

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**  
***Dawne Rice v. Falcon Healthcare, Inc. d/b/a Interim Healthcare of Lubbock, Texas***  
**Case No. DC-2024-DC-0569**

*The Lubbock County, Texas District Court authorized this Notice.  
This is not a solicitation from a lawyer.*

**If you are a living individual who was sent a notice that your Private Information may have been impacted as a result of a Data Incident that occurred in 2022 involving Falcon Healthcare, Inc., a class action settlement may affect your rights.**

On or about April 25, 2024, Falcon Healthcare, Inc. d/b/a Interim Healthcare of Lubbock Texas (“Falcon”) began notifying individuals that it had experienced a cybersecurity incident and that Private Information related to certain patients was accessed and downloaded by an unknown actor between April 29, 2022 and July 3, 2022. (the “Data Incident”). Following Falcon’s notice to individuals, a lawsuit was filed against Falcon which is entitled *Dawne Rice v. Falcon Healthcare, Inc. d/b/a Interim Healthcare of Lubbock, Texas*. The Parties have reached a settlement of this lawsuit in its entirety. Falcon Healthcare denies all claims alleged against it and denies all charges of wrongdoing or liability. The Settlement is not an admission of wrongdoing or an indication that the Falcon Healthcare has violated any laws, but rather the resolution of disputed claims.

Your legal rights are affected regardless of whether you do or do not act. Read this notice carefully. For complete details, visit [www.FalconDataSettlement.com](http://www.FalconDataSettlement.com) or call toll-free 1-855-676-4171.

| YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT                           |  |
|--|--|
| <b>SUBMIT A CLAIM FORM</b><br><b>BY: JANUARY 26, 2026</b>                  | Submitting a valid Claim Form is the only way you can receive Settlement Class Member Benefits.  |
| <b>EXCLUDE YOURSELF FROM THE SETTLEMENT</b><br><b>BY: JANUARY 20, 2026</b> | If you exclude yourself from this Settlement, you will not receive any benefits from the Settlement, but you also will not release your claims against Falcon Healthcare. This is the only option that allows you to be part of any other lawsuit against Falcon Healthcare for the legal claims resolved by this Settlement. If you exclude yourself from the Settlement, you may not object to the Settlement. |
| <b>OBJECT TO THE SETTLEMENT</b><br><b>BY: JANUARY 20, 2026</b>             | To object to the settlement, you can write to the Court with reasons why you do not agree with the Settlement. You may ask the Court for permission for you or your attorney to speak about your objection at the Final Approval Hearing at your own expense.  |
| <b>DO NOTHING</b>  | If you do nothing, you will not receive any benefits from the Settlement. You will also give up certain legal rights.  |

**Questions? Visit [www.FalconDataSettlement.com](http://www.FalconDataSettlement.com) or call toll-free 1-855-676-4171**

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### BASIC INFORMATION

#### 1. Why is this Notice being provided?

The Court directed that this Notice be provided because you have a right to know about a proposed Settlement that has been reached in this class action lawsuit and about all of your options before the Court decides whether to grant Final Approval of the Settlement. If the Court approves the Settlement, and after objections or appeals, if any, are resolved, the Settlement Administrator appointed by the Court will distribute the Settlement Class Member Benefits to Settlement Class Members who submitted a valid and timely Claim Form. This Notice explains the lawsuit, the Settlement, your legal rights, what payments are available, who is eligible for them, and how to get them.

The Court overseeing this case is the Lubbock County, Texas District Court. The Settlement resolves the following lawsuit entitled: *Dawne Rice v. Falcon Healthcare, Inc. d/b/a Interim Healthcare of Lubbock, Texas.*, Case No. DC-2024-DC-0569, Lubbock County, Texas. The individual who brought this Action is called the Plaintiff or Class Representative, and the entity they sued is called the Defendant.

#### 2. What is this lawsuit about?

The Plaintiff alleges that Falcon Healthcare is liable for the Data Incident and has asserted numerous legal claims against Falcon Healthcare. Falcon Healthcare denies all the claims and contentions alleged against it and denies all charges of wrongdoing or liability as alleged, or which could be alleged, in the Action.

For more information and to review the complaint filed in this Action, visit [www.FalconDataSettlement.com](http://www.FalconDataSettlement.com).

