

UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF VIRGINIA, ALEXANDRIA DIVISION

Lugo v. Inova Health Care Services, Case No. 1:24-cv-00700-PTG-WEF

If You Visited an Inova Public Facing Website at Any Time from April 29, 2022, Through April 29, 2024, and Had an Inova MyChart Account, You May Be Entitled to a Payment from a Class Action Settlement.

A court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.

Para una notificación en Español, visite www.HealthPixelSettlement.com.

- This Notice is to inform you that a settlement has been reached in a class action lawsuit entitled *Lugo v. Inova Health Care Services*, Case No. 1:24-cv-00700-PTG-WEF, pending in the United States District Court of the Eastern Division of Virginia, Alexandria Division. The lawsuit alleges that Defendant, Inova Health Care Services (“Defendant” or “Inova”), collected and disclosed its patients’ Personally Identifiable Information (“PII”) and Protected Health Information (“PHI”) (collectively “Private Information”) through its use of third-party tracking technologies known as Tracking Pixels on its public facing websites in violation of the federal Electronic Communications Privacy Act (the “ECPA”). Defendant maintains that it has not disclosed any of its patients’ Private Information, and disputes that the information collected is information protected under the Health Insurance Portability and Accountability Act (“HIPAA”) but has agreed to the Settlement to avoid the uncertainties and expenses associated with continuing to litigate this case.
- You may be a Settlement Class Member entitled to payment from this Settlement if you are a person in the United States who visited an Inova public facing website at any time from April 29, 2022, to April 29, 2024, and had an Inova MyChart Account.
- If the Settlement is approved by the Court, each Settlement Class Member who submits an Approved Claim will receive an equal cash payment from the Settlement Fund.
- Read this Notice carefully. Your legal rights are affected whether you act or don’t act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM BY April 6, 2026	This is the only way to receive a payment.
EXCLUDE YOURSELF BY February 27, 2026	You will receive no benefits, but you will retain any rights you currently have to sue the Defendant about the claims in this case.
OBJECT BY February 27, 2026	Write to the Court explaining why you don’t like the Settlement.
GO TO THE FINAL APPROVAL HEARING BY April 16, 2026	Ask to speak in Court about your opinion of the Settlement.
DO NOTHING	You won’t get a share of the Settlement benefits and will give up your rights to sue the Defendant about the claims in this case.

Your rights and options—and the deadlines to exercise them—are explained in this Notice, so please review it carefully.

BASIC INFORMATION

1. Why was this Notice issued?

A Court authorized this Notice because you have a right to know about a proposed Settlement of this class action lawsuit and about all of your options before the Court decides whether to give Final approval to the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

The Honorable Patricia T. Giles of the United States District Court, Eastern District of Virginia, Alexandria Division, is overseeing this case. The case is called *Lugo v. Inova Health Care Services*, Case No. 1:24-cv-00700-PTG-WEF. The person who has sued is called the Plaintiff. The Defendant is Inova Health Care Services.

QUESTIONS? VISIT www.HealthPixelSettlement.com, OR CALL 1-877-757-7915.

2. What is a class action?

In a class action, one or more people called the class representative (in this case, Pedro Lugo) sues on behalf of a group or a “class” of people who have similar claims. In a class action, the court resolves the issues for all class members, except for those who exclude themselves from the settlement class.

3. What is this lawsuit about?

The lawsuit alleges that Defendant, Inova Health Care Services, collected and disclosed its patients’ Personally Identifiable Information (“PII”) and Protected Health Information (“PHI”) (collectively “Private Information”) through its use of third-party tracking technologies known as Tracking Pixels on its public facing websites, in violation of the federal Electronic Communications Privacy Act (the “ECPA”). Defendant maintains that it has not disclosed any of its patients’ Private Information.

4. Why is there a settlement?

The Court has not decided whether the Plaintiff or the Defendant should win this case. Instead, both sides agreed to a settlement. That way, they avoid the uncertainties and expenses associated with ongoing litigation and related appeals, and Settlement Class Members will get compensation sooner rather than, if at all, after the completion of a trial.

WHO’S INCLUDED IN THE SETTLEMENT?

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

The Settlement Class is defined as:

All individuals who may have visited an Inova public facing website at any time from April 29, 2022, through April 29, 2024, and had an Inova MyChart Account and whose Private Information could have been disclosed from the public facing websites to third parties through Facebook, or Google Pixel, and other related tracking technology without their authorization.

THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

Monetary Relief: If the Settlement is approved by the Court, Defendant will make available up to \$3,147,390.04 as a Settlement Fund to fully resolve the Litigation on a class-wide basis. The Settlement Fund will be non-reversionary and will represent Defendant’s only monetary obligations under the Settlement. The Settlement Fund will pay all approved claims submitted by the Settlement Class, together with Notice and Administration Expenses, Attorneys’ Fees and costs, and a service award to the Class Representative.

Prospective Changes: In addition to this monetary relief, Defendant will implement all remedial measures necessary to ensure its use of Tracking Pixels materially complies with the ECPA and the Health Insurance Accountability Act (HIPAA), provided that nothing shall limit its right to use such technologies consistent with that guidance or when otherwise authorized by patients, pursuant to a valid business associate agreement, or as otherwise permitted by the ECPA and HIPAA.

