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

The Court may hold a Final Approval Hearing at **9:30 a.m., CT on October 20, 2025**, at the Circuit Court of Sangamon County, Illinois (Zoom ID: 2697398957; Passcode: 903784), as ordered by the Court. If there are no objections, the Court may rule on Final Approval without a Final Approval Hearing. 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 Attorneys' Fees and reimbursement of costs of litigation, as well as Service Awards. 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.

20. 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 16, the Court will consider it.

21. 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

22. 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 Parties based on any claim that could have been or that was brought relating to the Pixel Disclosure.

ADDITIONAL INFORMATION

23. 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.aspendentalpixelsettlement.com. You may also call the Settlement Administrator with questions or to receive a Claim Form at (844) 496-0570.

24. 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:

Donnelly, et al. v. Aspen Dental Management, Inc.
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

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