**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**

In the Superior Court of Penobscot County, Maine
*In re: Covenant Health Data Security Litigation*, No. PENSC-CV-2025-63

# Were you notified that your Private Information may have been compromised by a Data Incident at Covenant Health, Inc. on or around May 18, 2025? You may be eligible for benefits from a class action settlement.

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

- A Settlement has been reached with Covenant Health Inc., St. Joseph Healthcare Foundation, St. Joseph Hospital, and St. Joseph Hospital Nashua, N.H. (the "Defendants") in a class action lawsuit about the unauthorized access of Covenant Health Inc.'s IT environment on or around May 18, 2025 (the "Data Incident") potentially compromising patients' personally identifiable information ("PII") and private health information ("PHI") (collectively, "Private Information"). The Plaintiffs claim the Defendants failed to adequately protect patients' Private Information. The Defendants deny all allegations and any wrongdoing.
- The Settlement Class includes all persons residing in the United States whose Private Information was compromised by the Data Incident and who were sent notice of the Data Incident.
- If approved by the Court, the Defendants will pay $2,000,000 into a Settlement Fund to resolve the lawsuit. The Settlement Fund will provide cash payments to Settlement Class Members (Cash Payment A – Documented Losses: up to $5,000 for Documented Losses and/or Cash Payment B – Pro Rata Cash: a payment estimated to be $75) and two (2) years of Credit Monitoring, as well as Settlement Administration fees, court-awarded Attorneys' Fees, Costs, and Expenses, and court-awarded Service Awards. Payment amounts may be subject to *pro rata* (proportional) adjustment based on the amount of Valid Claims submitted.
- Your rights are affected whether you do or do not act. Please read this Long Form Notice carefully.

| | YOUR LEGAL RIGHTS AND OPTIONS | DEADLINE |
|---|---|---|
| **SUBMIT A CLAIM FORM** | The only way to receive the Cash Payment Benefit(s) from this Settlement is to submit a valid and timely Claim Form. | **December 30, 2026** |
| **OPT OUT OF THE SETTLEMENT** | If you opt out, you will not be bound by the terms of the Settlement and you keep the right to sue the Defendants about the claims resolved by this Settlement. You will not receive any benefits from the Settlement. | **December 15, 2026** |
| **OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING** | If you do not opt out of the Settlement, you may object to it and tell the Court what you do not like about it. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you can still submit a Claim Form for benefits. | **December 15, 2026** |
| **DO NOTHING** | If you do nothing, you will not get a Cash Payment and you give up the right to sue the Defendants about the claims resolved by this Settlement. However, you will still be eligible to receive the Credit Monitoring Benefit. | **No deadline** |

- These rights and options—**and the deadlines to exercise them**—are explained in this Long Form Notice.
- The Court in charge of this case still must decide whether to approve the Settlement.

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# BASIC INFORMATION

### 1. Why was this Notice issued?

A Court authorized this Long Form Notice because you have a right to know about the proposed Settlement of this class action and about all of your options before the Court decides whether to grant Final Approval of the Settlement. This Long Form Notice explains the Action, your legal rights, what benefits are available, and who can receive them.

The Action is called *In re: Covenant Health Data Security Litigation*, No. PENSC-CV-2025-63, and is pending in the Superior Court of Penobscot County, Maine. The people who filed this Action are called the "Plaintiffs" and the companies they sued, Covenant Health Inc., St. Joseph Healthcare Foundation, St. Joseph Hospital, and St. Joseph Hospital Nashua, N.H., are collectively called the "Defendants."

### 2. What is this Action about?

On or around May 18, 2025, an unauthorized actor gained access to the Defendants' IT environment, potentially compromising patients' personally identifiable information ("PII") and private health information ("PHI") collectively, "Private Information," (the "Data Incident"). This Private Information includes, but is not limited to, names, addresses, dates of birth, medical record numbers, Social Security numbers, treatment information (such as diagnoses, dates of treatment, and type of treatment), and health insurance information.

On or around July 11, 2025, the Defendants began notifying potentially impacted individuals about the Data Incident. The Plaintiffs claim the Defendants failed to adequately protect patients' Private Information.

The Defendants deny all the Plaintiffs' claims and maintain that they did not do anything wrong.