#### 3. What is a class action Settlement?

In a class action, one or more people called Plaintiff or Plaintiffs sue on behalf of people who have similar claims. Together, these people are called a Settlement Class or Settlement Class Members. One Court and one judge resolve 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 did not decide in favor of the Plaintiff or Falcon Healthcare. Instead, a Settlement was negotiated that allows the Plaintiff, the proposed Settlement Class, and Falcon Healthcare to avoid the

risks and costs of lengthy and uncertain litigation and the uncertainty of a trial and appeals. The Settlement provides benefits and allows Settlement Class Members to obtain payment for certain costs or losses and other benefits without further delay. Plaintiff and Plaintiff's attorneys ("Class Counsel") think the Settlement is in the best interest of all Settlement Class Members. This Settlement does not mean that Falcon Healthcare did anything wrong.

## **WHO IS INCLUDED IN THE SETTLEMENT?**

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

The Settlement Class includes all living individuals in the United States who were sent a notice by Falcon Healthcare that their Private Information may have been impacted in the Data Incident.

The Data Incident is the cybersecurity incident that took place between April 29, 2022, and July 3, 2022, involving Falcon Healthcare and resulting in the unauthorized access to or acquisition of Settlement Class Members' Private Information.

Settlement Class Members were also sent Notice of this class action Settlement via mail. If you received Notice of this Settlement, you are eligible to receive Settlement Class Member Benefits. If you are still not sure whether you are included, you can contact the Settlement Administrator by calling toll-free at 1-855-676-4171 or by visiting the Settlement Website at [www.FalconDataSettlement.com](http://www.FalconDataSettlement.com).

### **6. Are there exceptions to being included in the Settlement?**

Yes. Excluded from the Settlement Class are: (a) directors and officers of Falcon Healthcare; and (b) the Judge assigned to the Action, that Judge's immediate family, and Court staff.

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

### **7. What does the Settlement provide?**

The Settlement provides for the creation of a Settlement Fund in the amount of \$800,000.00 to pay for all Settlement Administration Costs, Cash Payments, Medical Data Monitoring, and any Court-awarded attorneys' fees, costs, and Service Award for the Class Representative

Please visit [www.FalconDataSettlement.com](http://www.FalconDataSettlement.com) for complete information about the Settlement Class Member Benefits.

**The Settlement provides for the following Settlement Class Member Benefits. Settlement Class Members can select from the following benefits:**

- **Settlement Class Members can select one of the following:**
  - **Cash Payment A – Documented Losses:** Up to \$5,000.00 for documented losses related to the Data Incident.
  - OR**
  - **Cash Payment B – Alternative Cash Payment:** Cash payment in the *estimated* amount of \$100.00. The final amount of the cash payment will not be determined until all Claim Forms have been received and evaluated. The amount will be based upon the value of all Valid Claims received.
- **Medical Data Monitoring:** Two Years of Medical Data Monitoring. This benefit may be selected in addition to either of the Cash Payment benefits listed above.

## 8. What is included under the Cash Payment A - Documented Losses Payment?

Settlement Class Members may submit a claim for a Cash Payment for up to \$5,000.00 per Settlement Class Member upon presentment of documented losses related to the Data Incident.

To receive a documented loss payment, a Settlement Class Member must elect the **Cash Payment A** option on the Claim Form attesting under penalty of perjury to having incurred the documented losses claimed. Settlement Class Members will be required to submit reasonable documentation supporting the losses. Settlement Class Members shall not be reimbursed for expenses if they have been reimbursed for the same expenses by another source, including compensation provided in connection with the identity protection and credit monitoring services offered as part of the notification letter provided by Defendant or otherwise.

Non-exhaustive examples of reasonable documentation include telephone records, correspondence including emails, or receipts. Except as expressly provided herein, personal certifications, declarations, or affidavits from the Settlement Class Member do not constitute reasonable documentation but may be included to provide clarification, context, or support for other submitted reasonable documentation.

If a Settlement Class Member does not submit reasonable documentation supporting a loss, or if their Claim is rejected by the Settlement Administrator for any reason, and the Settlement Class Member fails to cure his or her Claim, the Claim will be converted into a Cash Payment B - Alternative Cash Payment Claim.

