

**NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT**

*This is not a solicitation from a lawyer, junk mail, or an advertisement. A court authorized this Notice.*

- A proposed Settlement has been reached in a class action lawsuit known as *In re: Goodman Campbell Brain and Spine Data Incident Litigation*, Case No. 49D01-2207-PL-024807 (“Lawsuit”), filed in the Commercial Court of Marion County, Indiana.
- This Lawsuit arises out of unauthorized access to Indianapolis Neurosurgical Group d/b/a Goodman Campbell Brain and Spine (“GCBS”) systems and certain files containing sensitive and/or personal information about GCBS’s current or former employees and patients including, but not limited to, names, dates of birth, address, telephone number, email addresses, medical record numbers, patient account number, diagnosis and treatment information, physician name, insurance information, date(s) of service, and social security number (“Personal Information”), and which occurred between May 17, 2022, and May 20, 2022 (the “Data Incident”). GCBS disagrees with Plaintiffs’ claims and denies any wrongdoing.
- All Settlement Class Members can receive the following benefits from the Settlement: (1) up to \$375 for documented out-of-pocket expenses, (2) reimbursement for up to four (4) hours of lost time spent dealing with the Data Incident at \$20 per hour, and (3) reimbursement for extraordinary losses up to \$5,000 for documented expenses. GCBS also agrees to provide security-related improvements.
- Settlement Class Members shall have the ability to claim two (2) years of credit monitoring with one bureau and at least \$1,000,000.00 in identity theft insurance.
- You are included in this Settlement as a Settlement Class Member if you resided in Indiana at the time of the Data Incident and (i) received written notification that your Social Security Number was potentially accessed, viewed, and/or obtained as a result of the Data Incident which occurred between May 17, 2022, and May 20, 2022; or (ii) you are a Plaintiff who filed a lawsuit against GCBS related to the Data Incident prior to December 15, 2023.
- Your legal rights are affected regardless of whether you do or do not act. Read this Notice carefully.

<b>YOUR LEGAL RIGHTS &amp; OPTIONS IN THIS SETTLEMENT</b>	
<b>Submit a Claim and/or Receive Credit Monitoring</b>	<p><b>You must submit a Valid Claim to get money from this Settlement.</b></p> <p>Claim Forms must be submitted online by July 29, 2024 or, if mailed, postmarked no later than July 29, 2024.</p> <p>You may enroll in the credit monitoring product offered by GCBS, for a period of two years, by submitting a request through the Claim Form.</p>
<b>Do Nothing</b>	<p>If you do nothing, you remain in the Settlement.</p> <p>You give up your rights to sue and you will not get any money.</p>
<b>Exclude Yourself</b>	<p><b>Get out of the Settlement. Get no money. Keep your rights.</b></p> <p>This is the only option that allows you to keep your right to sue about the claims in this lawsuit. You will not get any money from the Settlement.</p> <p>Your request to exclude yourself must be postmarked no later than June 28, 2024.</p>
<b>File an Objection</b>	<p>Stay in the Settlement but tell the Court why you think the Settlement should not be approved.</p> <p>Objections must be postmarked no later than June 28, 2024.</p>
<b>Go to a Hearing</b>	<p>You can ask to speak in Court about the fairness of the Settlement, at your own expense. <i>See</i> Question 18 for more details.</p> <p>The Final Fairness Hearing is scheduled for August 19, 2024.</p>

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## BASIC INFORMATION

### 1. How do I know if I am affected by the Lawsuit and Settlement?

You are a Settlement Class Member if you resided in Indiana at the time of the Data Incident and (i) received written notification that your Social Security Number was potentially accessed, viewed, and/or obtained as a result of the Data Incident which occurred between May 17, 2022 and May 20, 2022, or (ii) you are a Plaintiff who filed a lawsuit against GCBS related to the Data Incident prior to December 15, 2023. The persons described in part (i) above are limited to persons for whom a full and valid Social Security Number has been identified in the Social Security Number field of their electronic medical record.

The Settlement Class specifically excludes: (i) Indianapolis Neurosurgical Group d/b/a Goodman Campbell Brain and Spine (“GCBS”) and their officers and directors; (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 Incident or who pleads *nolo contendere* to any such charge. This Notice explains the nature of the lawsuit and claims being settled, your legal rights, and the benefits to the Settlement Class.

### 2. What is this case about?

This case is known as *In re: Goodman Campbell Brain and Spine Data Incident Litigation*, Case No. 49D01-2207-PL-024807, filed in the Commercial Court of Marion County, Indiana. The individuals who sued are called the “Plaintiffs” and the company they sued, GCBS, is known as the “Defendant” in this case. GCBS will be called “Defendant” in this Notice.

