NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Dillon Clarke, et al., v. Yuma Regional Medical Center,
No. 2:22-cv-01061-PHX-SMB (D. Ariz.)
United States District Court for the District of Arizona

Was your private information possibly affected by the cybersecurity incident that affected Yuma Regional Medical Center in April 2022?

A proposed class action settlement may affect your legal rights —and may entitle you to benefits and a CASH PAYMENT

A court authorized this Notice.

This is not a solicitation from a lawyer.

You are not being sued.

Please read this Notice carefully and completely.

- A settlement was reached with Yuma Regional Medical Center ("YRMC") in a class action lawsuit ("Settlement"). The Lawsuit is about an April 2022 cybersecurity incident that affected YRMC (the "Data Incident").
- The lawsuit alleged that the Data Incident affected names, Social Security numbers, health insurance information, and medical information ("Private Information").
- YRMC denies that it did anything wrong. The Court has not decided who is right. The parties agreed to settle the Lawsuit to avoid the risks, disruption, and uncertainties of more litigation. More information about the Settlement is available online.
- The Lawsuit is called *Dillon Clarke, et al., v. Yuma Regional Medical Center*, No. 2:22-cv-01061-PHX-SMB. The Lawsuit is pending in the United States District Court for the District of Arizona.
- YRMC's records indicate that you are a Class Member, and entitled to benefits under the Settlement. You may have received a previous notice directly from YRMC.
- Your legal rights are affected whether you act or don't act. ***Please read this Notice carefully and completely.***

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	The only way to receive benefits or payments from this Settlement is by submitting a valid and timely Claim Form. The fastest way to submit your Claim Form is online at www.YumaSettlement.com. If you prefer, you can download the Claim Form from the Settlement Website and mail it to the Settlement Administrator. You may also call or email the Settlement Administrator to receive a paper copy of the Claim Form.	**February 1, 2027**
OPT OUT OF THE SETTLEMENT	You can choose to opt out of the Settlement and receive no benefit or payment. This option allows you to sue, continue to sue, or be part of another lawsuit against YRMC related to the legal claims resolved by this Settlement. You can hire your own lawyer at your own expense.	**January 4, 2027**
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. If you object, you may also file a claim for Settlement benefits.	**January 4, 2027**
DO NOTHING	Unless you opt out of the Settlement, you are automatically part of the Settlement. If you do nothing, you will not receive benefits or payments from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendant 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 3
WHO IS IN THE SETTLEMENT 4
THE SETTLEMENT BENEFITS 4
SUBMITTING A CLAIM FORM FOR SETTLEMENT BENEFITS 6
THE LAWYERS REPRESENTING YOU 6
EXCLUDING YOURSELF FROM THE SETTLEMENT 7
COMMENTING ON OR OBJECTING TO THE SETTLEMENT 8
THE COURT'S FINAL APPROVAL HEARING 9
IF I DO NOTHING 9
GETTING MORE INFORMATION 9

Basic Information

1. Why was this Notice issued?

The United States District Court for the District of Arizona authorized this Notice. You have a right to know about the proposed Settlement of this class action 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 called *Dillon Clarke, et al. v. Yuma Regional Medical Center*, Case No. 2:22-cv-01061-PHX-SMB. It is pending in the United States District Court for the District of Arizona. The people that filed this lawsuit are called the "Plaintiffs" or "Class Representatives" and the company they sued, Yuma Regional Medical Center, is called the "Defendant" or "YRMC."

2. What is this Lawsuit about?

This Lawsuit alleges that Defendant experienced a cybersecurity incident from April 21, 2022, to April 25, 2022 (the "Data Incident"). This Lawsuit alleges that the names, Social Security numbers, health insurance information, and medical information relating to care received at YRMC of approximately 720,000 current and former patients were impacted in the Data Incident.

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 are called the "Plaintiffs" or "Class Representatives." Together, the people included in the class action are called a "Class" or "Class Members." One court resolves the lawsuit for all Class Members, except for those who opt out from the Settlement. In this Settlement, the Class Representatives are Dillan Clarke, Elayne Martinez, Brian Kircher, Juanita Sarabia, Megan Kircher, Donald Banti and Marcia Banti, Ryan Mangum and Tiffany Mangum, Anthony Spano, Carol Ashby and Margaret O'Grady. Everyone included in this Lawsuit are the Class Members.

4. Why is there a Settlement?

The Court did not decide whether Plaintiffs or Defendant are right. Both sides have agreed to a Settlement to avoid the costs and risks of a trial, and to allow the Class Members to receive benefits from the Settlement. Plaintiffs and their attorneys think the Settlement is best for all Class Members.

Who is in the Settlement?

5. Who is included in the Settlement?

The Court has defined the Class this way: "All living individuals who were sent notice of the Data Incident."

6. Are there exceptions to being included?

Yes. Excluded from the Settlement Class are: (i) YRMC; (ii) all Settlement Class Members who timely and validly request exclusion from the Settlement Class; (iii) any judges assigned to this case and their staff and family; 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 Incidents or who pleads *nolo contendere* to any such charge.

