

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT  
HAMILTON COUNTY COURT OF COMMON PLEAS**

***In re The Christ Hospital Pixel Litigation, Case No. A 2204749***

*A state Court has authorized this Long Form Notice (“Notice”). This is not a solicitation from a lawyer.*

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**If you are a current or former patient of The Christ Hospital who used its Patient Portal, Mobile App, and/or submitted a Health Risk Assessment, Appointment Request Form or Nurse Navigator Request Form between December 30, 2018, and January 13, 2023, you could be eligible for a payment from a class action Settlement**

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- A Settlement has been reached in a class action lawsuit against The Christ Hospital (“Defendant” or “The Christ Hospital”) related to the alleged disclosure protected health information.
- Plaintiffs allege The Christ Hospital maintained web properties through which it encouraged patients to exchange communications to search for a doctor, learn more about their conditions and treatments, access medical records and test results, and make appointments. Plaintiffs allege that through these web properties, Defendant caused unauthorized transmissions of protected health information to third parties, including Facebook and Google. The Christ Hospital denies this allegation, including specifically denying that any protected health information was shared with Facebook or Google and that any tracking tools or technologies were ever installed on its patient portal. However, because there are risks and legal uncertainty in any lawsuit, the Parties collectively agreed to resolve their dispute on a class-wide basis.
- The Settlement Class includes all Individuals who are or were patients of Defendant or any of its affiliates, used Defendant’s Patient Portal and/or Mobile App, and/or submitted a Health Risk Assessment, Appointment Request Form or Nurse Navigator Request Form between December 30, 2018, and January 13, 2023. The Christ Hospital has provided a list of individuals meeting this criteria. The individuals meeting this criteria are known as “Class Members.”
- The Christ Hospital has agreed to establish a Settlement Fund of at least \$4,500,000 with a maximum value of no more than \$7,000,000. The exact amount of the Settlement Fund will depend on the number of Valid Claims that are submitted. The Settlement Fund will be used to pay for all fees, expenses, Service Awards, and Class Member benefits.
- Class Members who submit a Valid Claim will receive a cash payment estimated to be at least \$37.50 plus a one-year subscription to Privacy Shield Pro. For complete details, please see the Settlement Agreement, whose terms control, available at [www.TCHsettlement.com](http://www.TCHsettlement.com). The Settlement Administrator will post additional information about the payment amount on this Settlement Website, if necessary.
- For more information or to submit a claim visit **[www.TCHsettlement.com](http://www.TCHsettlement.com)** or call **(833) 890-6037** Monday through Saturday, between 8:30 a.m. and 5:00 p.m. C.T.

**Questions? Go to [www.TCHsettlement.com](http://www.TCHsettlement.com) or call (833) 890-6037**

- Please read this Notice carefully. Your legal rights will be affected, and you have a choice to make at this time.

	<b>Summary of Legal Rights</b>	<b>Deadline(s)</b>
<b>Submit a Claim Form</b>	The only way to receive payment.	Submitted or Postmarked on or Before <b>October 23, 2025</b>
<b>Exclude Yourself By Opting Out of the Class</b>	Receive no payment. If you are a Class Member, you must exclude yourself from this class action Settlement in order to retain your right to bring any other lawsuit against Defendant for the same claims.	Submitted or Postmarked on or Before <b>September 23, 2025</b>
<b>Object to the Settlement and/or Attend the Fairness Hearing</b>	You can write the Court about why you agree or disagree with the Settlement. The Court cannot order a different Settlement. You can also ask to speak to the Court at the Final Approval Hearing on <b>October 29, 2025, at 1:30 p.m. ET</b> about the fairness of the Settlement, with or without your own attorney.	Received on or Before <b>September 23, 2025</b>
<b>Do Nothing</b>	Receive no payment. Give up rights if you are a Class Member.	No Deadline.

#### What This Notice Contains

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## BASIC INFORMATION

### 1. Why is there a Notice?

The Court authorized this Notice because you have a right to know about the Settlement, and all of your options, before the Court decides whether to give “final approval” to the Settlement. This Notice explains the nature of the lawsuit that is the subject of the Settlement, the general terms of the Settlement, and your legal rights and options.

Judge Christian A. Jenkins of the Hamilton County Court of Common Pleas is the judge presiding over this case. The individuals who brought the lawsuit are called the Plaintiffs. The entity being sued, The Christ Hospital, is called the Defendant.