### 3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals who sue are known as "Class Representatives" or Plaintiffs. Together, the people included in the class action are called a "Settlement Class" or "Settlement Class Members." One court resolves the lawsuit for all Settlement Class Members, except for those who exclude themselves (sometimes called, "opting out") from a settlement. In this Settlement, the Class Representatives are Melissa Boober, Russell Sellers, Jr., Michael McClain, Michael Wickett, Louis Molloy, Jamal Phillips, Alex Hall, Colleen Redding, Keirsten Walder, Nicholas DeFlaminis, and Linda DeFlaminis.

### 4. Why is there a Settlement?

The Court has not decided in favor of the Plaintiffs or Defendants. The Defendants deny all claims and contend that they have not violated any laws. The Plaintiffs and Defendants agreed to a Settlement to avoid the costs and risks of a trial, and through the Settlement, Settlement Class Members are eligible to claim Settlement Benefits. The Plaintiffs and their attorneys, who also represent Settlement Class Members as "Class Counsel," believe the Settlement is in the best interests of all Settlement Class Members.

# WHO IS IN THE SETTLEMENT?

### 5. Who is included in the Settlement?

The Settlement Class consists of all persons residing in the United States whose Private Information was compromised by the Data Incident and who were sent notice of the Data Incident.

### 6. Are there exceptions to being included

Yes, excluded from the Settlement Class are: (a) directors and officers of Defendants; (b) the Judge(s) assigned to the Action, and any of their immediate family members and Court staff; and (c) any Settlement Class Member who properly opts out of the Settlement.

# THE SETTLEMENT BENEFITS

## 7. What does the Settlement provide?

If approved by the Court, the Defendants will pay $2,000,000 into a Settlement Fund to resolve the lawsuit. The Settlement Fund will provide Cash Payments to Settlement Class Members and Credit Monitoring, as well as Settlement Administration fees, court-awarded Attorneys' Fees, Costs and Expenses, and court-awarded Service Awards.

Settlement Benefits include:

- **Cash Payment A – Documented Losses**: Up to $5,000 for documented losses and expenses incurred as a result of the Data Incident;
- **Cash Payment B – Pro Rata Cash**: A *pro rata* (proportional) cash payment, estimated to be $75.
- **Credit Monitoring**: Two (2) years of CyEx Medical Shield Complete with credit monitoring services.
- **Security Enhancements**: Security enhancements Defendants either have undertaken or will undertake to further secure systems and environments.

Note: Cash Payment amounts may be subject to *pro rata* (proportional) increase or decrease based on the amount of Valid Claims made.

## 8. Tell me more about Cash Payment A – Documented Losses.

Settlement Class Members may file a Claim for up to $5,000 for any documented, unreimbursed losses related to the Data Incident. To receive a documented losses payment, you must elect Cash Payment A on the Claim Form and attest under penalty of perjury to incurring documented losses. You must also submit reasonable documentation supporting the losses.

You cannot be reimbursed for documented losses if you have been reimbursed for the same losses by another source, including compensation provided in connection with the credit monitoring and identity theft protection product offered as part of the notification letter provided by the Defendants or otherwise.

Reasonable documentation is third-party documentation such as receipts, invoices, credit card statements, phone bills, or other documentation not "self-prepared" that demonstrates the costs incurred. "Self-prepared" documents, such as handwritten receipts are, by themselves, insufficient to receive reimbursement, but can be considered to add clarity or support to other submitted documentation.

If you do not submit reasonable documentation supporting a loss, or if your Claim is rejected by the Settlement Administrator for any reason, and you fail to cure your Claim for Cash Payment A, it will be treated as if you elected Cash Payment B – Pro Rata Cash.

## 9. Tell me more about Cash Payment B – Pro Rata Cash.

Settlement Class Members may also file a Claim for a Pro Rata Cash Payment. The amount of the Pro Rata Cash Payments is estimated to be $75, but the payment amount may be adjusted on a *pro rata* (proportional) basis (see Question 11). No documentation is required to file a Claim for a Pro Rata Cash Payment, but you must elect Cash Payment B on your Claim Form.

## 10. Tell me more about the Credit Monitoring.

In addition to the Cash Payment Benefits above, Settlement Class Members will automatically receive an activation code to access two years of Credit Monitoring through CyEx Medical Shield Complete, including, but not limited to credit monitoring, dark web monitoring, real-time authentication alerts, high-risk transaction monitoring, lost wallet protection, and insurance coverage for up to $1,000,000 for identity theft.

Once the Settlement receives Final Approval from the Court and becomes effective, information about how to access the Credit Monitoring benefit, including an activation code, will be provided to Settlement Class Members who submit a valid Claim Form selecting this benefit (see Question 14).

