

**If your Private Information was impacted by the Data Incident involving Eastern Radiologists, Inc., discovered on or around November 24, 2023, and you were sent notice, you may be entitled to benefits from a Settlement.**

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

- A settlement has been reached in a class action lawsuit against Eastern Radiologists, Inc. (“Defendant”) involving a Data Incident discovered by Defendant on or around November 24, 2023, resulting in the unauthorized access to Defendant’s computer network. Plaintiffs allege the Data Incident resulted in access to, and compromise of, personally identifiable information and protected health information (together, “Private Information”). The Private Information involved includes any combination of names, Social Security numbers, home addresses, phone numbers, dates of birth, financial account numbers, driver’s license numbers, patient account numbers, billing account numbers, health insurance plan member ID, medical record number, dates of service, provider names, medical treatment information, or other sensitive personal information.
- The Settlement Class includes: all persons whose Private Information was impacted by the Data Incident and were notified of the Data Incident from or on behalf of Defendant.
- If you are a member of the Settlement Class, you can submit a Claim Form for the following Settlement benefits:
  - **Out-of-Pocket Losses Cash Payment:** You may submit a Claim Form and provide reasonable documentation for unreimbursed losses fairly traceable to the Data Incident for up to \$5,000 per Settlement Class Member; **OR**
  - **Alternative Cash Payment:** Instead of Out-of-Pocket Losses, you may submit a Claim Form to receive a pro rata (a legal term meaning equal share) alternative cash payment without providing supporting documentation; **AND**
  - **Medical Account Monitoring:** In addition to the Out-of-Pocket Losses Cash Payment or the Alternative Cash Payment benefits detailed above, you may submit a Claim Form to receive one year of free Medical Account Monitoring.
  - Your Cash Payment may be subject to a pro rata increase or decrease depending upon the total value of all Valid Claims.

**Injunctive Relief:** Defendant is implementing additional security measures following the Data Incident.

**This Notice may affect your rights. Please read it carefully.**

YOUR LEGAL RIGHTS & OPTIONS		DEADLINE
<b>Submit a Claim Form</b>	The only way to get Settlement benefits is to submit a timely and valid Claim Form.	Submitted or <i>Postmarked</i> by: <b>DECEMBER 01, 2025</b>
<b>Exclude Yourself</b>	Get no Settlement benefits. Keep your right to file your own lawsuit against the Released Persons about the Released Claims that are released by the Settlement in this lawsuit.	<i>Postmarked</i> by: <b>OCTOBER 28, 2025</b>
<b>Object to the Settlement</b>	Stay in the Settlement but tell the Court why you do not agree with the Settlement. You will still be bound by the Settlement if the Court approves it.	<i>Postmarked</i> by: <b>OCTOBER 28, 2025</b>
<b>Do Nothing</b>	Get no Settlement benefits. Give up your legal rights.	

- These rights and options-**and the deadlines to exercise them**-are explained in this Notice.
- The Court must decide whether to approve the Settlement, attorneys’ fees, costs, and service awards. No Settlement benefits will be provided unless the Court approves the Settlement.

**Questions? Go to [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) or call 1-888-884-2391.**

## BASIC INFORMATION

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

A Court authorized this Notice because you have the right to know about the Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant final approval to the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what Settlement benefits are available, who is eligible for the Settlement benefits, and how to get them.

Superior Court Judge Matthew T. Houston is overseeing this class action. The lawsuit is known as *Powers et al. v. Eastern Radiologists, Inc.*, Case No. 24CVS772 (the “Lawsuit”). The individuals who filed this lawsuit are called the “Plaintiffs” and/or “Class Representatives” and the company sued, Eastern Radiologists, Inc., is called the “Defendant.”

### 2. What is this lawsuit about?

The Plaintiffs filed this lawsuit against the Defendant on behalf of themselves and all others similarly situated involving a Data Incident discovered by Defendant on or around November 24, 2023, resulting in the unauthorized access to Defendant’s computer network. Plaintiffs allege the Data Incident resulted in access to, and compromise of, personally identifiable information and protected health information (together, “Private Information”). The Private Information involved includes but is not limited to, any combination of names, Social Security numbers, home addresses, phone numbers, dates of birth, financial account numbers, driver’s license numbers, patient account numbers, billing account numbers, health insurance plan member ID, medical record number, dates of service, provider names, medical treatment information, or other sensitive personal information.

Plaintiffs allege negligence, negligence per se, breach of implied contract, breach of fiduciary duty, unjust enrichment, invasion of privacy, and violations of various North Carolina laws.