Plaintiffs filed a lawsuit against Defendant, individually, and on behalf of anyone whose Personal Information was potentially impacted as a result of the Data Incident.

This Lawsuit arises out of unauthorized access to GCBS’s systems and certain files containing sensitive and/or personal information about GCBS’s current or former employees and patients which occurred between May 17, 2022, and May 20, 2022. The personal information that may have been accessed includes, but is not limited to, names, dates of birth, address, telephone numbers, email addresses, medical record numbers, patient account numbers, diagnosis and treatment information, physician names, insurance information, date(s) of service, and social security numbers. After learning of the Data Incident, notification was mailed to persons whose Private Information may have been impacted by the Data Incident. Subsequently, lawsuits were filed asserting claims against GCBS relating to the Data Incident. Those separate lawsuits were ultimately consolidated into the above-captioned litigation, Case No. 49D01-2207-PL-024807, captioned *In re: Goodman Campbell Brain and Spine Data Incident Litigation*. GCBS denies Plaintiffs’ claims and denies any wrongdoing.

### 3. Why is there a Settlement?

By agreeing to settle, both sides avoid the cost, disruption, and distraction of further litigation. The Class Representatives, Defendant, and their attorneys believe the proposed Settlement is fair, reasonable, and adequate and, thus, best for the Settlement Class Members. The Court did not decide in favor of the Plaintiffs or Defendant. Full details about the proposed Settlement are found in the Settlement Agreement available at [www.GCBSDataIncidentSettlement.com](http://www.GCBSDataIncidentSettlement.com).

### 4. Why is this a class action?

In a class action, one or more people called “Class Representatives” sue on behalf of all people who have similar claims. All of these people together are the “Settlement Class” or “Settlement Class Members.”

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

You are included in the Settlement if you reside in Indiana and: (i) received written notification that your Social Security Number was potentially accessed, viewed, and/or obtained as a result of the Data Incident which occurred between May 17, 2022, and May 20, 2022, or (ii) you are a Plaintiff who filed a lawsuit against GCBS related to

the Data Incident prior to December 15, 2023. If you are not sure whether you are included as a Settlement Class Member, or have any other questions about the Settlement, visit [www.GCBSDataIncidentSettlement.com](http://www.GCBSDataIncidentSettlement.com), call toll free 1-888-591-0982, or write to:

GCBS Data Incident Settlement Administrator  
P.O. Box 2569  
Portland, OR 97208-2569

## THE SETTLEMENT BENEFITS

### 6. What does this Settlement provide?

The proposed Settlement will provide the following benefits to Settlement Class Members:

#### Expense Reimbursement

**Documented Out of Pocket Expense Reimbursement (Ordinary Losses):** All Settlement Class Members who submit a Valid Claim using the Claim Form are eligible for reimbursement of documented out-of-pocket expenses, not to exceed \$375 per Settlement Class Member, that were incurred as a result of the Data Incident. Examples of the types of documented out-of-pocket expenses for which reimbursement may be sought include: (i) unreimbursed bank fees; (ii) long distance phone charges; (iii) cell phone charges (only if charged by the minute); (iv) data charges (only if charged based on the amount of data used); (v) postage; (vi) gasoline for local travel; and (vii) fees for credit reports, credit monitoring, or other identity theft insurance products purchased by Settlement Class Members between May 17, 2022, and the Claims Deadline. To receive reimbursement for any of the above-referenced out-of-pocket expenses, Settlement Class Members must submit a valid and timely claim, including necessary supporting documentation, to the Claims Administrator.

**Lost Time Reimbursement:** Settlement Class Members are also eligible to receive reimbursement for up to four (4) hours of lost time spent dealing with the Data Incident (calculated at the rate of \$20 per hour) (for a total of up to \$80). Settlement Class Members may receive reimbursement for lost time if the Settlement Class Member (i) attests that any claimed lost time was spent responding to issues raised by the Data Incident; and (ii) provides a written description (or checkbox style description) of how the claimed lost time was spent related to the Data Incident. Claims made for lost time can be combined with reimbursement for out-of-pocket expenses and are subject to the same \$375 cap for all Settlement Class Members.

**Documented Extraordinary Loss Reimbursement:** Settlement Class Members are also eligible to receive reimbursement for extraordinary losses, not to exceed \$5,000 per Settlement Class Member, for documented monetary loss that: (i) is actual, documented, and unreimbursed; (ii) was more likely than not caused by the Data Incident; (iii) occurred between May 17, 2022, and the July 29, 2024; and (iv) is not already covered by any of the above-referenced documented out-of-pocket expenses or lost time reimbursement categories. Settlement Class Members must also provide documentation that he or she made reasonable efforts to avoid, or seek reimbursement for, the loss, including but not limited to exhaustion of all available credit monitoring insurance and identity theft insurance.

