

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Supreme Court of the State of New York, County of Erie
Newhart v. General Physician, P.C., Index No. 815961/2024

Were you notified that your Private Information may have been impacted in a Data Incident that General Physician, P.C. experienced between April 6, 2024 and June 12, 2024? A proposed class action settlement may affect your rights.

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

- A Settlement has been reached with General Physician, P.C. (“GPPC”), the Defendant, in a class action lawsuit about a cybersecurity incident that occurred between April 6, 2024 and June 12, 2024, and resulted in the potential unauthorized access to or acquisition of people’s Private Information (the “Data Incident”).
- You are included in this Settlement as a Settlement Class Member if you received a letter from the Defendant notifying you that your Private Information (i.e., full name, address, Social Security Number, financial account information, date of birth, medical history information, mental and physical treatment information, diagnosis information, treating physician, medical record number, health insurance information, policy number, subscriber number, or group/plan number) may have been accessed and/or acquired by an unauthorized party as a result of the Data Incident.
- As a Settlement Class Member, your rights are affected whether you act or do not act. Please read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM FORM	The only way to receive cash and other benefits from this Settlement is by submitting a timely and Valid Claim. You can submit your Claim Form online at www.GeneralPhysicianDataIncidentSettlement.com or mail it to the Settlement Administrator. You may also call the Settlement Administrator to receive a paper copy of the Claim Form or submit your request via the Contact Us form on the Settlement Website.	May 27, 2026
OPT OUT OF THE SETTLEMENT	You can choose to opt out of the Settlement. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendant and Released Parties, as defined in the Settlement Agreement, related to the legal claims resolved by this Settlement. You can elect to retain your own legal counsel at your own expense. If you opt out, you will not be able to receive any Settlement Class Member Benefits and you will not be bound by the terms of the Settlement Agreement. The Settlement Agreement can be found at www.GeneralPhysicianDataIncidentSettlement.com .	April 27, 2026
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not opt out of the Settlement, you may object to it by writing to the Court about why you don’t like the Settlement. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing, scheduled to be held on June 4, 2026 . If you object, you may also file a Claim for Settlement Class Member Benefits.	April 27, 2026
DO NOTHING	If you do nothing, you will not receive any Settlement Class Member Benefits from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendant and Released Parties related to the legal claims resolved by this Settlement.	No Deadline

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

WHAT THIS NOTICE CONTAINS

Basic Information

1. Why was this Notice issued?..... 3
2. What is this Action about?..... 3
3. What is a class action?..... 3
4. Why is there a Settlement?..... 3

Who is in the Settlement?

5. Who is included in the Settlement?..... 3
6. Are there exceptions to being included in the Settlement?..... 3

The Settlement Class Member Benefits

7. What can I get from this Settlement?..... 4
8. Tell me more about Cash Payment A – Documented Losses..... 4
9. Tell me more about Cash Payment B – Alternate Cash..... 4
10. Tell me more about Credit and Medical Records Monitoring..... 4
11. What claims am I releasing if I stay in the Settlement Class?..... 4

How to get Settlement Class Member Benefits – Making a Claim

12. How do I submit a Claim Form and get Settlement Class Member Benefits?..... 5
13. When will I get my Settlement Class Member Benefits?..... 5

The Lawyers Representing You

14. Do I have a lawyer in this case?..... 5
15. Should I get my own lawyer?..... 5
16. How will the lawyers be paid?..... 5

Excluding Yourself from the Settlement

17. How do I opt out of the Settlement?..... 5

Objecting to the Settlement

18. How do I tell the Court if I do not like the Settlement?..... 6
19. What is the difference between objecting and opting out?..... 7

The Court’s Final Approval Hearing

20. When is the Court’s Final Approval Hearing?..... 7
21. Do I have to come to the Final Approval Hearing?..... 7

If You Do Nothing

22. What happens if I do nothing at all?..... 8

Getting More Information

23. How do I get more information?..... 8

BASIC INFORMATION

1. Why was this Notice issued?

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

The Action is captioned *Newhart v. General Physician, P.C.*, Index No. 815961/2024 and is pending in the Supreme Court of the State of New York, County of Erie. The people who filed this Action are called the “Plaintiffs” and the company they sued, General Physician, P.C. (“GPPC”), is called the “Defendant.”

2. What is this Action about?

This Action alleges that Private Information was potentially impacted by a cybersecurity incident that occurred between April 6, 2024 and June 12, 2024 (the “Data Incident”) that was announced by GPPC in October 2024. Types of data impacted varied by individual and may have included full name, address, Social Security Number, financial account information, date of birth, medical history information, mental and physical treatment information, diagnosis information, treating physician, medical record number, health insurance information, policy number, subscriber number, or group/plan number.

Defendant denies all Plaintiffs’ claims and maintains that it 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 Hailey Newhart, Celeste Battle, Alisa Oldacre, and Richard Brennan.