Defendant denies the legal claims and denies any wrongdoing or liability. The Court has not made any determination of any wrongdoing by Defendant, or that any law has been violated. Instead, the Plaintiffs and Defendant have agreed to a settlement to avoid the risk, cost, and time of continuing the lawsuit.

### 3. Why is there a Settlement?

The Plaintiffs and Defendant do not agree about the legal claims made in this lawsuit. The lawsuit has not gone to trial, and the Court has not decided in favor of the Plaintiffs or Defendant. Instead, the Plaintiffs and Defendant have agreed to settle the lawsuit. The Class Representatives, Defendant, and their lawyers believe the Settlement is best for the Settlement Class because of the Settlement benefits available and the risks and uncertainty associated with continuing the lawsuit.

### 4. Why is this lawsuit a class action?

In a class action, one or more people (called Class Representatives) sue on behalf of all people who have similar legal claims. Together, all these people are called a Class or Class Members. One Court resolves the issues for all Class Members, except for those Class Members who timely exclude themselves (opt-out) from the Class.

## WHO IS INCLUDED IN THE SETTLEMENT?

### 5. How do I know if I am included in the Settlement?

You are included in the Settlement Class if you are a person whose Private Information was impacted by the Data Incident, and you were notified of the Data Incident from or on behalf of Defendant.

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

Yes. Excluded from the Settlement Class are: (i) all Settlement Class Members who timely and validly request exclusion from the Settlement Class; and (ii) the Judge presiding over this lawsuit and their staff and their direct family members.

**Questions? Go to [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) or  
call 1-888-884-2391.**

## 7. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Settlement Class Member, you may go to [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) or call toll-free 1-888-884-2391.

## THE SETTLEMENT BENEFITS

## 8. What does this Settlement provide?

If you are a Settlement Class Member, you can submit a Claim Form for the following Settlement benefits:

### **Out-of-Pocket Losses Cash Payment**

You may submit a Claim Form to receive reimbursement of documented out-of-pocket losses, which must include third-party documentation sufficient to show your actual, incurred costs or expenses which are fairly traceable to the Data Incident for up to \$5,000 per Settlement Class Member if:

- 1) the loss is an actual, documented, and unreimbursed monetary loss; the loss was incurred on or after November 20, 2023;
- 2) the loss was more likely than not caused by the Data Incident;
- 3) the loss is not already covered by one or more of the other reimbursement categories; and
- 4) you made reasonable efforts to avoid, or seek reimbursement for the loss, including but not limited to, exhaustion of all available credit monitoring.

Examples of expenses incurred as a result of the Data Incident, include (without limitation):

- 1) costs, expenses, losses or charges incurred as a result of identity theft or identity fraud, falsified tax returns, or other misuse of your personal information after November 20, 2023;
- 2) costs incurred on or after November 20, 2023, associated with accessing or freezing/unfreezing credit reports with any credit reporting agency;
- 3) miscellaneous expenses such as notary, postage, copying, mileage, and other charges; and
- 4) charges for credit monitoring or other mitigative expenditures incurred on or after November 20, 2023, through the date of your claim submission.

Examples of reasonable documentation include (but are not limited to): telephone records, correspondence including emails, or receipts. Documentation supporting Out-of-Pocket Losses can include receipts or other documentation not “self-prepared” by the Settlement Class Member concerning the costs incurred. “Self-prepared” documents such as handwritten receipts are, by themselves, insufficient to receive reimbursement, but can be considered to clarify or support other submitted documentation.

You will not be reimbursed for expenses if you have been reimbursed for the same expenses by another source.

Claims for Out-of-Pocket Losses may be reduced pro rata (a legal term meaning equal share) in the unlikely event that the amount of Valid Claims for Out-of-Pocket Losses exceeds \$200,000.

### **Alternative Cash Payment**

Instead of Out-of-Pocket Losses, you may submit a Claim Form to receive a pro rata alternative cash payment without providing documentation.

Your Alternative Cash Payment may be subject to a pro rata increase if the amount of Valid Claims does not use the entire Common Fund, calculated after payment for administration costs, attorneys’ fees and expenses, and service awards has been subtracted. Alternatively, if the amount of Valid Claims exceeds the amount of the net Common Fund, calculated after payment for administration costs, attorneys’ fees and expenses, and Service Awards has been subtracted, your Cash Payment may be subject to a pro rata reduction.

**Questions? Go to [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) or call 1-888-884-2391.**

Any pro rata increases or decreases to Alternative Cash Payments will be on an equal percentage basis.

