

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Jefferson Circuit Court, Division Two
Abby Berthold, et al. v. Norton Healthcare, Inc., et al., Case No. 23-CI-003349

Were you notified that your confidential, personal information may have been exposed in a Data Incident that Norton Healthcare, Inc. and Norton Hospitals, Inc. experienced on or around May 9, 2023? 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 Norton Healthcare, Inc. and Norton Hospitals, Inc. (the “Defendants”) in a class action lawsuit regarding a data incident that occurred on or around May 9, 2023 and resulted in the potential exposure of the confidential, personal information of Defendants’ current and former patients and employees (the “Data Incident”).
- You are included in this Settlement as a Settlement Class Member if you received a letter from the Defendants notifying you that your personal information may have been compromised in 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	<p>The only way to receive cash and other benefits from this Settlement is by submitting a timely and valid claim.</p> <p>You can submit your Claim Form online at www.nortondataincidentsettlement.com or mail it to the Settlement Administrator. You may also call the Settlement Administrator to receive a paper copy of the Claim Form.</p>	Monday, May 18, 2026
OPT-OUT OF THE SETTLEMENT	<p>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 Defendants 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 benefits and you will be bound by the terms of the Settlement Agreement.</p>	Monday, April 20, 2026
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	<p>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. If you object, you may also file a Claim for Settlement Class Member Benefits.</p>	Monday, April 20, 2026
DO NOTHING	<p>If you do nothing, you will not receive any benefits from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendants related to the legal claims resolved by this Settlement.</p>	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 lawsuit 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 Claims for Out-of-Pocket Losses.....	4
9. Tell me more about Claims for Lost Time.....	4
10. Tell me more about Claims for a Cash Payment.....	4
11. What claims am I releasing if I stay in the Settlement Class?.....	5

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?.....	6
--	---

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?.....	7
---	---

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 lawsuit and about all of your options before the Court decides whether to grant Final Approval of the Settlement. This Notice explains the lawsuit, your legal rights, what benefits are available, and who can receive them.

The lawsuit is captioned *Abby Berthold, et al. v. Norton Healthcare, Inc., et al.*, Case No. 23-CI-003349 and is pending before Judge Annie O'Connell in the Jefferson Circuit Court, Division Two. The people who filed this lawsuit are called the Plaintiffs and the companies they sued, Norton Healthcare, Inc. and Norton Hospitals, Inc., are called the Defendants.

2. What is this lawsuit about?

This lawsuit alleges negligence, breach of implied contract, unjust enrichment, and intrusion upon seclusion/invasion of privacy.

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 Abby Berthold, Charlotte D'Spain, Lanisha Malone, Deloise Simmson, and Alexandra Schachtner.

4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiffs or Defendants. The Defendants deny all claims and contend that they have not violated any laws. Plaintiffs and the 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 a payment and other benefits. The Plaintiffs and their attorneys, 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 whose personal information may have been compromised as a result of the Data Incident, as identified on the Class List provided by the Defendants.

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

Yes, the Settlement Class specifically excludes: (i) all persons who timely and validly request exclusion from the Class; (ii) the judge assigned to evaluate the fairness of this settlement (including any members of the Court's staff assigned to this case); (iii) Defendants' officers and directors, and (iv) any other 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.

THE SETTLEMENT CLASS MEMBER BENEFITS

7. What can I get from this Settlement?

If approved by the Court, Defendants will pay \$11,000,000 into a Settlement Fund to resolve the Settlement.

Settlement Class Members may elect to receive one or more of the following benefits:

- (1) **Medical Monitoring Services:** three (3) years of CyEx's Medical Shield Pro medical account monitoring;
- (2) **Out-of-Pocket Losses:** Reimbursement of up to \$2,500 in unreimbursed out-of-pocket expenses that are fairly traceable to the Data Incident;
- (3) **Lost Time:** \$20 per hour, up to four (4) hours of time spent by the Settlement Class Member relating to the Data Incident; and
- (4) **Cash Payment:** A payment of no less than \$5, subject to a *pro rata* (proportional) adjustment depending upon the number of valid claims received.

8. Tell me more about Claims for Out-of-Pocket Losses.

Settlement Class Members may submit a Claim for an out-of-pocket loss payment of up to \$2,500 if they can show unreimbursed out-of-pocket expenses that are fairly traceable to the Data Incident. These include but are not limited to: (i) bank fees, long distance phone charges, cell phone charges (only if charged by the minute), data charges (only if charged based on the amount of data used), miscellaneous qualified expenses subject to explanation, such as postage, notary, fax, copying, mileage, and/or gasoline for local travel; (ii) fees for credit reports, credit monitoring, and/or other identity theft insurance product purchased between May 9, 2023 and May 18, 2026; and (iii) actual fraud that occurred between May 9, 2023 and May 18, 2026.

9. Tell me more about Claims for Lost Time.

Settlement Class Members may submit a Claim for \$20 per hour, up to four (4) hours of time spent for time spent relating to the Data Incident. This includes, but is not limited to, time spent acquiring credit freezes, remedying actual fraud, monitoring statements, etc.