### 2. What is this lawsuit about?

The Plaintiffs allege that between December 30, 2018, and January 13, 2023, The Christ Hospital installed tracking tools on its patient portal, mobile application, and on webpages where patients submitted health risk assessments, appointment requests, and nurse navigator requests. Plaintiffs allege that the tracking tools disclosed protected health information to unauthorized third parties like Facebook and Google. Visit [www.TCHsettlement.com](http://www.TCHsettlement.com) to submit a claim or learn more.

The Christ Hospital denies all liability and all claims of wrongdoing, denies that any patient’s protected health information was disclosed to any unauthorized third party, including Facebook or Google, and specifically denies that any tracking tools or technologies were ever installed on its patient portal. No court or other judicial entity has made any judgment or other determination that Defendant has any liability for these claims or did anything wrong.

### 3. Why is this lawsuit a class action?

In a class action, one or more people called class representatives or representative plaintiffs sue on behalf of all people who have similar claims. Together, all of these people are called a class, and the individuals are called class members. One court resolves the issues for all class members, except for those who exclude themselves from the class.

### 4. Why is there a Settlement?

The Court has not decided in favor of the Plaintiffs or Defendant. Instead, both sides agreed to the Settlement. The Settlement avoids the cost and risk of a trial and related appeals, while providing benefits to members of the Class (“Class Members”). The Class Representatives appointed to represent the Class and the attorneys for the Class (“Class Counsel,” see **Question 17**) think the Settlement is best for all Class Members.

## WHO IS IN THE SETTLEMENT?

### 5. How do I know if I am part of the Settlement?

The Class includes the individuals identified on the Settlement Class List, who are or were patients of Defendant or any of its affiliates, used Defendant’s Patient Portal and/or Mobile App, and/or submitted a Health Risk Assessment, Appointment Request Form or Nurse Navigator Request Form between December 30, 2018, and January 13, 2023. The Settlement Administrator sent Notices to individuals identified on the Settlement Class List that was provided by The Christ Hospital. Excluded from the Settlement Class are: (a) the judge presiding over this Litigation, his immediate

family members, and members of his staff; (b) the Defendant, its subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendant or its parents have a controlling interest and their current or former officers and directors; and (c) Settlement Class Members who submit a valid Request for Exclusion prior to the Opt-Out Deadline.

#### **6. What if I am not sure whether I am included in the Settlement?**

If you are not sure whether you are included in the Settlement, you may call **(833) 890-6037** with questions. You may also write with questions to:

Settlement Administrator – 83226  
c/o Kroll Settlement Administration LLC  
P.O. Box 225391  
New York, NY 10150-5391

**[www.TCHsettlement.com](http://www.TCHsettlement.com)**

### **THE SETTLEMENT BENEFITS – WHAT YOU GET IF YOU QUALIFY**

#### **7. What does the Settlement provide?**

Class Members who submit a Valid Claim will receive a cash payment and/or a one-year subscription to Privacy Shield Pro.

The Settlement requires The Christ Hospital to establish a “Settlement Fund.” The Settlement Fund will include the funds to be paid by, or on behalf of, The Christ Hospital to cover the administrative expenses for the Settlement, the payment of Service Awards to the Class Representatives, the payment of Class Counsel’s attorneys’ fees and expenses, the cost of Privacy Shield Pro subscriptions, and the payment of cash benefits to Class Members who submit Valid Claims.

The Settlement Fund will be at least \$4,500,000. The \$4,500,000 payment amount is non-reversionary. However, if after the payment of administrative expenses for the Settlement, the payment of Service Awards to the Class Representatives, the payment of Class Counsel’s attorneys’ fees and expenses, and the payment for Privacy Shield Pro subscriptions, the amount remaining in the Settlement Fund is insufficient to pay each Valid Claim at least \$37.50, then The Christ Hospital will pay an additional amount of money, up to \$2,500,000, so that each Valid Claim is paid at \$37.50.

If the number of Valid Claims is such that \$7,000,000 is insufficient to pay each Valid Claim at \$37.50, then each Valid Claim will be subject to a *pro-rata* reduction. Under no circumstances shall Defendant’s liability under this Agreement exceed the \$7,000,000 Settlement Fund amount.