The Postcard Notice you received by mail included a unique code to access the Credit Monitoring benefit, which will become active for use after the Court grants Final Approval of the Settlement (see Question 14). Please visit the Settlement Website at www.CovenantHealthDataSettlement.com for updates.

If you did not receive a Postcard Notice or do not know your activation code, please contact the Settlement Administrator at **(833) 453-2423** or use the "Contact Us" form on the Settlement Website.

### 11. How will payments be calculated?

After deducting Settlement Administration Costs, any court-awarded Service Awards, and any court-awarded Attorneys' Fees, Costs, and Expenses, the remaining balance of the Settlement Fund will be used to provide Settlement Benefits for Valid Claims in the following order: (1) Credit Monitoring, (2) Cash Payment A – Documented Losses, and (3) Cash Payment B – Pro Rata Cash.

After calculating the amounts needed for Valid Claims for Credit Monitoring and Cash Payment A – Documented Losses, the Pro Rata Cash Payment amount will be calculated with the goal of exhausting the Settlement Fund. Any residual funds remaining after distribution of the Pro Rata Cash Payments will go to a non-profit organization agreed upon by the Parties and approved by the Court.

### 12. What claims am I releasing if I stay in the Settlement?

Unless you opt out of the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against the Defendants about any of the legal claims this Settlement resolves. The Releases section in the Settlement Agreement describes the legal claims that you give up if you remain in the Settlement Class. The Settlement Agreement can be found at www.CovenantHealthDataSettlement.com.

## HOW TO GET SETTLEMENT BENEFITS – MAKING A CLAIM

### 13. How do I submit a Claim Form to get Cash Payment Benefits?

To get Cash Payment Benefits, you must submit a Claim Form by **December 30, 2026**. Claim Forms may be submitted online at www.CovenantHealthDataSettlement.com by 11:59 p.m. ET, or mailed and postmarked by **December 30, 2026** to the Settlement Administrator at:

*In re: Covenant Health Data Security Litigation*
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391

Reminder: All Settlement Class Members will automatically receive the Credit Monitoring Benefit (see Question 10). You do not need to submit a Claim Form for this Settlement Benefit.

### 14. When will I get Settlement Benefits?

The short answer is: after the Settlement is "finally approved" and any challenges to that approval are finally resolved. The Settlement Website will be updated once the Court has set a date for the Final Approval Hearing, to decide whether to approve the Settlement, Class Counsel's request for attorneys' fees, costs, and expenses, and the Service Awards to the Class Representatives who brought this Action on behalf of the Settlement Class.

If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them. Settlement Benefits will be distributed as soon as possible, if and when the Court grants Final Approval of the Settlement and after any appeals are resolved.

## THE LAWYERS REPRESENTING YOU

### 15. Do I have a lawyer in this case?

Yes, the Court appointed Casondra Turner of Milberg, PLLC, Andrew W. Ferich of Ahdoot & Wolfson, PC, and William B. Federman of Federman & Sherwood to represent you and other members of the Settlement Class as Class Counsel. You will not be charged directly for these lawyers; instead, they will receive compensation from the Settlement Fund (subject to Court approval).

### 16. Should I get my own lawyer?

It is not necessary for you to hire your own lawyer because Class Counsel works for you. If you want to be represented by your own lawyer, you may hire one at your own expense.

### 17. How will the lawyers be paid?

Class Counsel will ask the Court to approve attorneys' fees of up to one-third of total settlement value plus expenses for representing the Settlement Class, as well as a $2,500 Service Award to each of the Class Representatives for their efforts on behalf of the Settlement Class. If approved, these amounts will be paid from the Settlement Fund before making payments to Settlement Class Members who submit Valid Claims.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

### 18. How do I opt out of the Settlement?

If you do not want to receive any benefits from the Settlement, and you want to keep your right to separately sue the Defendants about the legal issues in this case, you must take steps to exclude yourself from the Settlement Class. This is called "opting out" of the Settlement Class.

To exclude yourself from the Settlement, you must submit a written opt-out request to the Settlement Administrator that includes the following information:

- A statement indicating your intention to be excluded, such as "I wish to opt out of the Settlement Class in *In re: Covenant Health Data Security Litigation*, No. PENSC-CV-2025-63";
- Your full name, address, telephone number, and email address (if any); and
- Your signature.

Your opt-out request must be mailed to the Settlement Administrator at the address below, postmarked no later than **December 15, 2026**.