If you are not sure whether you are a Class Member, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@YumaSettlement.com
- Call toll free, 24/7: 1-855-591-2021
- By mail: Yuma Settlement
  c/o Settlement Administrator
  P.O. Box 1031
  Baton Rouge, LA 70821

You may also view the Settlement Agreement at www.YumaSettlement.com.

The Settlement Benefits

7. What does the Settlement provide?

YRMC will establish a non-reversionary common fund of one million nine-hundred-eighty-five thousand dollars ($1,985,000) (the "Settlement Fund").

Additionally, YRMC has committed more than $750,000 towards data security enhancements to help better protect patient information moving forward.

The Settlement Fund shall pay all costs of Settlement Administration; all Valid Claims; any Service Awards to the Class Representatives; and any attorneys' fees and costs to Class Counsel and Plaintiffs' Counsel. More specifically, the Settlement Fund will pay for the following benefits:

CASH PAYMENT OPTIONS

Cash Payment A → Documented Out-of-Pocket Losses. If you incurred actual, documented out-of-pocket losses due to the Data Incident, you may get back up to **$4,000.00**. The losses must have occurred between April 21, 2022, and February 1, 2027.

This benefit covers out-of-pocket expenses like:

- losses because of identity theft or fraud
- fees for credit reports, credit monitoring, or freezing and unfreezing your credit
- cost to replace your IDs
- postage to contact banks by mail

You need to send third-party proof, like bank statements or receipts, to show how much you spent or lost. You can also send notes or papers you made yourself to explain or support other proof, but those notes or papers alone are not enough to make a Valid Claim. Your proof or notes should show that your expenses were because of the Data Incident.

You cannot claim payment for expenses that have already been reimbursed by a third party.

Cash Payment B → Pro Rata Monetary Payment. In addition, you may also claim a one-time *pro rata* cash payment.

It is expected that a significant amount of money will remain in the Settlement Fund after all expenses and all other benefits have been paid. All of this remaining money will be divided equally between everyone who claims a *Pro Rata* Monetary Payment.

This payment depends on the total number of claims filed.

You do not have to provide any proof or explanation to claim this payment

MEDICAL DATA MONITORING. All Settlement Class Members will automatically receive one year of Medical Data Monitoring that includes, among other benefits, $1,000,000.00 in insurance coverage with no deductible.

If you have questions about these benefits, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@YumaSettlement.com
- Call toll free, 24/7: 1-855-591-2021
- By mail: Yuma Settlement
  c/o Settlement Administrator
  P.O. Box 1031
  Baton Rouge, LA 70821

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

If you stay in the Class, you won't be able to be part of any other lawsuit against YRMC about the issues that this Settlement covers. The "Release" section of the Settlement Agreement (Section 13)

describes the legal claims that you give up if you remain in the Class. The Settlement Agreement is available at www.YumaSettlement.com.

Submitting a Claim Form for Settlement Benefits

9. How do I submit a claim for Settlement Benefits?

The fastest way to submit your Claim Form is online at www.YumaSettlement.com. If you prefer, you can download a printable Claim Form from the website and mail it to the Settlement Administrator at:

Yuma Settlement
c/o Settlement Administrator
P.O. Box 1031
Baton Rouge, LA 70821

You may also contact the Settlement Administrator to request a Claim Form by telephone, toll free, 1-855-591-2021, by email info@YumaSettlement.com, or by U.S. mail at the address above.

10. Are there any important Settlement payment deadlines?

If you are submitting a Claim Form online, you must do so by **February 1, 2027**. If you are submitting a claim by US. mail, the completed and signed Claim Form, including supporting documentation, must be postmarked no later than **February 1, 2027**.

11. When will the Settlement benefits be issued?

The Court will hold a final approval hearing on **March 1, 2027, at 10:00 am Mountain Time (*see* Question 18).** If the Court approves the Settlement, there may be appeals. We do not know if appeals will be filed, or how long it will take to resolve them if they are filed.

Settlement payments will be distributed if the Court grants final approval, and after any appeals are resolved.

The Lawyers Representing You

12. Do I have a lawyer in the case?

Yes, the Court has appointed attorneys Bryan L. Bleichner of Chestnut Cambronne PA and Jean Martin of Aylstock Witkin Kreis Overholtz, PLC to represent you and other Class Members ("Class Counsel").

13. Should I get my own lawyer?

You will not be charged for Class Counsel's services. If you want your own lawyer, you may hire one at your expense.

14. How will Class Counsel be paid?

Class Counsel will ask the court to approve $825,000 as reasonable attorneys' fees, plus reimbursement of litigation costs. This amount will be paid from the Settlement Fund.

Class Counsel will also ask for Service Award payments of $2,500.00 for each of the Class Representatives. Service Awards will also be paid from the Settlement Fund.

