

NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT

If CareNet Medical Group, P.C. (“CareNet”) Notified You Of A Data Security Incident, You May Be Eligible For Benefits From A Class Action Settlement.

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

This notice summarizes the proposed settlement reached in a lawsuit entitled *Jeanette Coniglio v. CareNet Medical Group P.C.*, Index No. 2024-1351, in the Supreme Court of the State of New York, County of Schenectady (“Lawsuit”). For the precise terms and conditions of the settlement, please see the Settlement Agreement available at www.CNDataSettlement.com or by contacting the Settlement Administrator at 1-877-979-7115.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE TO
INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

**This Notice explains the nature of the Lawsuit and claims being settled, your legal rights,
and the benefits to the Settlement Class.**

This notice may affect your rights – please read it carefully.

- A proposed Settlement has been reached in a class action lawsuit against CareNet. The Lawsuit alleges that between about May 9, 2022, to June 4, 2022, CareNet Medical Group, P.C. (“CareNet”) experienced an attack by cybercriminals (the “Data Security Incident”). The Lawsuit asserted claims against CareNet arising out of or related to the Data Security Incident. The potentially affected information included: names, addresses, driver’s license numbers, bank account numbers, dates of birth, medical reference numbers, Medicare numbers, phone numbers, health insurance information, email addresses, and Social Security Numbers. CareNet maintains that it had meritorious defenses, and it was prepared to vigorously defend the Lawsuit. The settlement is not an admission of wrongdoing or an indication that CareNet has violated any laws, but rather the resolution of disputed claims.
- The Settlement Class includes all individuals residing in the United States whose Personal Information was compromised by the Data Security Incident, including all those who received a notice of the breach.
- All Settlement Class Members who submit a valid and timely claim form can receive the following benefits from the Settlement: (1) reimbursement of up to \$500 for (i) documented out-of-pocket expenses such as fees for credit reports, credit monitoring, or other identity theft insurance products, and/or (ii) lost time spent dealing with the Data Security Incident up to four (4) hours of (at a rate of \$25 per hour), (2) reimbursement for documented extraordinary losses, not to exceed \$5,000 per Settlement Class Member, for proven actual monetary losses, and (3) Settlement Class Members can elect to enroll in three years of Credit Monitoring provided through CyEx with at least \$1,000,000 in identity theft insurance. In the alternative to a claim for Ordinary Losses, Lost Time, Extraordinary Losses, and/or Credit Monitoring, Settlement Class Members can elect to instead receive an Alternative Cash Payment in the amount of \$50.00.

The deadline to submit a claim is June 4, 2025.

| YOUR LEGAL RIGHTS & OPTIONS IN THIS SETTLEMENT | |
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| Submit a Claim | <p>You must submit a valid Claim to get money from this Settlement.</p> <p>Claim Forms must be submitted online by June 4, 2025 or, if mailed, postmarked no later than June 4, 2025.</p> |
| Do Nothing | <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 or credit monitoring.</p> |
| Exclude Yourself | <p>Get out of the Settlement. Get no money. Keep your rights.</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 or credit monitoring from the Settlement.</p> <p>Your request to exclude yourself must be postmarked no later than May 5, 2025.</p> |
| File an Objection | <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 May 5, 2025.</p> |
| Go to a Hearing | <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 Approval Hearing is scheduled for June 24, 2025 at 1:30 P.M. ET at the Supreme Court of the State of New York, County of Schenectady, located at 612 State Street, Schenectady, NY 12305.</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 the Claims Administrator identified you as U.S. resident whose Personal Information was compromised in the Data Breach experienced by CareNet in or around May 2022 to June 2022, including all those who received notice of the breach, and you are not among those excluded from the settlement (as detailed in the below paragraph).

The Settlement Class specifically excludes: (i) CareNet; (ii) the Related Entities; (iii) all Settlement Class Members who timely and validly request exclusion from the Settlement Class; (iv) any judges assigned to this case and their staff and family; and (v) 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 associated with the Data Security 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 *Jeanette Coniglio v. CareNet Medical Group P.C.*, Index No. 2024-1351, pending in the Supreme Court of the State of New York, County of Schenectady. The person suing in this Lawsuit is called the “Plaintiff” and the company being sued, CareNet, is known as the “Defendant.” CareNet will be called “Defendant” in this Notice.

Plaintiff filed a lawsuit against Defendant, individually, and on behalf of anyone whose personally identifiable information (“PII”) or protected health information (“PHI”) was potentially impacted as a result of the Data Security Incident.

This Lawsuit claims that CareNet was responsible for failing to prevent the Data Security Incident and asserts claims including: negligence, breach of implied contract, unjust enrichment, violation of New York’s consumer protection statute, and declaratory judgment. The Lawsuit seeks, among other things, payment for persons who were injured by the Data Security Incident.