10. Tell me more about Claims for a Cash Payment.

After deducting the Costs of Notice and Administration and payment of all Court-approved Attorneys' Fees and Expenses, and Service Awards, as well as all amounts needed to pay for valid claims for Medical Monitoring Services, Out-of-Pocket Losses, and Lost Time, the balance of the Settlement Fund or "Cash Payment Fund" will be used to make payments to Settlement Class Members.

Cash Payments will be made on a *pro rata* basis per claim by dividing the Cash Payment Fund by the number of valid claimants. If a Settlement Class Member submits a claim for Medical Monitoring Services, Out-of-Pocket Losses, or Lost Time, the Settlement Class Member will also be considered to have submitted a claim for a Cash Payment, regardless of the validity of any other claim. If the amount due for Cash Payments is less than \$5.00, then each of the payments for valid claims for Out-of-Pocket Losses and Lost Time will be reduced *pro rata* (for example, by 5%) until the amount due for Cash Payments equals \$5.00 per claimant.

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 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.nortondataincidentsettlement.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 **Monday, May 18, 2026**. Claim Forms may be submitted online at www.nortondataincidentsettlement.com, or mailed to be postmarked no later than **Monday, May 18, 2026** to the Settlement Administrator at *Berthold, et al. v. Norton Healthcare, Inc., et al.*, 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

May 15, 2026 at 10:00 a.m ET, to decide whether to approve the Settlement, how much Attorneys’ Fees and Expenses to award Class Counsel for representing the Settlement Class, and Service Award payments to the Class Representative who brought this lawsuit 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 J. Gerard Stranch, IV of Stranch, Jennings & Garvey, PLLC and Lynn A. Toops of CohenMalad, LLP, 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 and Expenses up to one-third of the Settlement Fund (\$3,666,666.67), and \$3,500 Service Award payments to each of the Class Representatives. If approved, these amounts will be paid from the \$11,000,000 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 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. The Deadline to Opt-Out to submit a request for exclusion from the Settlement is **Monday, April 20, 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 full name and current address;
- The name of the proceedings (*Abby Berthold, et al. v. Norton Healthcare, Inc., et al.*);
- A statement indicating that you want to opt-out of the Settlement Class, such as “Request for Exclusion”; and
- Your personal signature.

Your request for exclusion must be mailed to the Settlement Administrator at the address below, postmarked no later than **Monday, April 20, 2026**.

Berthold v. Norton Healthcare
c/o Kroll Settlement Administration
PO 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 and Expenses, or Service Award payments, 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.

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

- a. the name of the proceedings (*Abby Berthold, et al. v. Norton Healthcare, Inc., et al.*);
- b. your full name, current mailing address, and telephone number;
- c. a statement of the specific grounds for the objection, as well as any documents supporting the objection;
- d. the identity of any attorneys representing you;
- e. a statement regarding whether you (or your attorney) intends to appear at the Final Approval Hearing;
- f. a statement identifying all class action settlements in which you (and your attorney) have made an objection in the previous five (5) years;
- g. documentary evidence identifying you as a member of the Settlement Class (e.g., a Data Incident notice letter);
- h. your signature (an attorney’s signature is not sufficient).

Objections must be filed with the Court no later than **Monday, April 20, 2026**.

Jefferson Circuit Court, Division Two
700 W. Jefferson Street
Louisville, KY 40202

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 **Monday, April 20, 2026**.

CLASS COUNSEL	DEFENSE COUNSEL	SETTLEMENT ADMINISTRATOR
J. Gerard Stranch, IV Stranch, Jennings & Garvey, PLLC 223 Rosa L Parks Ave, Nashville, TN 37203 -and- Lynn A. Toops CohenMalad, LLP 1 Indiana Avenue Indianapolis, IN 46204	David P. Saunders McDermott Will & Schulte LLP 444 West Lake Street Suite 4000 Chicago, IL 60606	<i>Berthold v. Norton Healthcare</i> <i>c/o Kroll Settlement</i> <i>Administration</i> <i>PO Box 5324</i> <i>New York, NY 10150-5324</i>

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/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 on May 15, 2026 at 10:00 a.m ET, at the Jefferson Circuit Court, Division Two, 700 W. Jefferson Street, Louisville, Kentucky 40202, to decide whether to approve the Settlement, how much Attorneys' Fees and Expenses to award to Class Counsel for representing the Settlement Class, and whether to award Service Awards to the Class Representatives who brought this lawsuit on behalf of the Settlement Class. The date and time of this hearing may change without further notice. Please check www.nortondataincidentsettlement.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. 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

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 Defendants, 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 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 at the Settlement Website, www.nortondataincidentsettlement.com.

If you have additional questions or need to update your address, you may contact the Settlement Administrator by phone, or by mail:

Toll-Free: (833) 319-9294

Mail: *Berthold v. Norton Healthcare c/o Kroll Settlement Administration, PO Box 5324, New York, NY 10150-5324*

PLEASE DO NOT CONTACT THE COURT OR THE DEFENDANTS.