If approved by the Court, Alternative Cash Payments will be paid from the \$3,250,000 Common Fund after the payment of administration costs, attorneys' fees, costs, expenses, and Service Awards. Out-of-Pocket Losses will not be paid from the Common Fund but rather will be paid separately by the Defendant.

### **Medical Account Monitoring**

In addition to either of the Cash Payments, you may also submit a Claim Form to receive one year of free Medical Account Monitoring.

### **Injunctive Relief**

Defendant is implementing additional security measures following the Data Incident.

## **9. What am I giving up to receive Settlement benefits or stay in the Settlement Class?**

Unless you exclude yourself (opt-out), you will remain in the Settlement Class. If the Settlement is approved and becomes final, all Court orders and any judgments will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against the Released Persons about the Released Claims in this lawsuit. The specific rights you are giving up are called "Released Claims."

## **10. What are the Released Claims?**

Section six of the Settlement Agreement describes the Release, Released Claims, and Released Persons, in necessary legal terminology, so please read this section carefully. The Settlement Agreement is available at [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com). For questions regarding the Release, Released Claims, or Released Persons and what the language in the Settlement Agreement means, you can also contact Class Counsel listed below for free, or you can talk to your own lawyer at your own expense.

### **HOW TO GET BENEFITS FROM THE SETTLEMENT**

## **11. How do I submit a Claim Form?**

You must submit a timely and valid Claim Form to receive Settlement benefits as described above. Your Claim Form must be submitted online at [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) by **DECEMBER 01, 2025**, or mailed to the Claims Administrator at the address on the Claim Form, **postmarked by DECEMBER 01, 2025**. Claim Forms are also available at [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) or by calling 1-888-884-2391 or by writing to:

*Eastern Radiologists Data Incident*  
Claims Administrator  
PO Box 3076  
Portland, OR 97208-3076

## **12. What happens if my contact information changes after I submit a Claim Form?**

If you change your mailing address or email address after you submit a Claim Form, it is your responsibility to inform the Claims Administrator of your updated information. You may notify the Claims Administrator of any changes by writing to:

*Eastern Radiologists Data Incident*  
Claims Administrator  
PO Box 3076  
Portland, OR 97208-3076

## **13. When will I receive my Settlement benefits?**

If you file a timely and valid Claim Form, the Settlement benefits will be provided after the Settlement is approved by the Court and becomes final.

**Questions? Go to [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) or call 1-888-884-2391.**

It may take time for the Settlement to be approved and become Final. Please be patient and check [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) for updates.

## EXCLUDE YOURSELF OR OPT-OUT OF THE SETTLEMENT

If you are a member of the Settlement Class and want to keep any right you may have to sue or continue to sue the Released Persons on your own about the legal claims in this lawsuit or the Released Claims, then you must take steps to get out of the Settlement. This is called excluding yourself from-or “opting-out” of the Settlement.

### 14. How do I opt-out of the Settlement?

To exclude yourself from the Settlement, you must mail a written request for exclusion, which includes the following:

- 1) Your name, address, telephone number, and email address (if any);
- 2) Your personal physical signature; and
- 3) A statement that you want to be excluded from the Settlement Class, such as “I hereby request to be excluded from the Settlement Class in *Powers et al. v. Eastern Radiologists, Inc.*”

The exclusion request must be **mailed** to the Claims Administrator at the following address, and be **postmarked by OCTOBER 28, 2025**:

*Eastern Radiologists Data Incident*  
Claims Administrator  
PO Box 3076  
Portland, OR 97208-3076

**You cannot opt-out (exclude yourself) by telephone or by email.**

Settlement Class Members will only be able to submit an opt-out request on their own behalf; mass or class opt-outs will not be permitted.

### 15. If I opt-out can I still get anything from the Settlement?

No. If you opt-out, you will not be able to receive Settlement benefits, and you will not be bound by the Settlement or any judgments in this lawsuit. You can only get Settlement benefits if you stay in the Settlement and submit a timely and valid Claim Form.

### 16. If I do not opt-out, can I sue the Defendant for the same thing later?

No. Unless you opt-out, you give up any right to sue any of the Released Persons for the released legal claims this Settlement resolves, and you will be bound by all the terms of the Settlement, proceedings, orders, and judgments in the lawsuit. You must opt-out of this lawsuit to start or continue your own lawsuit or be part of any other lawsuit against the Released Persons about the Released Claims in this Settlement. If you have a pending lawsuit, speak to your lawyer in that lawsuit immediately.

## OBJECTING TO THE SETTLEMENT

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

If you are a Settlement Class Member, you can tell the Court you do not agree with all or any part of the Settlement and/or attorneys’ fees, costs, and service awards.