## 9. What is the Cash Payment B – Alternative Cash Payment?

Settlement Class Members may instead elect to receive the Cash Payment B option, which is a flat cash payment in the *estimated* amount of \$100.00. The final amount of the flat cash payment will not be determined until all Claim Forms have been received and evaluated. The amount will be based on the total value of all Valid Claims received.

Cash Payments will be subject to a *pro rata* increase in the event the amount of Valid Claims is insufficient to exhaust the entire Settlement Fund. Similarly, in the event the amount of Valid Claims exhausts the amount of the Settlement Fund, the amount of the Cash Payments will be reduced *pro rata* accordingly. For purposes of calculating the *pro rata* increase or decrease, the Settlement Administrator must distribute the funds in the Settlement Fund in the following order: (1) Settlement Administration Costs; (2) Service Award; (3) Attorneys' Fees and Costs; (4) Medical Data Monitoring; and (5) Cash Payments. Any *pro rata* increases or decreases to Cash Payments will be on an equal percentage basis.

## 10. What is included in the Medical Data Monitoring?

Settlement Class Members may also elect to receive two years of Cyex Medical Shield Medical Data Monitoring. Medical Data Monitoring will provide the following benefits: medical identity monitoring, real-time alerts, and insurance coverage for up to \$1,000,000 for medical identity theft. Medical Data Monitoring has an estimated value of \$900.00 per year per Settlement Class Member.

## 11. Will Falcon Healthcare implement any additional security measures?

Yes. Prior to Final Approval, Falcon Healthcare will provide Class Counsel with a list of the security measures that have been implemented following the Data Incident, including an estimate of the amount of money Falcon Healthcare has incurred or will incur in connection with the implemented or to-be-implemented measures. The costs of which are the responsibility of Falcon Healthcare and will not in any way reduce the Settlement Amount.

## HOW TO GET BENEFITS—SUBMITTING A CLAIM FORM

### 12. How do I get benefits from the Settlement?

In order to receive Settlement Class Member Benefits, you must complete and submit a Claim Form online at [www.FalconDataSettlement.com](http://www.FalconDataSettlement.com). Claim Forms are available for download at [www.FalconDataSettlement.com](http://www.FalconDataSettlement.com), or you may request one by mail by calling 1-855-676-4171. Read the instructions carefully, fill out the Claim Form, and submit it online, or mail it and make sure it is postmarked no later than **January 26, 2026** to: Falcon Healthcare Data Incident Settlement, Attn: Claim Forms, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

### 13. How will claims be decided?

The Settlement Administrator will decide whether the information provided on the Claim Form is complete and valid. The Settlement Administrator may require additional information from any claimant. If the Settlement Administrator requires additional information from you and you do not provide it in a timely manner, your claim may not be paid.

### 14. When will I get my payment?

The Court will hold a Final Approval Hearing via Zoom at **10:00 a.m. Central Time on February 10, 2026** to decide whether to approve the Settlement. Even if the Court approves the Settlement, there may be appeals, and resolving them may take additional time. It also takes time for all the Claim Forms to be processed, depending on the number of claims submitted and whether any appeals are filed. Please be patient. If you have further questions regarding payment timing, you may contact the Settlement Administrator by emailing [info@FalconDataSettlement.com](mailto:info@FalconDataSettlement.com).

## REMAINING IN THE SETTLEMENT

### 15. Do I need to do anything to remain in the Settlement?

You do not have to do anything to remain in the Settlement, but if you want to receive Settlement Class Member Benefits, you must submit a Claim Form online or postmarked by **January 26, 2026**.

If you do nothing, you will **not** receive Settlement Class Member Benefits and you will also give up certain legal rights.

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

If the Settlement becomes final, you will give up your right to sue Falcon Healthcare for the claims being resolved by this Settlement. The specific claims you are giving up against Falcon Healthcare and the claims you are releasing are described in the Settlement Agreement, available at [www.FalconDataSettlement.com](http://www.FalconDataSettlement.com). The Settlement Agreement describes the Released Claims with specific descriptions, so read it carefully. If you have any questions about what claims you are giving up and which parties you are releasing, you can talk to the law firms listed in Question 20 for free or you can, of course, talk to your own lawyer at your own expense.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want any benefits from this Settlement, and you want to keep the right to sue Falcon Healthcare about legal issues resolved by this Settlement, then you must take steps to get out of the Settlement Class. This is called excluding yourself from – or is sometimes referred to as “opting-out” of – the Settlement Class.