Excluding Yourself from the Settlement

15. How do I opt out of the Settlement?

If you do not want to be part of the Settlement, you must formally exclude yourself from the Settlement. This is called "opting out" and must be done by submitting an Opt Out Request. If you opt out, you will not receive Settlement benefits or payment. However, you will keep any rights you may have to sue YRMC on your own about the legal issues in this case.

If you exclude yourself, you are telling the Court that you do not want to be part of the Settlement. You will not be eligible to receive any Settlement benefits if you exclude yourself.

The deadline to exclude yourself from the Settlement is **January 4, 2027.**

To be valid, your Opt-Out Request must have the following information:

(1) your full name, address, and telephone number;
(2) your personal signature (or the signature of a person previously authorized by law, such as a trustee, guardian, or person acting under a power of attorney to act on behalf of you as a Settlement Class Member with respect to a claim or right, such as those in the Lawsuit);
(3) clear manifestation of your intent to be excluded from the Settlement Class, to be excluded from the Settlement, not to participate in the Settlement, and/or to waive all rights to the benefits of the Settlement.

You may only exclude yourself—not any other Person.

Mail your Opt-Out Request to the Settlement Administrator at:

Yuma Settlement
c/o Settlement Administrator
P.O. Box 1031
Baton Rouge, LA 70821

Your Opt-Out Request must be submitted or postmarked by **January 4, 2027.**

Commenting on or Objecting to the Settlement

16. How do I tell the Court if I like or do not like the Settlement?

If you are a Class Member and do not like part or all of the Settlement, you can object to it. Objecting means telling the Court your reasons for why you think the Court should not approve the Settlement. The Court will consider your views.

You cannot object if you have excluded yourself from the Settlement (***see* Question 15**).

You must provide the following information for the Court to consider your objection:

(1) The case name and case number;
(2) your full name, mailing address, telephone number, and email address (if any);
(3) all grounds for the objection, accompanied by any legal support for the objection known to you or your counsel;
(4) 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;
(5) the number of times in which your counsel and/or your counsel's law firm have objected to a class action settlement within the five years preceding the date of the filed objection, the caption of each case in which counsel or the firm has made such objection and a copy of any orders related to or ruling upon counsel's or the counsel's law firm's 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 years;
(6) whether you and/or your counsel will appear at the Final Approval Hearing and/or testify at the Final Approval Hearing;
(7) a list of all persons who will be called to testify at the Final Approval Hearing in support of your objection (if any);
(8) a statement confirming whether you and/or your counsel utilized any form of artificial intelligence in preparation of the objection; and
(9) your signature (an attorney's signature is not sufficient).

For your objection to be valid, it must meet each of these requirements.

To be considered by the Court, you must file your complete objection with the Clerk of Court by **January 4, 2027**. You must also send a copy of the objection to the Settlement Administrator.

Clerk of the Court	Settlement Administrator
Clerk of the Court 401 W. Washington St. Phoenix, AZ 85003-2118	Yuma Settlement c/o Settlement Administrator P.O. Box 1031 Baton Rouge, LA 70821

17. What is the difference between objecting and excluding?

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 the Settlement. Excluding yourself from the Settlement is opting out and stating to the Court that you do not want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because the Settlement no longer affects you.

The Court's Final Approval Hearing

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

The Court will hold a Final Approval Hearing on **March 1, 2027, at 10:00 am Mountain Time** at the United States District Court for the District of Arizona located at 401 W. Washington St., Phoenix, AZ 85003-2118 or via video or teleconference.

At the Final Approval Hearing, the Court will decide whether to approve the Settlement. The Court will also decide how Class Counsel should be paid, and whether to award Service Award payments to the Class Representatives. The Court will also consider any objections to the Settlement.

If you are a Class Member, you or your lawyer may ask permission to speak at the hearing at your own cost **(*See* Question 16)**.

The date and time of this hearing may change without further notice. Please check www.YumaSettlement.com for updates.

19. 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 wish, but you do not have to.

If you file an objection, you do not have to come to the Final Approval Hearing to talk about it; the Court will consider it as long as it was filed on time. You may also pay your own lawyer to attend, but you do not have to.

If I Do Nothing

20. What happens if I do nothing at all?

If you do nothing, you will not receive a benefit from this Settlement.

You will also give up the rights described in **Question 8.**

Getting More Information

21. How do I get more information?

This Notice is a summary of the proposed Settlement. The full Settlement Agreement and other related documents are available at the Settlement Website, www.YumaSettlement.com.

If you have additional questions, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@YumaSettlement.com
- Call toll free, 24/7: 1-855-591-2021
  By mail: Yuma Settlement
  c/o Settlement Administrator
  P.O. Box 1031
  Baton Rouge, LA 70821

You can obtain copies of publicly filed documents by visiting the court at 401 W. Washington St. Phoenix, AZ 85003-2118.

DO NOT CONTACT THE COURT OR CLERK OF COURT REGARDING THIS SETTLEMENT