

IN THE CIRCUIT COURT OF JOHNSON COUNTY, ARKANSAS
CIVIL DIVISION

REBECCA MILLER, JOSEPH OWENS,
HALEY DAVIS, BRIAN CROW, DEBRA GOODWIN,
SHENIKA GRAY, CATHY WEDGE, LEIGH KRUGER,
SELENA BARNETT, NICHOLAS BURGESS AND ZOE KENNEY,
INDIVIDUALLY AND ON BEHALF OF
ALL OTHERS SIMILARLY SITUATED

PLAINTIFFS

v.

Case No. 36CV-24-177

ARISA HEALTH, INC.

DEFENDANT

ORDER GRANTING PRELIMINARY APPROVAL

Plaintiff Plaintiffs/Class Representatives Rebecca Miller, Joseph Owens, Haley Davis, Brian Crow, Debra Goodwin, Shenika Gray, Cathy Wedge, Leigh Kruger, Selena Barnett, Nicholas Burgess, and Zoe Kenney (“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 Plaintiff and Defendant in the above-captioned case (the “Parties”).
3. The Court finds that, solely for the purposes of settlement and notice, 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 persons Arisa identified as being among those individuals impacted by the Incident, including all who were sent a notice of the Incident.

5. The Court appoints J. Gerard Stranch, IV of Stranch, Jennings & Garvey, PLLC, Gary M. Klinger of Milberg Coleman Bryan Phillips Grossman, PLLC, Jeff Ostrow of Kopelwitz Ostrow, P.A., and James A. Streett of the Streett Law Firm, P.A. as Class Counsel.

6. The Court appoints Plaintiffs Rebecca Miller, Joseph Owens, Haley Davis, Brian Crow, Debra Goodwin, Shenika Gray, Cathy Wedge, Leigh Kruger, Selena Barnett, Nicholas Burgess, and Zoe Kenney 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 Plaintiff 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.

8. Defendant is directed to deposit or cause to be deposited the amount of the Settlement Fund as set forth in the Settlement Agreement for the benefit of the Class.

9. 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.

10. Epiq (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.

11. No later than fourteen (14) days before the deadline for Class Members to exclude themselves from, or object to the Settlement contained therein, Plaintiff shall file a motion for approval of the attorneys’ fees, expenses and costs, and the Class Representative’s service award.

12. 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 A.M., on September 24th, 2025 (the “Final Approval Hearing Date”), at the Circuit Court of Johnson 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.

13. Class Members shall be afforded an opportunity to request exclusion from the Class. For an Exclusion Letter to be valid, it must be postmarked on or before the opt-out deadline, as provided for in the Settlement Agreement. Any Exclusion Letter shall identify the Class Member by name, shall include the Class Member's address, telephone number, and email address (if applicable), shall state that the Class Member wishes to exclude himself or herself from the Settlement, and shall be dated and signed by the Class Member. 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.

14. 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 in writing and sent by first class mail, postage pre-paid, to the Settlement Administrator, and also be filed with the Court, with service upon Defendant's counsel and Class Counsel. The objection must be (1) mailed to the Settlement Administrator and received by or showing a postmark date on or before the objection deadline (as defined in the Settlement Agreement) and (2) filed with the Court and served upon Defendant's counsel and Class Counsel

on or before that deadline. Class Counsel shall file responsive pleadings to any objections at least seven days prior to the Final Approval Hearing Date. The content of the objection must include the following information and must be signed and dated by the Class Member:

- a. the objector's full name, address, telephone number, and email address (if any);
- b. a clear and detailed written statement that identifies the basis of the specific objection that the Settlement Class Member asserts;
- c. the identity of any counsel representing the objector;
- d. a statement whether the objector intends to appear at the Final Approval Hearing, either in person or through counsel, and, if through counsel, identifying that counsel;
- e. the objector's signature and the signature of the objector's duly authorized attorney or other duly authorized representative (if any).

15. 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.

16. 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.

17. 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 Johnson 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.

18. 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.

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

IT IS SO ORDERED.

Dated: _____, 2025

Honorable Judge Patterson
Circuit Judge



Case Title: REBECCA MILLER V ARISA HEALTH INC

Case Number: 36CV-24-177

Type: ORDER OTHER

So Ordered

A handwritten signature in black ink, appearing to read "Jack T. Patterson, II", written over a horizontal line.

Honorable Jack T. Patterson, II