### 17. If I exclude myself, can I still get payment from the Settlement?

No. If you exclude yourself from the Settlement, you will not be entitled to any Settlement Class Member Benefits, but you will not be bound by any judgment in this case.

### 18. If I do not exclude myself, can I sue Falcon Healthcare for the same thing later?

No. Unless you exclude yourself from the Settlement, you give up any right to sue Falcon Healthcare 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.

### 19. How do I get out of the Settlement?

To exclude yourself from the Settlement (also known as “opting-out” of the Settlement), you must send a letter by mail stating that you want to be excluded from the Settlement. The opt-out request must be personally signed by the Settlement Class member and contain the requestor’s name, address, telephone number, and email address (if any), and include a statement indicating a request to opt-out of the Settlement Class. Opt-out requests must be mailed so it postmarked no later than **January 20, 2026** to the address below:

Falcon Healthcare Data Incident Settlement  
**Attn: Exclusions**  
P.O. Box 58220  
Philadelphia, PA 19102

Requests for Exclusion may only be done on an individual basis, and no person may request to be excluded from the Settlement Class through “mass” or “class” opt-outs.

## THE LAWYERS REPRESENTING YOU

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

Yes. The Court appointed the following attorneys as “Class Counsel” to represent the Settlement Class:

| Class Counsel   |  |   |
|---|--|---|
| Jeff Ostrow<br><b>Kopelowitz Ostrow P.A</b><br>One West Las Olas Blvd., Ste. 500<br>Fort Lauderdale, FL 33301 | David Lietz<br><b>Milberg Coleman Bryson<br/>Phillips &amp; Grossman, PLLC</b><br>5335 Wisconsin Ave. NW, Ste. 440<br>Washington, D.C. 20015 | Joe Kendall<br><b>Kendall Law Group, PLLC</b><br>3811 Turtle Creek, Suite 825<br>Dallas, TX 75219 |

You will not be charged for contacting Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense.

### 21. How will Class Counsel be paid?

Class Counsel shall apply to the Court for an award of attorneys’ fees of up to one-third of the Settlement Fund, plus reimbursement of reasonable costs. Class Counsel will also seek a Service Award in the amount of \$5,000 for the Class Representative. The Court may award less than these amounts.



## OBJECTING TO THE SETTLEMENT

### 22. How do I tell the Court that I do not like the Settlement?

If you are a Class Member, you can object to the Settlement if you do not like or agree with the Settlement or some part of it. You can give reasons to the Court why you think the Court should not approve the Settlement. The Court will consider your views before deciding.

For an objection to be considered by the Court, the objection must set forth:

- a) the objector's full name, mailing address, telephone number, and email address (if any);
- b) all grounds for the objection, accompanied by any legal support for the objection known to the objector or objector's counsel;
- c) the number of times the objector has objected to a class action settlement within the 5 years preceding the date that the objector files the objection, the caption of each case in which the objector has made such objection, and a copy of any orders related to or ruling upon the objector's prior objections that were issued by the trial and appellate courts in each listed case;
- d) the identity of all counsel (if any) who represent the objector, including any former or current counsel who may claim an entitlement to compensation for any reason related to the objection to the Settlement and/or Application for Attorneys' Fees, Costs, and Service Awards;
- e) the number of times in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the five years preceding the date of the filed objection, the caption of each case in which counsel or the firm has made such objection and a copy of any orders related to or ruling upon counsel's or the counsel's law firm's prior objections that were issued by the trial and appellate courts in each listed case in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the preceding 5 years;
- f) the identity of all counsel (if any) representing the objector, and whether they will appear at the Final Approval Hearing;
- g) a list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- h) a statement confirming whether the objector intends to personally appear and/or testify at the Final Approval Hearing; and
- i) the objector's signature (an attorney's signature is not sufficient).

Class Counsel and/or Falcon Healthcare's Counsel may conduct limited discovery on any objector or objector's counsel.