4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiffs or Defendant. The Defendant denies all claims and contends that it has not violated any laws. The Plaintiffs and Defendant agreed to a Settlement to avoid the costs and risks of a trial, and through the Settlement, Settlement Class Members are eligible to claim a payment and other Settlement Class Member Benefits. The Plaintiffs and their attorneys (“Class Counsel”), who also represent Settlement Class Members, think the Settlement is best for all Settlement Class Members.

WHO IS IN THE SETTLEMENT?

5. Who is included in the Settlement?

The Settlement Class consists of all individuals residing in the United States whose Private Information was potentially accessed and/or acquired by an unauthorized party as a result of the Data Incident reported by the Defendant in October 2024. The Settlement Class consists of approximately 490,210 individuals.

6. Are there exceptions to being included in the Settlement?

Excluded from the Settlement Class are: (a) the Judge assigned to the Action, that Judge’s immediate family, and Court staff; and (b) any Settlement Class Member who timely and validly opts out of the Settlement.

THE SETTLEMENT CLASS MEMBER BENEFITS

7. What can I get from this Settlement?

If approved by the Court, Defendant will pay \$2,500,000 to resolve this Action.

There are two (2) types of Cash Payments that are available to Settlement Class Members. Settlement Class Members may elect to receive one (1) of the following, in addition to Credit and Medical Records Monitoring:

- (1) **Cash Payment A – Documented Losses:** Reimbursement of up to \$5,000 in documented losses related to the Data Incident; **or**
- (2) **Cash Payment B – Alternate Cash:** An estimated \$60 payment, subject to a *pro rata* (proportional) adjustment depending upon the number of Valid Claims received.

In addition to Cash Payment A or Cash Payment B, you may also make a claim for two (2) years of one bureau **Credit and Medical Records Monitoring**.

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

Settlement Class Members may submit a Claim for a documented losses Cash Payment of up to \$5,000 if they can show documented losses that are related to the Data Incident.

To receive a Cash Payment for documented losses, a Settlement Class Member must elect Cash Payment A on the Claim Form and attest under penalty of perjury to having incurred documented losses. Settlement Class Members will be required to submit reasonable documentation supporting the losses.

Settlement Class Members shall not be reimbursed for expenses if they have been reimbursed for the same expenses by another source in connection with the identity protection and credit monitoring services offered as part of the notification letter provided by the Defendant or otherwise.

9. Tell me more about Cash Payment B – Alternate Cash.

As an alternative to Cash Payment A, Settlement Class Members may submit a Claim for Cash Payment B, which will entitle them to receive an estimated Cash Payment of \$60. This amount may increase or decrease based on the total number of Valid Claims received.

10. Tell me more about Credit and Medical Records Monitoring.

In addition to Cash Payment A or B, Settlement Class Members may elect to receive two (2) years of one bureau Credit and Medical Records Monitoring. The Credit and Medical Records Monitoring product will be CyEx Medical Shield, or a functional equivalent, and shall provide the following benefits: medical identity monitoring, real-time alerts, and insurance coverage for up to \$1,000,000 for medical identity theft. This shall be available to any Settlement Class Member regardless of whether they previously received a monitoring product related to the Data Incident or otherwise. The Credit and Medical Records Monitoring product being offered has an estimated value of \$179.40 per year per Settlement Class Member.

11. What claims am I releasing if I stay in the Settlement Class?

Unless you opt out of the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against the Defendant or Released Parties 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.GeneralPhysicianDataIncidentSettlement.com.

HOW TO GET SETTLEMENT CLASS MEMBER BENEFITS – MAKING A CLAIM

12. How do I submit a Claim Form and get Settlement Class Member Benefits?

You must submit a Claim Form by **May 27, 2026**. Claim Forms may be submitted online at **www.GeneralPhysicianDataIncidentSettlement.com**, by **11:59 p.m. ET**, or mailed and **postmarked by May 27, 2026**, to the Settlement Administrator at *Newhart v. General Physician, P.C.*, c/o Kroll Settlement Administration LLC, P.O. Box 5324, New York, NY 10150-5324.

13. When will I get my Settlement Class Member Benefits?

The short answer is – after the Settlement is “finally approved” and challenges, if any, to that approval are finally resolved. The Court is scheduled to hold a Final Approval Hearing on **June 4, 2026 at 9:30 a.m. ET**, to decide whether to approve the Settlement, how much attorneys’ fees and costs to award Class Counsel for representing the Settlement Class, and the amount of any Service Award payments 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 Class Member 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

14. Do I have a lawyer in this case?

Yes, the Court appointed Gary M. Klinger of Milberg, PLLC and Israel David of Israel David LLC, 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).

If you want to be represented by your own lawyer, you may hire one at your own expense.

15. 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.