Defendant 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 Plaintiff, Defendant, and their attorneys believe the proposed Settlement is fair, reasonable, and adequate and, thus, in the best interests for Settlement Class Members. The Court did enter any final decisions in favor of the Plaintiff or Defendant. Full details about the proposed Settlement are found in the Settlement Agreement available at www.CNDataSettlement.com.

4. Why is this a class action?

In a class action, one or more people called a “Class Representative” sue on behalf of all people who have similar claims. All of these people together are the “Settlement Class” or “Settlement Class Members.” Here, Plaintiff sued on behalf of the Settlement Class and is seeking to be the Class Representative.

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

If you received this Notice, you have been identified by the Claims Administrator as a Settlement Class Member included in the Settlement. You are included in the Settlement because you have been identified as someone impacted by the Data Security Incident and/or were previously sent a notice of the Data Security Incident. If you are not sure whether you are included as a Settlement Class Member, or have any other questions about the Settlement, visit www.CNDataSettlement.com, call toll-free at 1-877-979-7115, email CNDataSettlement@rg2claims.com or write to CareNet Data Settlement, C/o RG/2 Claims Administration at P.O. Box 59479, Philadelphia, PA 19102-9479.

THE SETTLEMENT BENEFITS

6. What does this Settlement provide?

The proposed Settlement will provide the following benefits to Settlement Class Members that submit a valid and timely claim form:

Expense Reimbursement

Documented Ordinary Loss Expense Reimbursement: All Settlement Class Members who submit a valid and timely claim using the Claim Form are eligible for reimbursement up to \$500 per Settlement Class Member for documented ordinary loss expenses (inclusive of Lost Time, as defined below) if: (a) the documented out-of-pocket expenses were incurred as a result of the Data Security Incident (b) the expense was incurred after the date of the Data Security Incident (May 9, 2022) and (c) the expense is not already covered by one of the other benefits described in this Notice. Examples of out-of-pocket expenses covered by the Settlement are (but not limited to): 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), postage, gasoline for local travel; and fees for credit reports, credit monitoring, or other identity theft insurance products. To receive reimbursement for any of the above-referenced documented ordinary loss expenses, Settlement Class Members must submit to the Settlement Administrator a valid and timely Claim Form, including necessary supporting documentation.

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 Security Incident (calculated at the rate of \$25 per hour). In order for Settlement Class Members to receive reimbursement for lost time they must attest on the Claim Form that the activities were related to the Data Security Incident. Claims made for lost time can be combined with reimbursement for documented ordinary loss expense reimbursement and are subject to the same \$500 cap for all Settlement Class Members.

Documented Extraordinary Loss Reimbursement: Settlement Class Members may also be

eligible for reimbursement of documented extraordinary losses, up to \$5,000 per Settlement Class Member, for proven actual monetary losses. To qualify, the loss must meet the following criteria: (i) It must be an actual, documented, and unreimbursed monetary loss; (ii) it must be more likely than not caused by the Data Security Incident; (iii) it must have been incurred after May 9, 2022 (the date of the Data Security Incident); (iv) it must not be covered by any other reimbursement categories described in this Notice; and (v) the Settlement Class Member must have made reasonable efforts to avoid or seek reimbursement for the loss, including exhausting available credit monitoring and/or identity theft insurance. The maximum reimbursement for documented extraordinary losses for any one Settlement Class is \$5,000.

Credit Monitoring: Settlement Class Members may also elect to enroll in three years of Credit Monitoring Services provided through CyEx, which includes at least \$1,000,000 in identity theft insurance.

Alternative Cash Payment: In the alternative to a claim for any of the above (Ordinary Losses and Lost Time, Extraordinary Losses, and/or Credit Monitoring), Settlement Class Members can elect an Alternative Cash Payment of \$50.00.

Remedial Relief: Defendant has made certain security changes in response to the Data Security Incident and the Lawsuit. Defendant will continue those security changes and will pay for those changes separate and apart from other settlement benefits.

7. How to submit a claim?

All claims will be reviewed by the Settlement Administrator for completeness and plausibility. You must file a Claim Form to get any money or other benefit from the proposed Settlement. Claim Forms must be submitted online with your unique notice ID and pin by June 4, 2025 or postmarked no later than June 4, 2025. You can submit an online claim or download a Claim Form at www.CNDataSettlement.com, email CNDataSettlement@rg2claims.com or you can call the Settlement Administrator toll-free at 1-877-979-7115 for a Claim Form. If you lost or did not receive a Notice ID, you may call the Settlement Administrator, and upon validation of your status as a Settlement Class Member by the Settlement Administrator, have your unique Notice ID issued or re-issued (as the case may be). Alternatively, if you do not have a Notice ID, you may submit a Claim Form for consideration to the Settlement Administrator in paper format by mail.

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 CareNet, or the Released Parties, which include each of its past or present parents, subsidiaries, divisions, and related or affiliated entities, and each of its respective predecessors, successors, assigns, owners, directors, shareholders, members, officers, employees, principals, agents, attorneys, insurers, and reinsurers (collectively, the “Released Parties”) regarding the Claims in this case.

