

## NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

*Clausner et al. v. American Multispecialty Group, Inc. d/b/a Esse Health*

Case No. 2622-CC00414

22<sup>nd</sup> Judicial Circuit Court of St. Louis City, Missouri

**IF YOUR PRIVATE INFORMATION WAS POTENTIALLY COMPROMISED IN THE APRIL 2025 ESSE HEALTH DATA INCIDENT, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS, AND ENTITLE YOU TO BENEFITS AND A CASH PAYMENT.**

*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 American Multispecialty Group, Inc. d/b/a Esse Health (“Esse Health” or “Defendant”) in a class action lawsuit. This case is about the cyberattack on Esse Health's computer systems that occurred in April 2025 (the “Data Incident”). Esse Health determined personally identifiable information and protected health information were potentially impacted during the Data Incident. The potentially impacted information was different for each individual and included names; addresses; dates of birth; health insurance information; Social Security numbers; identification numbers assigned to the individual by Esse Health (medical record number, person number, and person ID); and certain health information.
- The lawsuit is called *Clausner et al. v. American Multispecialty Group, Inc. d/b/a Esse Health*, Case No. 2622-CC00414. It is pending in the 22<sup>nd</sup> Judicial Circuit Court of St. Louis City, Missouri (the “Litigation”).
- Esse Health denies that it did anything wrong, and the Court has not decided who is right.
- The parties have agreed to settle the lawsuit (the “Settlement”) to avoid the costs and risks, disruptions, and uncertainties of continuing the Litigation.
- Esse Health's records indicate that you are a Class Member, and entitled to benefits under the Settlement. You may have received a previous notice directly from Esse Health.

- 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
<b>SUBMIT A CLAIM</b>	<p>You are automatically receiving an enrollment code for Medical Identity Protection which will become active to use once the Settlement is finally approved. You may also choose to receive a cash payment from this Settlement by submitting a valid and timely Claim Form.</p> <p>The fastest way to submit your Claim Form is online at <a href="http://www.EsseHealthSettlement.com">www.EsseHealthSettlement.com</a>. You may also use the “tear off” claim form attached to the Postcard Notice that you may have received. 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>	<b>August 4, 2026</b>
<b>OPT OUT OF THE SETTLEMENT</b>	You can choose to opt out of the Settlement and receive no benefit or payment. This option allows you to sue, continue to sue, or be part of another lawsuit against Defendant related to the legal claims resolved by this Settlement. You can hire your own lawyer at your own expense.	<b>July 5, 2026</b>
<b>OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING</b>	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.	<b>July 5, 2026</b>
<b>DO NOTHING</b>	Unless you opt out of the Settlement, you are automatically part of the Settlement. If you do nothing, you will not receive benefits or payments from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims resolved by this Settlement.	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 Circuit Court of St. Louis City, Missouri, 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 *Clausner et al. v. American Multispecialty Group, Inc. d/b/a Esse Health*, Case No. 2622-CC00414. It is pending in the 22<sup>nd</sup> Judicial Circuit Court of St. Louis City, Missouri. The people that filed this lawsuit are called the “Plaintiffs” (or “Class Representatives”) and the company they sued, American Multispecialty Group, Inc. d/b/a Esse Health, is called the “Defendant.”

### 2. What is this lawsuit about?

In late April 2025, Esse Health detected unusual activity on its IT network, and became aware of potential unauthorized access to its network (the “Data Incident”). Esse Health determined personally identifiable information and protected health information were potentially impacted during the Data Incident. The potentially impacted information was different for each individual and included names; addresses; dates of birth; health insurance information; Social Security numbers; identification numbers assigned to the individual by Esse Health (medical record number, person number, and person ID); and certain health 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 “Class Members.” One court resolves the lawsuit for all Class Members, except for those who opt out from the settlement. In this Settlement, the Class Representatives are Martha Proffitt; Casten Clausner; Michael Garside; Colleen Stuart; Sarah Walker; Robin Willis; Mary Wippold; and Amy Doering. Everyone included in this Action are the 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 Class Members to receive benefits from the Settlement. The Plaintiffs and their attorneys think the Settlement is best for all Class Members.

## Who is in the Settlement?

### 5. Who is included in the Settlement?

The court has defined the Class this way: “All persons who were potentially impacted by the Data Incident, including all persons who were sent notice by Esse Health that their Private Information was potentially compromised during the Data Incident.”

### 6. Are there exceptions to being included?

Yes. Excluded from the Class are: (1) Esse Health and its officers, directors, and related companies; and (2) the Judge in this case, and the Judge’s family and staff.

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

- Email: [info@EsseHealthSettlement.com](mailto:info@EsseHealthSettlement.com)
- Call toll free, 24/7: 1-(833) 386-6535
- By mail: Esse Health Data Incident Settlement  
c/o Settlement Administrator  
PO Box 25226  
Santa Ana, CA 92799-9958

You may also view the Settlement Agreement at [www.EsseHealthSettlement.com](http://www.EsseHealthSettlement.com).

## The Settlement Benefits

### 7. What does the Settlement provide?

Esse Health will establish a Settlement Fund of \$2,525,000.00. The Settlement Fund will first be used to pay court-approved attorneys’ fees and costs, Service Award payments for the Plaintiffs, and the costs of administering the Settlement. The net remaining money will be used to pay for the cash benefit described below. The cost of Medical Identity Protection will be paid separately by the Defendant.

**MEDICAL IDENTITY PROTECTION.** All Class Members are eligible to enroll in two years of CyEx Medical Shield Complete. Enrollment codes have been sent to all Settlement Class Members either via email or by a Postcard mailed to you. Visit <http://app.medicalshield.cyex.com/enrollment/activate/esse> to enroll. Your CyEx Medical Shield Complete subscription will become active once the Court grants Final Approval to this Settlement.

