

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Downey & Sullivan v. Intermountain Planned Parenthood, Inc.

d/b/a Planned Parenthood of Montana

Cause No. DV-56-2025-0000836-OC

Thirteen Judicial District Court for Yellowstone County, Montana

IF YOU WERE SENT NOTICE THAT YOUR INFORMATION MAY HAVE BEEN IMPACTED IN AN AUGUST 2024 DATA INCIDENT INVOLVING PLANNED PARENTHOOD OF MONTANA, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS AND ENTITLE YOU TO SETTLEMENT BENEFITS.

A court has authorized this notice. This is not a solicitation from a lawyer.

You are not being sued.

Please read this Notice carefully and completely.

- A Settlement has been reached with Intermountain Planned Parenthood, Inc. d/b/a Planned Parenthood of Montana (“PPMT” or “Defendant”) in a proposed class action lawsuit. This case involves an August 2024 cybersecurity incident in which a criminal third party gained unauthorized access to Defendant’s network (“Data Incident”). The Private Information of certain individuals may have been impacted in the Data Incident. This information may have included names, addresses, dates of birth, medical record numbers, health insurance information, provider names, dates of service, diagnosis, treatment information, and/or prescription information.
- The lawsuit is called *Nicole Downey & Sarah Suzanne Sullivan v. Intermountain Planned Parenthood, Inc. d/b/a Planned Parenthood of Montana*, Cause No. DV-56-2025-0000836-OC. It is pending in the Thirteenth Judicial District Court for Yellowstone County, Montana (“Action”).
- PPMT denies that it did anything wrong, and denies all claims, allegations, and liability. The Court has not made a determination that PPMT did anything wrong.
- The parties have agreed to settle the Action to avoid the costs and risks, disruptions, and uncertainties of continuing the Action.
- You have been identified as a Settlement Class Member, and you may be entitled to benefits under the Settlement.

- Your rights are affected whether you act or don't act. ***Please read this Notice carefully and completely.***

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	<p>The only way to receive benefits from this Settlement is by submitting a valid and timely Claim Form.</p> <p>The fastest way to submit your Claim Form is online at www.PPMTSettlement.com. If you prefer, you can download the Claim Form from the Settlement Website and mail it to the Settlement Administrator. You may also call or email the Settlement Administrator to receive a paper copy of the Claim Form.</p>	Submitted, emailed, or postmarked by January 12, 2026.
OPT-OUT OF THE SETTLEMENT	You can choose to opt-out of the Settlement and receive no Settlement Class Member Benefits. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims resolved by this Settlement. You can hire your own lawyer at your own expense.	December 13, 2025
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not opt-out of the Settlement, you may object to it by writing to the Court about why you don't like the Settlement. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you may also file a claim for Settlement benefits.	December 13, 2025
DO NOTHING	Unless you opt-out of the Settlement, you are automatically part of the Settlement. If you do nothing, you will not receive benefits from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendant or the Released Parties related to the Released Claims.	No Deadline

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement.

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Basic Information

1. Why was this Notice issued?

The District Court for Yellowstone County, Montana, authorized this Notice. You have a right to know about the proposed Settlement of this class action lawsuit, and about all of your options, before the Court decides whether to grant Final Approval of the Settlement. This Notice explains the lawsuit, your legal rights, what benefits are available, and who can receive them.

The lawsuit is called *Nicole Downey & Sarah Suzanne Sullivan v. Intermountain Planned Parenthood, Inc. d/b/a Planned Parenthood of Montana*, Case No. DV-56-2025-0000836-OC. It is pending in the Thirteen Judicial District Court for Yellowstone County, Montana. The people that filed the Action are called the “Plaintiffs” and the company they sued, Intermountain Planned Parenthood, Inc. d/b/a Planned Parenthood of Montana, is called the “Defendant.”

2. What is this lawsuit about?

This lawsuit alleges that in September 2024, Defendant became aware of a cybersecurity incident that occurred on or around August 28, 2024, involving a criminal third party gaining unauthorized access to Defendant’s network. The Data Incident may have impacted Settlement Class Members’ Private Information. This information may include names, addresses, dates of birth, medical record numbers, health insurance information, provider names, dates of service, diagnosis information, treatment information, and prescription information.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals are called the “Plaintiffs” or “Class Representatives.” Together, the people included in the class action are called a “Class” or “Settlement Class Members.” One court resolves the lawsuit for all Settlement Class Members, except for those who opt-out of the settlement. In this Settlement, the Class Representatives are Nicole Downey and Sarah Sullivan, and everyone included in this Action are the Settlement Class Members.

4. Why is there a Settlement?

The Court did not decide whether the Plaintiffs or the Defendant are right. Both sides have agreed to a Settlement to avoid the costs and risks of a trial, and to allow the Settlement Class Members to receive benefits from the Settlement. The Plaintiffs and their attorney think the Settlement is best for all Settlement Class Members.

Who is in the Settlement?

5. Who is included in the Settlement?

The court has defined the Settlement Class this way: “All living individuals in the United States who received Notice, including notice of this Settlement, that their Private Information may have been impacted in the Data Incident.”

