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First Judicial District, Kootenai County
Jennifer Locke, Clerk of the Court
By: Deputy Clerk - Larsen, Denice

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

In re Lakeside Pediatric Data Breach Litigation	Case No.: CV-28-26-1876

ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT

This matter having come before the Court on Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement, the Court having reviewed and considered the Motion for Preliminary Approval, the Settlement Agreement between Plaintiffs, Hailey Simcox, on behalf of H.S., a minor, Chloe Alves, on behalf of M.J., a minor, Tyler Stanley, Lisa Keating, on behalf of G.K., a minor, Pamela Moser, on behalf of O.M., a minor, and Brandon Rosen, on behalf of K.R., a minor, and Defendant, Lakeside Pediatric & Adolescent Medicine, P.L.L.C., and all other papers that have been filed with the Court related to the Settlement, including all exhibits and attachments to the Motion and Settlement Agreement, and the Court being fully advised in the premises, IT IS HEREBY ORDERED, as follows:

1. The Capitalized terms used in this Preliminary Approval Order have the same meanings as those defined in the Settlement Agreement attached to the Motion for Preliminary Approval as Exhibit A.

2. The terms of the Settlement are preliminarily approved as fair, reasonable, and adequate and are fully incorporated and adopted herein. There is good cause to find that the Settlement was negotiated at arms-length between the Parties, who were represented by experienced counsel.

3. For settlement purposes only, the Court finds that the prerequisites to class action treatment under I.R.C.P. Rule 77—including numerosity, commonality, typicality, and adequacy, and appropriateness of class treatment of these claims—have been preliminarily satisfied.

4. The Court hereby conditionally certifies, pursuant to I.R.C.P. Rule 77, and for the purposes of settlement only, the following Settlement Class consisting of: all living individuals residing in the United States who were sent notice, including Notice of this Settlement, that their Private Information may have been involved in the Data Incident. Excluded from the Settlement Class are: (1) Defendant and its officers and directors, and any entity in which Defendant has a controlling interest; (2) all people who properly and timely opt-out of the Settlement Class; (3) the Court, the Judge's immediate family, and Court staff; (4) governmental entities; and (5) any person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the criminal activity occurrence of the Data Incident, or who pleads *nolo contendere* to any such charge.

5. For settlement purposes only, Plaintiffs are hereby appointed as Class Representatives.

6. For settlement purposes only, Jeff Ostrow of Kopelowitz Ostrow P.A., John J. Nelson of Milberg, PLLC, and Jaren Wieland of Mooney Wieland Warren PLLC are hereby appointed as Class Counsel.

7. The Court recognizes that, pursuant to the Settlement, Defendant and the Released Parties retain all rights to object to the propriety of class certification in the Action in all other contexts and for all other purposes should the Settlement not be finally approved. Therefore, as more fully set forth below, if the Settlement is not finally approved, and the Action resumes, this

Court's preliminary findings regarding the propriety of class certification shall be of no further force or effect whatsoever, and this Order will be vacated in its entirety.

8. The Court preliminarily approves the form and content of the Notice attached to the Settlement. The Court finds that the Notice meets the requirements of I.R.C.P. Rule 77 (c)(2) and satisfies Due Process requirements under the United States and Idaho Constitutions.

9. The Court finds that the Notice Program set forth in the Settlement meets the requirements of I.R.C.P. Rule 77 (c)(2) and constitutes the best notice practicable under the circumstances, where Settlement Class Members may be readily ascertained from Defendant's records, and satisfies fully the requirements of Due Process, and any other applicable law, such that the Settlement and Final Approval Order will be binding on all Settlement Class Members except for those who validly and timely exercise their right to opt-out. In addition, the Court finds that no notice other than that specifically identified in the Settlement is necessary in this Action. The Parties, by agreement, may revise the Notice in ways that are not material, or in ways that are appropriate to update those documents for purposes of accuracy or formatting.

10. Simpluris, Inc., or such other entity as the Parties agree, is hereby appointed Settlement Administrator to supervise and administer the Notice Program and Claims Process, as well as to oversee the administration of the Settlement, as more fully set forth in the Settlement.