*In re: Covenant Health Data Security Litigation*
c/o Kroll Settlement Administration LLC
ATTN: Opt-Out Request
P.O. Box 225391
New York, NY 10150-5391

## OBJECTING TO THE SETTLEMENT

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

If you are a Settlement Class Member, you can choose (but are not required) to object to the Settlement if you do not like it or a portion of it, whether that be to the Settlement Benefits, the request for attorneys' fees, costs and expenses, or Service Awards, the Releases provided to the Defendants, or some other aspect of the Settlement. Through an objection, you give reasons why you think the Court should not approve the Settlement.

To be considered by the Court, your objection must include:

- The case name and number, *In re: Covenant Health Data Security Litigation*, No. PENSC-CV-2025-63;
- Your full name, mailing address, telephone number, and email address (if any);
- All grounds for the objection, accompanied by any legal support for the objection known to you or your attorney;
- The number of times you have objected to a class action settlement within the past five years, the caption of each case in which you have made an objection, and a copy of any orders related to or ruling upon the prior objections;
- The identity of all attorneys (if any) representing you, including any former or current counsel who may claim an entitlement to compensation for any reason related to the objection to the Settlement and/or Application for Attorneys' Fees, Costs, and Service Awards, and a statement as to whether they will appear at the Final Approval Hearing;
- The number of times your attorneys or their law firm have objected to a class action settlement within the past five years, the caption of each case in which your attorneys have made an objection, and a copy of any orders related to or ruling upon the prior objections;
- Whether you or your attorneys used Artificial Intelligence to assist in drafting your objection, and, if so, the platform used;
- A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- A statement confirming whether you intend to personally appear and/or testify at the Final Approval Hearing; and
- Your signature (your attorney's signature is not sufficient).

Objections must be filed with, or mailed to, the Court no later than **December 15, 2026**.

Penobscot County Superior Court
78 Exchange St.
Bangor, ME 04401

A copy of your objection also must be mailed to Class Counsel, Defendants' Counsel, and the Settlement Administrator at the addresses below, postmarked no later than **December 15, 2026**.

| CLASS COUNSEL | DEFENDANTS' COUNSEL | SETTLEMENT ADMINISTRATOR |
|---|---|---|
| Casondra Turner<br>**MILBERG, PLLC**<br>260 Peachtree Street, NW<br>Suite 2200<br>Atlanta, GA 30303<br>cturner@milberg.com | Edward J. McAndrew<br>**BAKER & HOSTETLER LLP**<br>1735 Market Street<br>Suite 3300<br>Philadelphia, PA 19103-7501<br>emcandrew@bakerlaw.com | *In re: Covenant Health Data Security Litigation*<br>c/o Kroll Settlement Administration LLC<br>ATTN: Objections<br>P.O. Box 225391<br>New York, NY 10150-5391 |

## 20. What is the difference between objecting and opting out?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from it. Excluding yourself from the Settlement means telling the Court you do not want to be part of the Settlement. If you exclude yourself or opt out of the Settlement, you cannot object to it because the Settlement no longer affects you.

## THE COURT'S FINAL APPROVAL HEARING

**21. When is the Court's Final Approval Hearing?**

The Settlement Website will be updated once the Court has set a date for the Final Approval Hearing to decide whether to approve the Settlement, Class Counsel's request for up to one third of the total settlement value in attorneys' fees, plus costs, and expenses, and whether to approve the $2,500 Service Awards to each of the Class Representatives. The date and time of this hearing may change without further notice. Please check this Settlement Website for updates.

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

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense. If you file an objection, you may, but you do not have to, come to the Final Approval Hearing to talk about it. If you file your written objection on time and in accordance with the requirements above, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

## IF YOU DO NOTHING

**23. What happens if I do nothing at all?**

If you are a Settlement Class Member and you do nothing, you will give up your right to start a lawsuit, continue a lawsuit, or be part of any other lawsuit against the Defendants and the Released Parties, as defined in the Settlement Agreement, about the legal issues resolved by this Settlement. In addition, you will be bound by the Releases in the Settlement Agreement and will not be eligible to receive any Cash Payment Benefits. However, you will still be eligible to receive the Credit Monitoring Benefit.

## GETTING MORE INFORMATION

**24. How do I get more information?**

This Long Form Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at the Settlement Website, www.CovenantHealthDataSettlement.com.

If you have additional questions or need to update your address, you may contact the Settlement Administrator by telephone at **(833) 453-2423**, or by mail at:

*In re: Covenant Health Data Security Litigation*
c/o Kroll Settlement Administration LLC
P.O. Box 225391
New York, NY 10150-5391