**Credit Monitoring:** If you would like to claim two (2) years of credit monitoring, you may do so before the Claims Deadline on July 29, 2024 by selecting the credit monitoring option on the Claim Form.

**Information Security Improvements:** GCBS will implement or maintain various data security improvements. Any costs associated with these security improvements will be paid by GCBS separate and apart from other settlement benefits.

### 7. How to submit a claim?

All claims will be reviewed by the Claims Administrator and/or a claims referee. You must file a Claim Form to get any money from the proposed Settlement. Claim Forms must be submitted online by 11:59 p.m. July 29, 2024 or postmarked no later than July 29, 2024. You can download a Claim Form at [www.GCBSDataIncidentSettlement.com](http://www.GCBSDataIncidentSettlement.com) or you can call the Claims Administrator at 1-888-591-0982. The ClaimantID Login and Password that were printed on the Notice you received will be required to access online claim filing. You may also download a paper claim form from the Documents Page at [www.GCBSDataIncidentSettlement.com](http://www.GCBSDataIncidentSettlement.com)

Your paper claim form must be postmarked no later than **July 29, 2024** to:

GCBS Data Incident Settlement Administrator  
P.O. Box 2569  
Portland, OR 97208-2569

### **8. What am I giving up as part of the Settlement?**

If you stay in the Settlement Class, you will be eligible to receive benefits, but you will not be able to sue GCBS and its Related Entities and each of their past or present parents, subsidiaries, divisions, and related or affiliated entities, and each of their respective predecessors, successors, directors, officers, principals, agents, attorneys, insurers, and reinsurers regarding the claims in this case. The Settlement Agreement, which includes all provisions about settled claims, releases, and Released Persons, is available at [www.GCBSDataIncidentSettlement.com](http://www.GCBSDataIncidentSettlement.com). The only way to keep the right to sue is to exclude yourself (*see* Question 10), otherwise you will be included in the Settlement Class, if the Settlement is approved, and you give up the right to sue for the claims in this case.

### **9. Will the Class Representatives receive compensation?**

Yes. The Class Representatives will each receive a service award of up to \$1,000 to compensate them for their services and efforts in bringing the lawsuit. The Court will make the final decision as to the amount, if any, to be paid to the Class Representatives.

## **EXCLUDE YOURSELF**

### **10. How do I exclude myself from the Settlement?**

If you do not want to be included in the Settlement, you must send a timely written request for exclusion. Your request for exclusion must be individually signed by you. Your request must clearly manifest your intent to be excluded from the Settlement.

Your written request for exclusion must be postmarked no later than **June 28, 2024** to:

GCBS Data Incident Settlement Administrator  
P.O. Box 2569  
Portland, OR 97208-2569

Instructions on how to submit a request for exclusion are available at [www.GCBSDataIncidentSettlement.com](http://www.GCBSDataIncidentSettlement.com) or from the Claims Administrator by calling 1-888-591-0982.

If you exclude yourself, you will not be able to receive any cash benefits from the Settlement and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit and you will keep your right to sue the Defendant on your own for the claims that this Settlement resolves.

### **11. If I do not exclude myself, can I sue later?**

No. If you do not exclude yourself from the Settlement, and the Settlement is approved by the Court, you forever give up the right to sue the Released Persons (listed in Question 8) for the claims this Settlement resolves.

### **12. What happens if I do nothing at all?**

If you do nothing, you will be bound by the Settlement if the Court approves it, you will not get any money from the Settlement, you will not be able to start or proceed with a lawsuit or be part of any other lawsuit against the Released Persons (listed in Question 8) about the settled claims in this case at any time.

## THE LAWYERS REPRESENTING YOU

### 13. Do I have a lawyer in the case?

Yes. The Court has appointed J. Gerard Stranch of the law firm STRANCH, JENNINGS & GARVEY, PLLC (called “Class Counsel”) to represent the interests of all Settlement Class Members in this case. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

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

Class Counsel will apply to the Court for an award of attorneys’ fees, costs, and litigation expenses in an amount not to exceed \$610,000. A copy of Class Counsel’s Application for Attorneys’ Fees, Costs, and Expenses will be posted on the Settlement Website, [www.GCBSDataIncidentSettlement.com](http://www.GCBSDataIncidentSettlement.com) before the Final Fairness Hearing. The Court will make the final decisions as to the amounts to be paid to Class Counsel and may award less than the amount requested by Class Counsel.