The Christ Hospital has also agreed to injunctive relief, and has agreed not to transmit to Facebook or otherwise permit Facebook to view and/or access individually identifiable health information, including, but not limited to, demographic information collected from an individual, and that (1) is created or received by The Christ Hospital; and (2) relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual (i) that identifies the individual, or (ii) with respect to which there is a reasonable basis to believe that the information can be used to identify the individual. The agreed injunctive relief applies to the public-facing website and patient portal, including any forms or Health Risk Assessments, for a period of two years from the date of the Final Approval Order.

## HOW DO YOU SUBMIT A CLAIM?

### 8. How do I get a benefit?

To receive a benefit under the Settlement, you must complete and submit a claim for that benefit. Every claim must be made on a form (“Claim Form”) available at [www.TCHsettlement.com](http://www.TCHsettlement.com) or by calling (833) 890-6037. Read the instructions carefully, fill out the Claim Form, and submit it according to the instructions on the Claim Form.

### 9. How will claims be decided?

The Settlement Administrator will decide whether and to what extent any claim made on each Claim Form is valid. The Settlement Administrator may require additional information. If you do not provide the additional information in a timely manner, then the claim will be considered invalid and will not be paid.

### 10. When will I get my payment?

The Court will hold a Final Approval Hearing on **October 29, 2025, at 1:30 p.m. ET** to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals from that decision and resolving those can take time, perhaps more than a year. It also takes time for all the Claim Forms to be processed. Please be patient.

## WHAT DOES DEFENDANT GET?

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

The Defendant gets a release from all claims covered by this Settlement. Thus, if the Settlement becomes Final and you do not exclude yourself from the Settlement, you will release, acquit, and forever discharge The Christ Hospital and its agents, subsidiaries, parents, and affiliates, and their respective employees, officers, directors, shareholders, partners, members, managers, owners, heirs, executors, predecessors, successors, assigns, attorneys, insurers (including excess insurers and reinsurers), and/or sureties from any known or unknown claims, demands, actions, or causes of action that were or could have been asserted in the lawsuit or are related to the allegations in the Consolidated Class Action Complaint (the “Released Claims”). A copy of the Consolidated Class Action Complaint can be downloaded from [www.TCHsettlement.com](http://www.TCHsettlement.com).

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to be part of this Settlement, then you must take steps to exclude yourself from the Settlement Class. This is sometimes referred to as “opting out” of the Settlement Class.

### 12. If I exclude myself, can I get a payment from this Settlement?

No. If you exclude yourself you will not be entitled to receive any benefits from the Settlement, but you will not be bound by any judgment in this case.

### 13. If I do not exclude myself, can I sue Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Defendant (and any other Released Parties) for the claims that this Settlement resolves. You must exclude yourself from the Settlement Class to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case. If you want to exclude yourself, then do not submit a Claim Form to ask for any benefit under the Settlement.

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

To exclude yourself, you must submit a Request for Exclusion to the Settlement Administrator **postmarked no later than September 23, 2025**. The request for exclusion must include the case name and number, the individual's full name, current address, personal signature, and the words "Request for Exclusion" or a comparable statement that the individual does not wish to participate in the Settlement in the communication. Any Class Member who does not provide a timely Request for Exclusion will lose the opportunity to exclude himself or herself from the Settlement and will be bound by the Settlement. The Settlement Administrator's mailing address is:

Settlement Administrator – 83226  
c/o Kroll Settlement Administration LLC  
P.O. Box 225391  
New York, NY 10150-5391

### **OBJECTING TO THE SETTLEMENT**

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

You can tell the Court that you do not agree with the Settlement or some part of it by objecting to the Settlement. The Court will consider your views in its decision on whether to approve the Settlement. The Court can only approve or deny the Settlement and cannot change its terms. To object, you must file your objection with the Court or mail your objection to the Clerk of the Court, at the mailing addresses listed below, **postmarked by no later than the Objection Deadline, September 23, 2025**. You must also send a copy of your objection to the Settlement Administrator:

<b>Court</b>	<b>Settlement Administrator</b>
Office of the Clerk Hamilton County Courthouse 1000 Main Street, Room 315 Cincinnati, OH 45202	Settlement Administrator – 83226 c/o Kroll Settlement Administration LLC P.O. Box 225391 New York, NY 10150-5391