Objections must be filed with the Court, and sent by U.S. Mail to Class Counsel, Falcon Healthcare's Counsel, and the Settlement Administrator (addresses below). For an objection to be considered by the Court, the objection must be submitted no later than **January 20, 2026**, and the Settlement Class Member must not have opted-out of the Settlement Class. If submitted by mail, an objection shall be deemed to have been submitted when posted if received with a postmark date indicated on the envelope if mailed first-class postage prepaid and addressed in accordance with the instructions. If submitted by courier (*e.g.*, Federal Express), an objection shall be deemed to have been submitted on the shipping date reflected on the shipping label.

| Court  | Settlement Administrator  |
|--|---|
| Lubbock County Courthouse<br>99 <sup>th</sup> District Court<br>Attn: DC-2024-CV-0569<br>904 Broadway, Suite 322<br>Lubbock, TX 79401        | Falcon Healthcare Data Incident Settlement<br><b>Attn: Objections</b><br>P.O. Box 58220<br>Philadelphia, PA 19102 |
| Falcon Healthcare's Counsel  | Class Counsel   |
| Wynter L. Deagle<br><b>Sheppard, Mullin, Richter &amp; Hampton LLP</b><br>12275 El Camino Real, Suite 100<br>San Diego, CA 92101             | Jeff Ostrow<br><b>Kopelowitz Ostrow P.A.</b><br>1 West Las Olas Blvd., Ste. 500<br>Fort Lauderdale, FL 33301      |
| Class Counsel  | Class Counsel   |
| David Lietz<br><b>Milberg Coleman Bryson<br/>Phillips &amp; Grossman, PLLC</b><br>5335 Wisconsin Ave. NW, Ste. 440<br>Washington, D.C. 20015 | Joe Kendall<br><b>Kendall Law Group, PLLC</b><br>3811 Turtle Creek, Suite 825<br>Dallas, TX 75219                 |

### 23. What is the difference between objecting to and excluding myself from the Settlement?

Objecting is telling the Court that you do not like something about the Settlement. Excluding yourself is telling the Court that you do not want to be part of the Class in this Settlement. If you exclude yourself from the Settlement, you have no basis to object or submit a Claim Form because the Settlement no longer affects you.

## THE COURT'S FINAL APPROVAL HEARING

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to. You cannot speak at the hearing if you exclude yourself from the Settlement.

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

The Court will hold a Final Approval Hearing via Zoom at **10:00 a.m. CST, on February 10, 2026**. At the Final Approval Hearing, the Court will hear argument on Plaintiff's Motion for Final Approval of the Settlement and Application for Attorneys' Fees, Costs, and Service Award. In the Court's discretion, the Court will also hear argument at the Final Approval Hearing from any Settlement Class Members (or their counsel) who object to the Settlement and/or to the Application for Attorneys' Fees, Costs, and Service Award, provided the objectors submitted timely objections that meet all of the requirements listed Question 22.

### 25. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend the Final Approval Hearing at your own expense. If you file an objection, you do not have to come to Court to talk about it. You may also hire your own lawyer to attend, at your own expense, but you are not required to do so.

### 26. May I speak at the Final Fairness Hearing?

Yes, you may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must follow the instructions provided in Question 22 above. You cannot speak at the hearing if you exclude yourself from the Settlement.



## **IF YOU DO NOTHING**

### **27. What happens if I do nothing?**

If you do nothing, you will not receive any Settlement Class Member Benefits. If the Court approves the Settlement, and you do nothing, you will be bound by the Settlement Agreement. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Falcon Healthcare or Released Parties about the issues involved in this lawsuit, resolved by this Settlement, and released by the Settlement Agreement.

## **GETTING MORE INFORMATION**

### **28. Are more details about the Settlement available?**

Yes. This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement available at [www.FalconDataSettlement.com](http://www.FalconDataSettlement.com), or by writing to Settlement Administrator:

Falcon Healthcare Data Incident Settlement  
c/o Settlement Administrator  
1650 Arch Street, Suite 2210  
Philadelphia, PA 19103

**Email:** [info@FalconDataSettlement.com](mailto:info@FalconDataSettlement.com)

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

For more information, please visit [www.FalconDataSettlement.com](http://www.FalconDataSettlement.com) or call toll-free 1-855-676-4171. You can also contact the Settlement Administrator by mail or email.

***Please do not call the Court or the Clerk of the Court for additional information.***