## OBJECTING TO THE SETTLEMENT

### 15. How do I tell the Court that I do not like the Settlement?

If you want to tell the Court that you do not agree with the proposed Settlement or some part of it, you can submit an objection telling it why you do not think the Settlement should be approved. Objections must be submitted in writing and include all the following information:

Such notice shall state:

- (i) the objector’s full name, address, telephone number, and e-mail address (if any);
- (ii) information identifying the objector as a Settlement Class Member, including proof that the objector is a member of the Settlement Class (e.g., copy of notice, copy of original notice of the Data Incident);
- (iii) a written statement of all grounds for the objection, accompanied by any legal support for the objection the objector believes applicable;
- (iv) the identity of any and all counsel representing the objector in connection with the objection;
- (v) a statement whether the objector and/or his or her counsel will appear at the Final Fairness Hearing;
- (vi) the objector’s signature and the signature of the objector’s duly authorized attorney or other duly authorized representative (along with documentation setting forth such representation); and
- (vii) a list, by case name, court, and docket number, of all other cases in which the objector and/or the objector’s counsel has filed an objection to any proposed class action settlement within the last three (3) years.

Your Objection must include the case name and docket number, *In re: Goodman Campbell Brain and Spine Data Incident Litigation*, Case No. 49D01-2207-PL-024807 (the “GCBS Action”), and be filed with the Clerk of the Court by **June 28, 2024** or submitted to the Clerk of the Court by First-Class mail, postmarked no later than **June 28, 2024**, at:

Marion County Superior Court  
c/o Court Clerk  
675 Justice Wy  
Indianapolis, IN 46203

In addition, you must mail a copy of your objection to Class Counsel and Defense Counsel, postmarked no later than **June 28, 2024**:

<b>CLASS COUNSEL</b>	<b>DEFENSE COUNSEL</b>
J. Gerard Stranch Stranch, Jennings & Garvey, PLLC 223 Rosa L. Parks Ave., Ste. 200, Nashville, Tennessee 37203	Michelle R. Gomez Baker & Hostetler, LLP 1801 California St. Suite 4400 Denver, CO 80202

If you do not submit your objection with all requirements, or if your objection is not postmarked by **June 28, 2024**, you will be considered to have waived all Objections and will not be entitled to speak at the Final Fairness Hearing.

#### **16. What is the difference between objecting and asking to be excluded?**

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you stay in the Class. Excluding yourself 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 Settlement no longer affects you.

### **THE FINAL FAIRNESS HEARING**

#### **17. When and where will the Court decide whether to approve the Settlement?**

The Court will hold the Final Fairness Hearing on August 19, 2024 at 9:30a.m. via WEBEX. The hearing may be moved to a different date, time, or location without additional notice, so it is recommended that you periodically check [www.GCBSDataIncidentSettlement.com](http://www.GCBSDataIncidentSettlement.com) for updated information.

At the hearing, the Court will consider whether the proposed Settlement is fair, reasonable, adequate, and is in the best interests of Settlement Class Members, and if it should be approved. If there are valid objections, the Court will consider them and will listen to people who have asked to speak at the hearing if the request was made properly. The Court will also consider the award of Attorneys' Fees, Costs, and Expenses to Class Counsel and the request for a service award to the Class Representatives.

#### **18. Do I have to come to the hearing?**

No. You are not required to come to the Final Fairness Hearing. However, you are welcome to attend the hearing at your own expense.

If you submit an Objection, you do not have to come to the hearing to talk about it. If your objection was submitted properly and on time, the Court will consider it. You also may pay your own lawyer to attend the Final Fairness Hearing, but that is not necessary.

#### **19. May I speak at the hearing?**

Yes. You can speak at the Final Fairness Hearing, but you must ask the Court for permission. To request permission to speak, you must file an objection according to the instructions in Question 15, including all the information required. You cannot speak at the hearing if you exclude yourself from the Settlement.

### **DO NOTHING**

#### **20. What happens if I do nothing?**

If you do nothing, you will not get any money from the Settlement, you will not be able to sue for the claims in this case, and you release the claims against Defendant described in Question 8.

## GET MORE INFORMATION

### 21. How do I get more information about the Settlement?

This is only a summary of the proposed Settlement. If you want additional information about this lawsuit, including a copy of the Settlement Agreement, the Complaint, the Court's Preliminary Approval Order, Class Counsel's Application for Attorneys' Fees and Expenses, and more, please visit [www.GCBSDataIncidentSettlement.com](http://www.GCBSDataIncidentSettlement.com) or call 1-888-591-0982. You may also contact the Claims Administrator at:

GCBS Data Incident Settlement Administrator  
P.O. Box 2569  
Portland, OR 97208-2569

**PLEASE DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT  
OR LITIGATION TO THE CLERK OF THE COURT, THE JUDGE, DEFENDANT,  
OR DEFENDANT'S COUNSEL.**