16. How will the lawyers be paid?

Class Counsel will ask the Court to approve attorneys’ fees up to one-third of the Settlement Fund (\$833,333.33) plus reimbursement of reasonable costs, and a \$3,000 Service Award payment to each of the Class Representatives. If approved, these amounts will be paid from the \$2,500,000 Settlement Fund before making payments to Settlement Class Members who submit Valid Claims.

EXCLUDING YOURSELF FROM THE SETTLEMENT

17. 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 Defendant 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. The Opt-Out Deadline to submit a request for exclusion from the Settlement is **April 27, 2026**.

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

- your name, address, telephone number, and email address (if any);
- A statement indicating that you want to opt out of the Settlement Class, such as “I wish to be excluded from the Settlement Class in *Newhart v. General Physician, P.C.*, Index No. 815961/2024”; and
- your personal signature.

Your request for exclusion must be mailed to the Settlement Administrator at the address below, **postmarked no later than April 27, 2026.**

Newhart v. General Physician, P.C.
c/o Kroll Settlement Administration LLC
ATTN: Exclusion Request
P.O. Box 5324
New York, NY 10150-5324

OBJECTING TO THE SETTLEMENT

18. 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 Class Member Benefits, the request for attorneys’ fees, costs, or Service Award payments, the Releases provided to the Defendant, or some other aspect of the Settlement. Through an objection, you give reasons why you think the Court should not approve the Settlement.

For an objection to be considered by the Court, the objection must include:

- a. your full name, mailing address, telephone number, and email address (if any);
- b. the grounds for the objection, including any legal support for the objection known to you or your counsel;
- c. the number of times you have objected to a class action settlement within the five (5) years preceding the date of your objection, the caption of each case you objected to, and a copy of any orders related to or ruling upon your prior objections that were issued by the trial and appellate courts in each listed case;
- d. the identity of all counsel who represent you, 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;
- e. the number of times your counsel and/or counsel’s law firm has objected to a class action settlement within the five (5) years preceding the date of your objection, the caption of each case counsel or the firm has made such an objection, and a copy of any orders related to or ruling upon those prior objections that were issued by the trial and appellate courts in each listed case in which your counsel and/or counsel’s law firm have objected to a class action settlement within the preceding five (5) years;
- f. the identity of all counsel (if any) representing you who will appear at the Final Approval Hearing;
- g. a list of all persons who will be called to testify at the Final Approval Hearing in support of your objection (if any);
- h. a statement confirming whether you intend to personally appear and/or testify at the Final Approval Hearing; and
- i. your signature (an attorney’s signature is not sufficient).

Objections must be filed with the Court **no later than April 27, 2026.**

CLERK OF THE COURT
Chief Clerk's Office Erie County Court Building 25 Delaware Avenue Buffalo, NY 14202

A copy of your objection also must be mailed to Class Counsel, Defendant's Counsel, and the Settlement Administrator at the addresses below, **postmarked no later than April 27, 2026.**

CLASS COUNSEL	DEFENDANT'S COUNSEL	SETTLEMENT ADMINISTRATOR
Gary M. Klinger Milberg PLLC 800 S. Gay Street Suite 1100 Knoxville, TN 37929 -and- Israel David Israel David LLC 60 Broad St. Suite 2900 New York, NY 10004	Richard Haggerty Mullen Coughlin LLC 426 W. Lancaster Avenue Suite 200 Devon, PA 19333	<i>Newhart v. General Physician, P.C.</i> c/o Kroll Settlement Administration LLC P.O. Box 5324 New York, NY 10150-5324

19. 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

20. When is the Court's Final Approval Hearing?

The Court is scheduled to hold a Final Approval Hearing online on **June 4, 2026 at 9:30 a.m. ET**, hosted via Microsoft Teams, to decide whether to approve the Settlement, how much attorneys' fees and costs to award to Class Counsel for representing the Settlement Class, and whether to award Service Awards to the Class Representatives who brought this Action on behalf of the Settlement Class. The Final Approval Hearing may be held in person, by Microsoft Teams, or both, and the date and time of this hearing may change without further notice. Please check **www.GeneralPhysicianDataIncidentSettlement.com** for updates.

21. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have; however, you may attend at your own expense. If you file an objection, you may-but are not required to-appear at the Final Approval Hearing to talk about it. If you file your written objection on time and in accordance with the requirements set forth in **Question 18**, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

IF YOU DO NOTHING

22. 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 Defendant or 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 of the Defendant and the Released Parties in the Settlement and not be eligible to receive any Settlement Class Member Benefits.

GETTING MORE INFORMATION

23. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available on the Settlement Website, www.GeneralPhysicianDataIncidentSettlement.com.

If you have additional questions or need to update your address, you may contact the Settlement Administrator by phone toll-free at **(833) 319-5992**, by using the “Contact Us” form on the Settlement Website, or by mail at:

Newhart v. General Physician, P.C., c/o Kroll Settlement Administration LLC, P.O. Box 5324, New York, NY 10150-5324.

PLEASE DO NOT CONTACT THE COURT OR DEFENDANT.