6. Are there exceptions to being included?

Yes. Excluded from the Settlement Class are: (1) the Judge in this case, and the Judge’s family and staff, (2) PPMT and its officers and directors; (3) anyone who validly excludes themselves from the Settlement; (3) government entities; and (4) anyone who perpetrated the Data Incident.

If you are not sure whether you are a Settlement Class Member, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@PPMTSettlement.com
- Call toll free, 24/7: 1-833-417-4890
- By mail: PPMT Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also view the Settlement Agreement at www.PPMTSettlement.com.

The Settlement Class Member Benefits

7. What does the Settlement provide?

All Settlement Class Members may submit a claim to receive 1) Medical Data Monitoring; and 2) reimbursement for documented out-of-pocket losses and/or lost time.

Medical Data Monitoring. All Settlement Class Members are eligible to enroll in two years of **CyEx Medical Shield Pro**. This comprehensive service comes with \$1 million of medical identity theft insurance, and includes monitoring for:

- healthcare insurance ID exposure
- Medical Record Number (MRN) exposure
- unauthorized Health Savings Account (HSA) spending

If you suffer medical identity fraud, a dedicated case manager will help you fix it.

Cash Payment

Documented Out-of-Pocket Losses. If you incurred actual, documented out-of-pocket losses traceable to the Data Incident, you may submit a claim, not to exceed **\$5,000.00**. The losses must have occurred between September 6, 2024, and January 12, 2026.

This benefit covers out-of-pocket expenses like:

- losses because of identity theft or fraud
- fees for credit reports, credit monitoring, or freezing and unfreezing your credit
- cost to replace your IDs
- postage to contact banks by mail

You need to send documented proof, like bank statements or receipts, to show how much you spent or lost. You can also send notes or papers you made yourself to explain or support other proof, but those notes or papers alone are not enough to make a valid claim.

Lost Time. If you spent time responding to the Data Incident, you may claim up to four hours of your lost time, at \$20.00 per hour, for a maximum of **\$80.00**.

You must have spent the time on tasks related to the Data Incident. Some examples include things like:

- changing your passwords
- investigating suspicious activity in your accounts
- researching the Data Incident.

If you have questions about these benefits, you can ask for free help any time by contacting the Settlement Administrator at:

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- Call toll free, 24/7: 1-833-417-4890
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8. What claims am I releasing if I stay in the Class?

If you stay in the Settlement Class, you won't be able to be part of any other lawsuit against Defendant or the Released Parties for any of the Released Claims. The "Releases" section of the Settlement Agreement (Section XI) describes the legal claims that you give up if you remain in the Settlement Class. The Settlement Agreement is available at www.PPMTSettlement.com.

Submitting a Claim Form for Settlement Class Member Benefits

9. How do I submit a claim for a Settlement benefit?

The fastest way to submit your Claim Form is online at www.PPMTSettlement.com. If you prefer, you can download a printable Claim Form from the website and mail it to the Settlement Administrator at:

PPMT Data Incident Settlement
c/o Settlement Administrator

P.O. Box 25226
Santa Ana, CA 92799-9958

You may also contact the Settlement Administrator to request a Claim Form by telephone, toll free, 1-833-417-4890, by email info@PPMTSettlement.com, or by U.S. mail at the address above.

10. Are there any important Settlement payment deadlines?

If you are submitting a Claim Form online, you must do so by **January 12, 2026**. If you are submitting a claim by U.S. mail, the completed and signed Claim Form, including supporting documentation, must be postmarked no later than **January 12, 2026**.

11. When will the Settlement benefits be issued?

The Court will hold a final approval hearing on **December 15, 2025 (see Question 18)**. If the Court approves the Settlement, there may be appeals. We do not know if appeals will be filed, or how long it will take to resolve them if they are filed.

Settlement payments will be distributed if the Court grants Final Approval, and after any appeals are resolved.

The Lawyers Representing You

12. Do I have a lawyer in the case?

Yes, the Court has appointed attorney John Heenan of Heenan & Cook, PLLC, to represent you and other Settlement Class Members (“Class Counsel”).

13. Should I get my own lawyer?

You will not be charged for Class Counsel’s services. If you want your own lawyer, you may hire one at your expense.

14. How will Class Counsel be paid?

Class Counsel will ask the court to approve \$400,000.00 for attorney’s fees and costs. If approved, these fees and costs will be paid by Defendant.

Class Counsel will also ask for Service Awards of \$2,500.00 for each of the Class Representatives, not to exceed \$5,000. Any approved Service Awards will be paid by Defendant.

Excluding Yourself from the Settlement

15. How do I opt-out of the Settlement?

If you do not want to be part of the Settlement, you must formally exclude yourself from the Settlement. This is called a Request for Exclusion and is sometimes also called “opting-out.” If you opt-out, you will not receive any Settlement Class Member Benefits. However, you will keep any rights you may have to sue PPMT on your own about the legal issues in this case.

If you exclude yourself, you are telling the Court that you do not want to be part of the Settlement. You will not be eligible to receive any Settlement benefits if you exclude yourself.