11. The Settlement Administrator may proceed with the distribution of Notice as set forth in the Settlement.

12. Settlement Class Members who wish to receive Settlement Class Member Benefits are required to submit a valid and timely Claim Form in conformance with the requirements set forth in the Settlement. Settlement Class Members shall receive the relief to which they are entitled following the Final Approval of the Settlement.

13. Class Counsel and Defendant have created a process for Settlement Class Members to submit Claims for Settlement Class Member Benefits. The Court preliminarily approves the Claims Process and directs the Settlement Administrator to make the Claim Form available to Settlement Class Members in the manner specified in the Notice Program. The Settlement Administrator will be responsible for effectuating the Claims Process. Settlement Class Members who qualify for and wish to submit a Claim Form shall do so in accordance with the requirement and procedures specified in the Notice and the Claim Form. If the Final Approval Order and Final Judgment is entered, all Settlement Class Members who qualify for any benefit under the Settlement but fail to submit a Claim in accordance with the requirements and procedures specified in the Notice and the Claim Form shall be forever barred from receiving any such benefit, but will in all other respects be subject to and bound by the provisions in the Final Approval Order and Final Judgment, including the Releases contained therein.

14. Settlement Class Members shall be bound by all determinations and orders pertaining to the Settlement, including the Releases set forth in the Settlement, whether favorable or unfavorable, unless such persons opt-out from the Settlement Class in a timely and proper manner, as hereinafter provided. Settlement Class Members who do not timely and validly opt-out shall be so bound even if they have previously initiated or subsequently initiate litigation or other proceedings against Defendant or the Released Parties relating to the Released Claims under the terms of the Settlement.

15. Any Settlement Class Member may opt-out of the Settlement Class by mailing a request to opt-out to the Settlement Administrator postmarked no later than the last day of the Opt-Out Deadline. To be considered, such opt-out request must conform to the requirements as set forth in the Settlement Agreement and Long Form Notice.

16. Any Settlement Class Member who elects to opt-out shall not: (i) be bound by the releases or covenants in the Final Approval Order; (ii) be entitled to relief under the Settlement; (iii) gain any rights by virtue of this Settlement; or (iv) be entitled to object to any aspect of this Settlement.

17. In combination with the Motion for Final Approval, Class Counsel will file an Application for Attorneys' Fees, Costs, and Service Awards no later than 45 days before the initial date set for the Final Approval Hearing.

18. Any Settlement Class Member who has not opted-out of the Settlement Class and who wishes to object to any aspect of the Settlement—including the amount of the attorneys' fees and costs that Class Counsel intends to seek and the payment of Service Awards to the Class Representatives—may object to the Settlement by expressly stating their objection in writing. To be considered on the merits, such objection must strictly conform to the requirements set forth in the Settlement Agreement and Long Form Notice.

19. A Settlement Class Member who has not timely opted-out from the Settlement Class and who has properly submitted a written objection in compliance with the Settlement may appear at the Final Approval Hearing in person or through counsel to show cause why the proposed Settlement should not be approved as fair, reasonable, and adequate. Attendance at the hearing is not necessary; however, persons wishing to be heard orally in opposition to the approval of the Settlement and/or Application for Attorneys' Fees, Costs, and Service Awards are required to indicate in their written objection whether, if they intend to appear at the Final Approval Hearing, they will do so on their own behalf or through counsel. For any Settlement Class Member who files a timely written objection, such Settlement Class Member must also include in their written objection any documents supporting the objection.