If you no longer have your enrollment code, please contact the Administrator.

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 anything suspicious happens, you will be able to talk to a fraud resolution agent to help fix any problems.

## CASH BENEFIT OPTION

**Pro Rata Cash Payment.** You may also claim a one-time *pro rata* cash payment.

It is expected that a significant amount of money will remain in the Settlement Fund after all expenses have been paid. All of this remaining money will be divided equally between everyone who claims a Pro Rata Cash Payment.

This payment is expected to be **\$50.00**, but may be larger or smaller depending on the total claims filed.

You do not have to provide any proof or explanation to claim this payment

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

- Email: [info@EsseHealthSettlement.com](mailto:info@EsseHealthSettlement.com)
- Call toll free, 24/7: 1-(833) 386-6535
- By mail: Esse Health Data Incident Settlement  
c/o Settlement Administrator  
PO Box 25226  
Santa Ana, CA 92799-9958

## 8. What claims am I releasing if I stay in the Class?

If you stay in the class, you won't be able to be part of any other lawsuit against Esse Health about the issues that this Settlement covers. The "Releases" section of the Settlement Agreement (Section IX) describes the legal claims that you give up if you remain in the Class.

## Submitting a Claim Form for a Settlement Payment

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

The fastest way to submit your Claim Form is online at [www.EsseHealthSettlement.com](http://www.EsseHealthSettlement.com). If you prefer, you can download a printable Claim Form from the website and mail it to the Settlement Administrator at:

Esse Health Data Incident Settlement  
c/o Settlement Administrator  
PO 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) 386-6535, by email [info@EsseHealthSettlement.com](mailto:info@EsseHealthSettlement.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 August 4, 2026. If you are submitting a claim by U.S. mail, the completed and signed Claim Form must be postmarked by August 4, 2026.

## 11. When will the Settlement benefits be issued?

The Court will hold a final approval hearing on **August 3, 2026** (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 attorneys Gary M. Klinger of Milberg PLLC; William B. Federman of Federman & Sherwood; and J. Gerard Stranch of Stranch Jennings & Garvey PLLC, to represent you and other 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 \$1,300,000.00 as reasonable attorneys’ fees and costs of litigation. This amount will be paid from the Settlement Fund.

Class Counsel will also ask for Service Award payments of \$1,500.00 for each of the Class Representatives. Service Award payments will also be paid from the Settlement Fund.

## 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 Settlement benefits or payment. However, you will keep any rights you may have to sue Esse Health 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 **July 5, 2026**.

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

- (1) the name of the Litigation: *Clausner et al. v. American Multispecialty Group, Inc. d/b/a Esse Health*, Case No. 2622-CC00414, pending in the 22<sup>nd</sup> Judicial Circuit Court of St. Louis City, Missouri;

- (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:

Esse Health Data Incident Settlement  
ATTN: Exclusion Request  
PO Box 25226  
Santa Ana, CA 92799-9958

Your Request for Exclusion must be postmarked by **July 5, 2026**.

## **Commenting on or Objecting to the Settlement**

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

If you are a Class Member and do not like part or all of the Settlement, you can object to it. Objecting means telling the Court your reasons for 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 Litigation: *Clausner et al. v. American Multispecialty Group, Inc. d/b/a Esse Health*, Case No. 2622-CC00414, pending in the 22<sup>nd</sup> Judicial Circuit Court of St. Louis City, Missouri;
- (2) your full name, mailing address, telephone number, and email address;
- (3) information that proves that you are a Class Member (such as a notice you have received);
- (4) a clear description of all the reasons you object; include any legal support, such as documents, you may have for your objection;
- (5) whether the objection applies only to you, or to other Class Members, as well;
- (6) if you have hired your own lawyer to represent you for this objection, provide their name, bar number, and contact information;
- (7) whether or not you or your lawyer would like to speak at the Final Approval Hearing;
- (8) if you or your lawyer have objected in any other cases in the past three years, list the names, courts, and civil action numbers for each of those cases; and
- (9) your signature and your lawyer’s signature (if you have hired your own lawyer, their signature alone is not sufficient).

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

To be considered by the Court, you must mail your complete objection to the Settlement Administrator and it must be postmarked by July 5, 2026.

Settlement Administrator
Esse Health Data Incident Settlement ATTN: Objections PO Box 25226 Santa Ana, CA 92799-9958

## 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 Court's Final Approval Hearing

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

The Court will hold a final approval on **August 3, 2026 at 11:00 a.m. Central Time**, in Division 20, located on the 8th floor of the Carnahan Courthouse at **1114 Market Street, St. Louis, MO 63101**.

At the final approval hearing, the Court will decide whether to approve the Settlement. The court will also decide how Class Counsel should be paid, and whether to award Service Award payments to the Class Representatives. The Court will also consider any objections to the Settlement.

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

The date and time of this hearing may change without further notice. Please check [www.EsseHealthSettlement.com](http://www.EsseHealthSettlement.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 a benefit 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.EsseHealthSettlement.com](http://www.EsseHealthSettlement.com).

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

- Email: [info@EsseHealthSettlement.com](mailto:info@EsseHealthSettlement.com)
- Call toll free, 24/7: 1-(833) 386-6535
- By mail: Esse Health Data Incident Settlement  
c/o Settlement Administrator  
PO Box 25226  
Santa Ana, CA 92799-9958

You can obtain copies of publicly filed documents by visiting the office of the Clerk of the Court, **1114 Market Street, St. Louis, MO 63101**.

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