

IN THE CIRCUIT COURT OF WASHINGTON COUNTY, ARKANSAS
CIVIL DIVISION

IN RE HIGHLANDS ONCOLOGY GROUP
DATA BREACH LITIGATION

Case No. 72CV-25-3420

ORDER GRANTING PRELIMINARY APPROVAL

Plaintiffs/Class Representatives Jim Davis, Nathan Stewart, Michael Plunkentt, Michael Crawford, Keely Boman, Dasha Nichols, Renetta Frisque, Michelle Nalley, Stacey Peebles, Julie Rae Gonzalez and Matthew Prunty, III (“Plaintiffs”), by and through counsel, having submitted a class action Settlement Agreement and Release (the “Settlement” or the “Settlement Agreement”) to the Court and having moved on an unopposed basis for preliminary approval of the Settlement under Arkansas Rule of Civil Procedure 23(e), and the Court, being duly advised, now finds that the motion should be, and hereby is, **GRANTED**.

ACCORDINGLY, IT IS HEREBY ORDERED:

1. Terms capitalized herein and not otherwise defined shall have the meanings ascribed to them in the Settlement.
2. This Court has jurisdiction over the subject matter of this lawsuit and jurisdiction over Plaintiffs and Defendant in the above-captioned case (the “Parties”).
3. The Court finds that, solely for the purposes of settlement and notice, and without prejudice to the right of Defendant Highlands Oncology Group, P.A. (“Highlands”) to oppose class certification should the Settlement not receive final approval or otherwise not become effective, the requirements of Rules 23(a) and 23(b) of the Arkansas Rules of Civil Procedure have been met,

specifically:

- a. The Class Members are so numerous that joinder of all members is impracticable, as there are thousands of Class Members;
- b. There are questions of law or fact common to the Class based upon the claims raised in the lawsuit relating to the data breach at issue;
- c. Plaintiff's claims are typical of the claims of the Class because they are based on, and arise from the same data breach;
- d. Plaintiff and Class Counsel will fairly and adequately protect the interests of the Class as Plaintiff has no interests antagonistic to the Class and Class Counsel is experienced in class action litigation and Plaintiff has participated in the litigation;
- e. Questions of law and fact common to the class members predominate over any questions affecting only individual members, namely those relating to the data breach at issue, and a class action is superior to other available methods for fairly and efficiently adjudicating this lawsuit, as it provides an efficient class-wide resolution.

4. The Court therefore **CERTIFIES** the following Class:

All individuals residing in the United States whose Private Information was compromised in the Data Breach on or around June 2025.

5. The Court appoints J. Gerard Stranch, IV of Stranch, Jennings & Garvey, PLLC and Mariya Weekes of Milberg PLLC as Class Counsel.

6. The Court appoints Plaintiffs Jim Davis, Nathan Stewart, Michael Plunkentt, Michael Crawford, Keely Boman, Dasha Nichols, Renetta Frisque, Michelle Nalley, Stacye Peebles, Julie Rae Gonzalez and Matthew Prunty, III as Class Representatives.

7. The Court finds that the terms of the Settlement are within the range of a fair, reasonable, and adequate settlement between Plaintiffs and the Class, on one hand, and Defendant,

on the other hand, under the circumstances of this case. The Court therefore preliminarily approves the Settlement and directs the parties to the Settlement to perform and satisfy the terms and conditions of the Settlement that are triggered by such preliminary approval. Nothing in this Order shall constitute an admission of liability or wrongdoing by Highlands, nor shall it constitute a finding of the validity of any claim or the appropriateness of class certification for litigation purposes.

8. The proposed notices in the form attached to the Settlement, and the manner of distribution of such Notice by direct mail, are hereby approved by this Court as the best notice practicable to the Class. The form and manner of notice proposed in the Settlement comply with Rule 23 of the Arkansas Rules of Civil Procedure and the requirements of Due Process.

9. Simpluris (the "Settlement Administrator") shall cause notice to be sent to each Class Member no later than thirty (30) days from the date of this Order. Notice shall be sent in the manner set forth in the Settlement.

10. No later than forty-five (45) days before the initial date set for the Final Approval Hearing Plaintiff shall file a motion for approval of the attorneys' fees, expenses and costs, and the Class Representatives' service awards.