20. No Settlement Class Member shall be entitled to be heard, and no objection shall be considered, unless the requirements for the objection set forth in this Preliminary Approval Order and in the Settlement are fully and timely satisfied by including: (a) the case name and case number: *In re Lakeside Pediatric Data Breach Litigation*, Case No. CV-28-26-1876 (Kootenai Cnty., Idaho); (b) the objector's full name, mailing address, telephone number, and email address (if any); (c) documentation sufficient to establish membership in the Settlement Class, such as a copy of the Email Notice or Postcard Notice the objector received; (d) all grounds for the objection, accompanied by any legal support for the objection known to the objector or objector's counsel; (e) 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; (f) the identity of all counsel 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; (g) 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; (h) the identity of all counsel for the objector intending on appearing at the Final Approval Hearing; (i) a list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any); (j) a

statement confirming whether the objector intends to personally appear and/or testify at the Final Approval Hearing; (k) a statement confirming whether the objector and/or objector's counsel utilized any form of artificial intelligence in preparation of the objection; and (l) 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. This includes taking depositions and requesting documents. Failure to strictly comply with the requirements of this section and in the Long Form Notice will result in the objection being overruled on procedural grounds without consideration of the objection's merits.

20. If a Settlement Class Member opts-out of the Settlement and also objects to the Settlement, regardless of which was submitted first, the opt-out will control and the objection will not be considered.

21. A Final Approval Hearing shall be held in person and/or by virtual or telephonic means before the Court for the following purposes:

a) to finally determine whether the applicable prerequisites for settlement class action treatment under I.R.C.P. Rule 77 have been met;

b) to determine whether the Settlement is fair, reasonable and adequate, and should be approved by the Court;

c) to determine whether the judgment as provided under the Settlement should be entered, including an order prohibiting Settlement Class Members from further pursuing Released Claims that have been released in the Settlement;

d) to determine whether the Notice employed meets the requirements of I.R.C.P. Rule 77 (c)(2) and constitutes the best notice practicable under the circumstances;

e) to consider Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards;

f) to consider the distribution of the Settlement Class Member Benefits; and

g) to rule upon such other matters as the Court may deem appropriate.

22. The Final Approval Hearing may be postponed, adjourned, transferred, continued, or changed location by order of the Court without further notice to the Settlement Class. If the Court alters any of those dates or times, the revised dates and times shall be posted on the Settlement Website maintained by the Settlement Administrator. The Court may approve the Settlement, with such modifications as may be agreed upon by the Parties, if appropriate, without further notice to the Settlement Class. At or following the Final Approval Hearing, the Court may enter a Final Approval Order in accordance with the Settlement that adjudicates the rights of all Settlement Class Members and approves the Settlement and enter a Final Judgment.

23. Settlement Class Members do not need to appear at the Final Approval Hearing or take any other action to indicate their approval.

24. All discovery and other proceedings in the Action as between Plaintiffs and Defendant are stayed and suspended until further order of the Court except such actions as may be necessary to implement the Settlement and this Preliminary Approval Order.

25. For clarity, the key deadlines set forth above and in the Settlement are as follows:

Action	**Deadline**
Defendant Provides Settlement Class List to Settlement Administrator	No later than 10 days after entry of the Preliminary Approval Order
Notice Date	30 days after entry of the Preliminary Approval Order
Objection/Opt-Out Deadlines	60 days after the Notice Date
Claim Form Deadline	90 days after the Notice Date

Motion for Final Approval and Application for Attorneys' Fees, Costs, and Service Awards to Be Filed By Class Counsel	No later than 45 days before the initial date set for the Final Approval Hearing **February 24, 2027, at 03:00 p.m.**
Final Approval Hearing	_____ at ___:____AM/PM (No earlier than 120 days after entry of the Preliminary Approval Order

IT IS SO ORDERED.

10/2/2026 10:51:33 AM

Dated

Hon. Ross Pittman

CLERK'S CERTIFICATE OF SERVICE

I certify that on 10/2/2026 10:54:20 AM, I caused a true and correct copy of the foregoing to be served electronically on the following parties or counsel via the Idaho iCourt E-File system or at the address and in the manner set forth below.

HAWLEY TROXELL ENNIS & HAWLEY LLP Stacey L. Beaumont sbeaumont@hawleytroxell.com	☐ Hand Delivery ☐ U.S. Mail ☐ Fax ☑ Email ☐ Overnight Delivery ☐ iCourt
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Deputy Clerk