The Settlement Agreement, which includes all provisions about settled claims, releases, and Released Parties, is available at www.CNDataSettlement.com.

The only way to keep the right to sue the Released Parties is to exclude yourself (*see* Question 10), otherwise you will be included in the Settlement Class, and, if the Settlement is approved, you give up the right to sue for the Claims in this case.

9. Will the Class Representative receive compensation?

Yes. The Class Representatives will receive a service award of up to \$2,500, to compensate her for her 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 Representative.

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, stating your full name, address, and telephone number. Your request for exclusion must: (a) state the name of this Lawsuit, (b) your full name and address; (c) contain your personal signature, or the signature of a person previously authorized by law to sign on your behalf, such as a trustee, guardian, or person acting under a power of attorney; and (d) the words “Request for Exclusion” or a comparable statement that you do not wish to participate in the Settlement at the top of the communication.

Your written request for exclusion must be postmarked no later than **May 5, 2025** to:

CareNet Data Settlement
c/o RG/2 Claims Administration
P.O. Box 59479
Philadelphia, PA 19102-9479

Instructions on how to submit a request for exclusion are also available at www.CNDataSettlement.com or from the Claims Administrator by calling 1-877-979-7115.

If you exclude yourself, you will not be able to receive any cash benefit or credit monitoring from the Settlement, and you cannot object to the Settlement at the Final Approval Hearing. You will not be legally bound by anything that happens in the Lawsuit, and you will keep your right to sue Defendant and the other Released Parties 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 Defendant and the other Released Parties 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 or credit monitoring services from the Settlement, you will not be able to start or proceed with your own lawsuit, or be part of any other lawsuit against Defendant or the other Released Parties (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 STRAUSS BORRELLI PLLC (called “Settlement 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?

Settlement Class Counsel will apply to the Court for an award of attorneys’ fees not to exceed \$180,000 and expenses not to exceed \$5,000. A copy of Class Counsel’s Motion for Attorneys’ Fees, Costs, Expenses, and Service Award for the Class Representative will be posted on the Settlement Website, www.CNDataSettlement.com, before the Final Approval Hearing. The Court will make the final decisions as to the amounts to be paid to Settlement Class Counsel, and may award less than the amount requested by Settlement 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 must file an objection with the Court telling it why you do not think the Settlement should be approved.

Objections must be submitted in writing and include all the following information:

- a) The name of this Lawsuit;
- b) Your full name, current mailing address, and telephone number;
- c) A detailed statement describing the grounds or basis for your objection, as well as any documents that support your objection;
- d) A statement as to whether your objection applies only to you, to a specific subset of the Settlement Class, or to the entire Settlement Class;
- e) The identity of any attorneys representing you;
- f) A statement regarding whether your or your attorney will appear at the Final Approval Hearing;
- g) A list of all other lawsuits (if any) in which your attorney has submitted an objection to a class action settlement; and,
- h) your signature or your attorney’s signature.

Your Objection must be postmarked no later than **May 5, 2025** at:

Schenectady County Judicial Building
612 State Street
Schenectady, NY 12305

In addition, you must also email or mail a copy of your objection to the Settlement Administrator, postmarked no later than **May 5, 2025**, to:

CareNet Data Settlement
c/o RG/2 Claims Administration
P.O. Box 59479
Philadelphia, PA 19102-9479

If you do not submit your objection with all the above requirements, or if your objection is not received by May 5, 2025 you will be considered to have waived all Objections and will not be entitled to speak at the Final Approval 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 only object to the Settlement if you stay in the Settlement 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 APPROVAL HEARING

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

The Court will hold the Final Approval Hearing on June 24, 2025 at 1:30 P.M. ET at the Supreme Court of the State of New York, County of Schenectady, located at 612 State Street, Schenectady, NY 12305. The hearing may be moved to a different date, time, or location without additional notice, so it is recommended that you periodically check www.CNDataSettlement.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 finally 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 Settlement Class Counsel and the request for a Service Award to the Class Representative.

18. Do I have to come to the hearing?

No. You are not required to come to the Final Approval 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 Approval Hearing, but that is not necessary. However, you must follow the requirements for making objections in Question 15, including the requirements for making appearances at the hearing.

19. May I speak at the hearing?

Yes. You can speak at the Final Approval Hearing, but you must ask the Court for permission. You cannot speak at the hearing if you exclude yourself from the Settlement.

GET MORE INFORMATION

20. 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, Settlement Class Counsel's Motion for Attorneys' Fees, Costs, Expenses, and Service Award for Class Representative, and more, please visit www.CNDataSettlement.com, email CNDataSettlement@rg2claims.com or call 1-877-979-7115. You may also contact the Settlement Administrator at CareNet Data Settlement, c/o RG/2 Claims Administration, P.O. Box 59479, Philadelphia, PA 19102-9479.

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