7. How much will my payment be?

If you are member of the Settlement Class, you may submit a Claim Form to receive a cash payment from the Settlement Fund. Each Class Member who submits an approved claim will receive an equal payment from the Settlement Fund after deductions for Notice and Administration Expenses, Court-approved Attorneys’ Fees and costs, and a service award. The per-person amount is unknown at this time and will be based primarily on how many approved claims are submitted.

QUESTIONS? VISIT www.HealthPixelSettlement.com, OR CALL 1-877-757-7915.

8. When will I get my payment?

The hearing to consider the fairness of the Settlement is scheduled for April 16, 2026. If the Court approves the Settlement, eligible Settlement Class Members whose claims were approved by the Settlement Administrator will be sent their payment approximately 28 days after the Effective Date of the Settlement. The payment will be made in the form of a check, Venmo, or PayPal (as chosen on the Claim Form), and all checks will expire and become void 120 days after they are issued.

HOW TO GET BENEFITS

9. How do I get a payment?

If you are a Settlement Class Member and you want to receive a payment, you must complete and submit a Claim Form by April 6, 2026. Claim Forms can be found on the Settlement Website, www.HealthPixelSettlement.com, and can be submitted, or by printing and mailing a paper Claim Form to the Settlement Administrator at *Lugo v. Inova Health Care Services*, P.O. Box 5714, Portland, OR 97228-5714.

We also encourage you to submit your claim online. Not only is it easier and more secure, but it is completely free and takes only minutes! Claim Forms must be electronically submitted, or postmarked, by the Claim Deadline. *Submitting a timely, valid Claim Form is the only thing you need to do to receive a monetary benefit from the Settlement.*

REMAINING IN THE SETTLEMENT

10. What am I giving up if I stay in the Class?

If the Settlement becomes Final, you will give up your right to sue Defendant for the claims this Settlement resolves. The Settlement Agreement describes the specific claims you are giving up against the Defendant. You will be “releasing” the Defendant and certain of its affiliates described in Section IX of the Settlement Agreement. Unless you exclude yourself (see Question 14), you are “releasing” the claims, regardless of whether you submit a claim or not. The Settlement Agreement is available on www.HealthPixelSettlement.com.

The Settlement Agreement describes the Released Claims with specific descriptions, so read it carefully. If you have any questions, you can talk to the lawyers listed in Question 12 for free, or you can talk to your own lawyer if you have questions about what this means.

11. What happens if I do nothing at all?

If you do nothing, you won’t get any benefits from this Settlement. But, unless you exclude yourself, you won’t be able to start a lawsuit or be part of any other lawsuit against the Defendant for the claims being resolved by this Settlement.

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in the case?

The Court has appointed Kyle McNew of Michie Hamlett PLLC, and Eugene Y. Turin, Jordan R. Frysinger, and William Kingston of McGuire Law, P.C. to be the attorneys representing the Settlement Class. They are called “Class Counsel.” They believe, after conducting an extensive investigation, that the Settlement Agreement is fair, reasonable, and in the best interests of the Settlement Class. You will not be charged for these lawyers. If you want to be represented by your own lawyer in this case, you may hire one at your expense. You may contact Class Counsel using the information listed below:

Jordan R. Frysinger
MCGUIRE LAW, P.C.
55 W. Wacker Dr., 9th Floor
Chicago, IL 60601
Tel: 312-893-7002
jfrysinger@mcgpc.com

QUESTIONS? VISIT www.HealthPixelSettlement.com, OR CALL 1-877-757-7915.

13. How will the lawyers be paid?

Class Counsel's attorneys' fees, costs, and expenses will be paid in an amount determined and awarded by the Court. Class Counsel will seek up to 33% of the \$3,147,390.04 Settlement Fund, plus their litigation costs and expenses, for their efforts in prosecuting this matter and achieving this Settlement, but the Court may award less than this amount.

The Class Representative will also seek a service award of up to \$5,000, to be paid from the Settlement Fund, for helping to bring and settle the case.

Class Counsel will file with the Court and post on the Settlement Website its request for attorneys' fees as well as the Class Representative's requests for a service award by February 6, 2026.

EXCLUDING YOURSELF FROM THE SETTLEMENT

14. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must email or mail a letter (or request for exclusion) stating that you want to be excluded from the *Lugo v. Inova Health Care Services*, Case No. 1:24-cv-00700-PTG-WEF Settlement. Your letter or request for exclusion must also include (1) your name, your address, telephone number, and email address; (2) the case name and number of this Litigation; (3) a statement that you wish to be excluded from the Settlement Class; and (4) your signature. You must submit your exclusion request via email at info@HealthPixelSettlement.com, or mail your exclusion request postmarked, no later than February 27, 2026, to:

Lugo v. Inova Health Center Services
Settlement Administrator
P.O. Box 5714
Portland, OR 97228-5714

15. If I don't exclude myself, can I sue the Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right to sue the Defendant for the claims being resolved by this Settlement.

16. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, do not submit a Claim Form to ask for benefits. You cannot submit a Claim Form and cannot obtain any monetary benefits from the Settlement if you exclude yourself from the Settlement.

OBJECTING TO THE SETTLEMENT

17. How do I object to the Settlement?

If you're a Class Member, you can object to the Settlement if you don't like any part of it. You can give reasons why you think the Court should not approve it. To object, you must file with the Court a letter or brief stating that you object to the Settlement in *Lugo v. Inova Health Care Services*, Case No. 1:24-cv-00700-PTG-WEF and include (1) your full name, address, email address, and current telephone number; (2) the case name and number of this Litigation; (3) all grounds for the objection, with factual and legal support for the stated objection, including any supporting materials; (4) the identification of any other objections you have filed, or have had filed on your behalf, in any other class action cases in the last five years; and (5) your signature. If represented by counsel, the objecting Settlement Class Member must also provide the name and telephone number of his/her counsel. If you intend on appearing at the Final Approval Hearing, either with or without counsel, you must state as such in the written objection, and must also identify any witnesses you may call to testify at the Final Approval Hearing and all exhibits you intend to introduce into evidence at the Final Approval Hearing, which must also be attached to, or included with, the written objection.

If you want to appear and speak at the Final Approval Hearing to object to the Settlement, with or without a lawyer (explained below in answer to Question Number 21), you must say so in your letter or brief. File the objection with the Court and mail a copy to these to the addresses listed below for Class Counsel and Defendant's Counsel postmarked no later than February 27, 2026.

QUESTIONS? VISIT www.HealthPixelSettlement.com, OR CALL 1-877-757-7915.

Court	Class Counsel	Defendant's Counsel
The Hon. Patricia T. Giles Clerk's Office Albert V. Bryan U.S. Courthouse Room 801 401 Courthouse Square Alexandria, VA 22314	Eugene Y. Turin Jordan R. Frysinger McGuire Law, P.C. 55 W. Wacker Drive, 9 th Fl Chicago, IL 60601 Kyle McNew Michie Hamlett PLLC 310 4 th St. NE Charlottesville, VA 22902	Bryan T. Kostura Timothy J. Lowe McDonald Hopkins LLC 600 Superior Ave., East Suite 2100 Cleveland, Ohio 44114 Laurie L. Kirkland Blankingship & Keith, P.C. 4020 University Drive, Suite 300 Fairfax, VA 22030

18. What's the difference between objecting and excluding myself from the Settlement?

Objecting means telling the Court that you don't like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself from the Settlement Class is telling the Court that you don't want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the case no longer affects you. You cannot both exclude yourself and object to the Settlement. If you attempt to do both, your objection will be considered invalid, and you will be treated as if you excluded yourself from the Settlement.

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold the Final Approval Hearing at 10:00 a.m. ET on April 16, 2026, in Courtroom 801 at the Albert V. Bryan U.S. Courthouse, 401 Courthouse Square, Alexandria, VA 22314. The purpose of the hearing will be for the Court to determine whether to approve the Settlement as fair, reasonable, adequate, and in the best interests of the Settlement Class; to consider the Class Counsel's request for Attorneys' Fees and Expenses; and to consider the request for a service award to the Class Representative. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

The hearing may be postponed to a different date or time without notice, so it is a good idea to check the Settlement Website www.HealthPixelSettlement.com for updates. If, however, you timely objected to the Settlement and advised the Court that you intend to appear and speak at the Final Approval Hearing, you will receive notice of any change in the date of such Final Approval Hearing.

20. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to come at your own expense. If you send an objection or comment, you don't have to come to Court to talk about it. As long as you filed and mailed your written objection on time and otherwise complied with the requirements set forth in the Settlement Agreement, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

21. May I speak at the hearing?

Yes. You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must include in your letter or brief objecting to the Settlement a statement saying that it is your "Notice of Intent to Appear in *Lugo v. Inova Health Care Services*, Case No. 1:24-cv-00700-PTG-WEF." It must include your name, address, telephone number, and signature as well as the name and address of your lawyer, if one is appearing for you. Your objection and notice of intent to appear must be filed with the Court and postmarked no later than February 27, 2026, and be sent to the addresses listed in Question 17.

QUESTIONS? VISIT www.HealthPixelSettlement.com, OR CALL 1-877-757-7915.

GETTING MORE INFORMATION

22. Where do I get more information?

This Notice summarizes the Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at www.HealthPixelSettlement.com. You may also contact the Settlement Administrator at info@HealthPixelSettlement.com or write with questions to *Lugo v. Inova Health Care Services*, Settlement Administrator, P.O. Box 5714, Portland, OR 97228-5714. You can call the Settlement Administrator at 1-877-757-7915 or contact Class Counsel at the information provided above if you have any questions. Before doing so, however, please read this full Notice carefully. You may also find additional information elsewhere on the Settlement Website. In addition to the documents available on the Settlement Website, all pleadings and documents filed in court may be reviewed or copied in the Office of the Clerk. Please do not call the Judge or the Clerk of the Court about this case. They will not be able to give you advice on your options.

QUESTIONS? VISIT www.HealthPixelSettlement.com, OR CALL 1-877-757-7915.