To object, you must send your timely written objection by U.S. mail to the Claims Administrator **postmarked by OCTOBER 28, 2025**, stating you object to the Settlement in *Powers et al. v. Eastern Radiologists, Inc.*, Case No. 24CVS772.

**Questions? Go to [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) or  
call 1-888-884-2391.**

To submit an objection, you cannot exclude yourself from the Settlement Class. Your objection must include all of the following information:

- 1) Your full name, address, telephone number, and email address (if any);
- 2) Information identifying you as a Settlement Class Member, including proof that you are a member of the Settlement Class (e.g., copy of notice, copy of original notice of the Data Incident);
- 3) A written statement of all grounds for the objection, accompanied by any legal support for the objection you believe applicable;
- 4) The identity of any and all lawyers representing you in connection with the objection;
- 5) A statement as to whether you and/or your lawyer will appear at the Final Approval Hearing; and
- 6) Your signature as the objector and/or the signature of your duly authorized lawyer or other duly authorized representative (along with documentation setting forth such representation).

To object, you must submit your timely written objection by U.S. mail to the Claims Administrator **postmarked by OCTOBER 28, 2025**, to the following address:

*Eastern Radiologists Data Incident*  
Claims Administrator  
PO Box 3076  
Portland, OR 97208-3076

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

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Opting-out is telling the Court that you do not want to be part of the Settlement Class. If you opt-out, you cannot object because you are no longer part of the Settlement.

#### **THE LAWYERS REPRESENTING YOU**

#### **19. Do I have a lawyer in the lawsuit?**

Yes. The Court has appointed Jean Martin of Morgan & Morgan Complex Litigation Group, Scott C. Harris and Gary Klinger of Milberg Coleman Bryson Phillips Grossman, PLLC, and Joel Rhine of Rhine Law Firm PC as Class Counsel to represent you and the Settlement Class for the purposes of this Settlement. You may hire your own lawyer at your own cost if you want someone other than Class Counsel to represent you in this lawsuit.

#### **20. How will Class Counsel be paid?**

Class Counsel will file a motion asking the Court to award attorneys' fees of \$1,500,000 (33.33% of the Common Fund and claimable benefits), plus reimbursement of costs and expenses up to \$50,000 to be paid from the Common Fund. Class Counsel will also ask the Court to approve Service Awards for each Class Representative of \$2,500 for their efforts. If awarded by the Court, the attorneys' fees, costs, expenses, and Service Awards will be paid from the Common Fund. The Court may award less than these amounts.

#### **THE FINAL APPROVAL HEARING**

The Court will hold a "Final Approval Hearing" to decide whether to approve the Settlement and attorneys' fees, costs, and Service Awards. You may attend and you may ask to speak if you submit an objection by the deadline, but you do not have to.

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

The Court will hold a Final Approval Hearing on **DECEMBER 15, 2025, at 10:00 a.m.**, before the Honorable Matthew T. Houston at the Wake County Courthouse, 316 Fayetteville St. Raleigh, NC 27601. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement, attorneys' fees, costs, expenses, and service awards.

**Questions? Go to [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) or  
call 1-888-884-2391.**



If there are objections that were submitted by the deadline, the Court will consider them. If you submit a timely objection, and you (or your lawyer) ask to speak at the hearing, the Court may hear objections at the hearing.

**Note:** The date and time of the Final Approval Hearing are subject to change without further notice to the Settlement Class. The Court may also decide to hold the hearing via video conference or by telephone. You should check the Settlement Website [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) to confirm the date and time of the Final Approval Hearing have not changed.

## **22. Do I have to attend the Final Approval Hearing?**

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you submit an objection, you do not have to attend the Final Approval Hearing to speak about it. As long as you submit your written objection by the deadline, the Court will consider it.

## **23. May I speak at the Final Approval Hearing?**

If there are objections that were submitted by the deadline, the Court will consider them. If you submit a timely objection, and you (or your lawyer) ask to speak at the hearing, the Court may hear objections at the hearing.

### **GET MORE INFORMATION**

## **24. How do I get more information about the Settlement?**

This Notice summarizes the Settlement. Complete details about the Settlement are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com). You may get additional information at [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) or by calling 1-888-884-2391, or by writing to:

*Eastern Radiologists Data Incident*  
Claims Administrator  
PO Box 3076  
Portland, OR 97208-3076

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT'S CLERK OFFICE REGARDING THIS NOTICE.**

**Questions? Go to [www.EasternRadiologistsSettlement.com](http://www.EasternRadiologistsSettlement.com) or call 1-888-884-2391.**