The deadline to exclude yourself from the Settlement is **December 13, 2025**.

To be valid, your Request for Exclusion must have the following information:

- (1) the name of the Action: *Downey & Sullivan v. Intermountain Planned Parenthood, Inc. d/b/a Planned Parenthood of Montana*, Cause No. DV-56-2025-0000836-DC, pending in the Thirteenth Judicial District Court for Yellowstone County, Montana;
- (2) your full name, mailing address, telephone number, and email address;
- (3) personal signature; and
- (4) the words “Request for Exclusion” or a clear and similar statement that you do not want to participate in the Settlement.

You may only exclude yourself—not any other person.

Mail your Request for Exclusion to the Settlement Administrator at:

PPMT Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

Your Request for Exclusion must be submitted or postmarked by **December 13, 2025**.

You cannot opt out by telephone or by email.

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Settlement Class Members or multiple Settlement Class Members where the opt-out has not been signed by each and every individual Settlement Class Member will not be allowed.

Objecting to the Settlement

16. How do I tell the Court if I like or do not like the Settlement?

If you are a Settlement Class Member and do not like part or all of the Settlement, you can object to it. Objecting means telling the Court your reasons why you think the Court should not approve the Settlement. The Court will consider your views.

You cannot object if you have excluded yourself from the Settlement (**see Question 15**)

You must provide the following information for the Court to consider your objection:

- (1) the name of the Action: *Downey & Sullivan v. Intermountain Planned Parenthood, Inc. d/b/a Planned Parenthood of Montana*, Cause No. DV-56-2025-0000836-OC, pending in the Thirteenth Judicial District Court for Yellowstone County, Montana;
- (2) your full name, mailing address, telephone number, and email address;
- (3) a clear description of all the reasons you object; include any legal support you may have for your objection;

- (4) if you have hired your own lawyer to represent you at the Final Approval Hearing, provide their name and telephone number;
- (5) if you or your lawyer have objected in any other cases in the past five years, list the names, courts, civil action numbers, and order that ruled on your objection for each of those cases;
- (6) whether or not you or your lawyer would like to speak at the Final Approval Hearing;
- (7) if you plan on calling witnesses or submitting documents at the Final Approval Hearing, provide a full list of both; and
- (8) your signature (if you have hired your own lawyer, your lawyer's signature is not sufficient).

For your objection to be valid, it must meet each of these requirements.

Class Counsel or Defendant's Counsel may take limited discovery of the objector related to the objection, including the taking of the objector's deposition or requiring the objector to produce documents.

To be considered by the Court, you must file your complete objection with the Clerk of Court by **December 13, 2025**. You must also send a copy of the objection to the Settlement Administrator, Class Counsel, and counsel for Defendant.

Clerk of the Court	Settlement Administrator
Clerk of the Court 217 N. 27th Street, RM. 702 Billings, MT 59107	PPMT Data Incident Settlement c/o Settlement Administrator P.O. Box 25226 Santa Ana, CA 92799-9958

Class Counsel	Counsel for Defendant
John Heenan Heenan & Cook, PLLC 1631 Zimmerman Trail Billings, MT 59102	Casie D. Collignon Keeley O. Cronin Baker & Hostetler, LLP 1801 California Street Suite 4400 Denver, CO 80202

17. What is the difference between objecting and excluding?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is opting out and stating to the Court that you do not want to be part of the Settlement. If you opt-out of the Settlement, you cannot object to it because the Settlement no longer affects you.

The Final Approval Hearing

18. When is the Court's Final Approval Hearing?

The Court will hold a Final Approval Hearing on **December 15, 2025 at 1:30 p.m. Mountain Time**, in the District Court of Yellowstone County, Montana or by virtual or telephonic means. At the Final Approval Hearing, the Court will decide whether to approve the Settlement. The Court will also decide whether to

approve Class Counsel request for attorneys' fees and costs and whether to award Service Awards to the Class Representatives. The Court will also consider any objections to the Settlement.

If you are a Settlement Class Member, you or your lawyer may ask permission to speak at the hearing at your own cost (**See Question 16**).

The location, date, or time of the Final Approval Hearing may change without further notice. Please check www.PPMTSettlement.com for updates.

19. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish, but you do not have to.

If you file an objection, you do not have to come to the Final Approval Hearing to talk about it; the Court will consider it as long as it was filed on time. You may also pay your own lawyer to attend, but you do not have to.

If I Do Nothing

20. What happens if I do nothing at all?

If you do nothing, you will not receive any benefits from this Settlement.

You will also give up the rights described in **Question 8**.

Getting More Information

21. How do I get more information?

This Notice is a summary of the proposed Settlement. The full Settlement Agreement and other related documents are available at the Settlement Website, www.PPMTSettlement.com.

If you have additional questions, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@PPMTSettlement.com
- Call toll free, 24/7: 1-833-417-4890
- By mail: PPMT Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
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You can obtain copies of publicly filed documents by visiting the office of the Clerk of the Court.

DO NOT CONTACT THE COURT OR CLERK OF COURT REGARDING THIS SETTLEMENT