11. Pursuant to Rule 23 of the Arkansas Rules of Civil Procedure, a final approval hearing (the "Final Approval Hearing") shall be held before the undersigned at 9:00 AM o'clock, on NOVEMBER (month) 6 (date), 2026 (the "Final Approval Hearing Date"), at the Circuit Court of Washington County, Arkansas (or by remote appearance if circumstances require and information relating to the hearing shall then be posted on the settlement website) for the purpose of: (a) determining whether the Settlement is fair, reasonable, and adequate and should be finally approved; (b) determining

whether a Final Approval Order should be entered; and (c) considering Class Counsel's application for an award of attorneys' fees, expenses and costs and the Class Representatives' service award pursuant to Rule 23 of the Arkansas Rules of Civil Procedure. The Court may adjourn, continue, and reconvene the Final Approval Hearing pursuant to oral announcement without further notice to the Class, and the Court may consider and grant final approval of the Settlement, with or without minor modification and without further notice to the Class.

12. Class Members shall be afforded an opportunity to request exclusion from the Class. For an Opt-Out request to be valid, it must be postmarked on or before the Opt-Out deadline, as provided for in the Settlement Agreement. 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, and include a statement indicating a request to be excluded from the Settlement Class. Class Members who submit a timely and valid request for exclusion from the Class shall not participate in and shall not be bound by the Settlement. Class Members who do not timely and validly opt out of the Class in accordance with the Notice shall be bound by all determinations and judgments in the action concerning the Settlement, including the release of all Released Claims as set forth in the Settlement Agreement.

13. Class Members who have not excluded themselves shall be afforded an opportunity to object to the terms of the Settlement. To be valid and considered by the Court, the objection must be filed with the Court, and sent by U.S. Mail to Class Counsel, Defendant's Counsel, and the Settlement Administrator. For an objection to be considered by the Court, the relevant Settlement Class Member must submit the objection before the Objection Deadline, as specified in the Notice, and the relevant Settlement Class Member must not have excluded themselves from 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 private courier (e.g., Federal Express), an objection shall be deemed to have been submitted on the shipping date reflected on the shipping label. For an objection to be considered by the Court, it must strictly and fully comply with each and every requirement outlined in this Agreement, the Long Form Notice, and the Preliminary Approval Order. For an objection to be considered by the Court, the objection must also 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 five 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 be entitled to compensation for any reason related to the objection to the Settlement and/or Application for Attorneys' Fees, Costs, and Service Awards, and whether they will appear at the Final Approval Hearing;
- 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 five years;

- f. a list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- g. a statement confirming whether the objector intends to personally appear and/or testify at the Final Approval Hearing; and
- h. the objector's signature (an attorney's signature is not sufficient).

Class Counsel and/or Defendant's Counsel may conduct limited discovery on any objector or objector's counsel, including taking depositions and propounding document requests.

14. Any member of the Class who does not make his or her objection known in the manner provided in the Settlement and Notice shall be deemed to have waived such objection and shall forever be foreclosed from making any objection to the fairness or adequacy of the proposed Settlement.

15. Any request for intervention in this action for purposes of commenting on or objecting to the Settlement must meet the requirements set forth above, including the deadline for filing objections, and also must be accompanied by any evidence, briefs, motions or other materials the proposed intervenor intends to offer in support of the request for intervention, and must meet the requirements of the Arkansas Rules of Civil Procedure.

16. Any lawyer intending to appear at the Final Approval Hearing must be authorized to represent a Class Member, must be duly admitted to practice law before the Washington County Circuit Court and the State of Arkansas, and must file a written appearance. Copies of the appearance must be served on Class Counsel and counsel for Defendant in accordance with the

Arkansas Rules of Civil Procedure.

17. If the Settlement does not become effective or is rescinded pursuant to the Settlement Agreement, the Settlement and all proceedings had in connection therewith shall be without prejudice to the status quo ante rights of the Parties, and all Orders issued pursuant to the Settlement shall be vacated, including the certification of the Class. In such event, (a) the class certification granted herein shall be deemed vacated and of no further force or effect, (b) no findings or rulings made in connection with the Settlement may be used by any party or non-party as evidence or argument in support of class certification in this or any other proceeding against Highlands, and (c) the Parties shall be restored to their respective positions as if no settlement had been negotiated or agreed upon.

18. The Court retains jurisdiction to consider all further applications arising out of or connected with the proposed Settlement.

IT IS SO ORDERED.

Dated: _____, 2026

Honorable Doug Martin
Circuit Judge



Case Title: KIM BRANTLEY V HIGHLANDS ONCOLOGY GROUP
Case Number: 72CV-25-3420
Type: ORDER OTHER

So Ordered

A handwritten signature in black ink, appearing to read "Doug Martin", written over a horizontal line.

Honorable William D Martin