Your objection must be written and must include all of the following: (i) the case name and number; (ii) the Settlement Class Member's full name, current mailing address, and telephone number; (iii) a statement of the specific grounds for the objection, as well as any documents supporting the objection; (iv) the identity of and contact information for any attorneys representing the objector; (v) a statement regarding whether the Settlement Class Member (or his/her attorney) intends to appear at the Final Approval Hearing; (vi) a statement identifying all class action settlements objected to by the Settlement Class Member in the previous 5 years; and (vii) the signature of the Settlement Class Member or the Settlement Class Member's attorney. Any Settlement Class Member who fails to timely file and serve an objection and notice shall not be treated as having filed a valid objection to the Settlement, and shall forever be barred from raising any objection to the Settlement.

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

Objecting is telling the Court that you do not like the Settlement and why you do not think it should be approved. You can object only if you are a Class Member. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class and do not want to receive any payment from the Settlement. If you exclude yourself, then you have no basis to object because you are no longer a member of the Settlement Class and the case no longer affects you. If you submit both a valid objection and a valid Request for Exclusion, you will be deemed to have only submitted the request to be excluded.



## THE LAWYERS REPRESENTING YOU

### 17. Do I have a lawyer in this case?

Yes. The Court has appointed Terence R. Coates and Dylan J. Gould of Markovits, Stock & DeMarco, LLC; Joseph M. Lyon of The Lyon Firm; Jeffrey S. Goldenberg of Goldenberg, Schneider, LPA; Matthew R. Wilson of Meyer Wilson, LPA; Philip J. Krzeski of Chestnut Cambronne PA; Gary Klinger of Milberg Coleman Bryson Phillips Grossman, PLLC; and Foster C. Johnson of Ahmad, Zavitsanos, & Mensing PLLC.

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

Class Counsel will file a Fee and Expenses Application for an award of attorneys' fees to be paid from the Settlement Fund not to exceed one-third (33.33%) of the \$7,000,000 Settlement Fund amount for attorneys' fees plus one-third (33.33%) of any interest earned, or \$2,333,333.33 plus one-third of any interest earned, and the reimbursement of litigation expenses not to exceed \$75,000. For the avoidance of doubt, the Court-approved Fee and Expenses Award shall be paid from the Settlement Fund.

Any award for attorneys' fees and expenses for Class Counsel must be approved by the Court. The Court may award less than the amount requested. Class Counsel's papers in support of final approval of the Settlement will be filed no later than October 19, 2025, and their application for attorneys' fees, costs, and expenses will be filed no later than September 9, 2025, and will be posted on the Settlement Website.

## THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing on **October 29, 2025 at 1:30 p.m. ET** at the Hamilton County Courthouse, 1000 Main Street, Room 540, Cincinnati, OH 45202 or by remote or virtual means as ordered by the Court. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are timely and valid objections, then the Court will consider them and will listen to people who have asked to speak at the hearing if such a request has been properly made. The Court will also rule on the request for an award of attorneys' fees and reasonable costs and expenses. After the hearing the Court will decide whether to approve the Settlement. We do not know how long these decisions will take. The hearing may be moved to a different date or time without additional notice, so Class Counsel recommend checking [www.TCHsettlement.com](http://www.TCHsettlement.com) or calling (833) 890-6037.

### 20. Do I have to attend the hearing?

No. Class Counsel will present the Settlement Agreement to the Court. You or your own lawyer are welcome to attend at your expense, but you are not required to do so. If you send an objection, you do not have to visit the Court to talk about it. As long as you provided your written objection on time with the Court and mailed it according to the instructions provided in **Question 15**, the Court will consider it.

### 21. May I speak at the hearing?

You may ask the Court for permission to speak at the final fairness hearing. To do so, you must object according to the instructions in **Question 15**, and include all the information required. Your objection must be mailed to the Clerk of the Court and Settlement Administrator **postmarked no later than September 23, 2025**.

## IF YOU DO NOTHING

### 22. What happens if I do nothing?

If you do nothing you will not get any money from this Settlement. If the Settlement is granted final approval and the judgment becomes final, then you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendant and the other Released Parties based on any of the Released Claims, ever again.

## GETTING MORE INFORMATION

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

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement itself. A copy of the Settlement Agreement is available at [www.TCHsettlement.com](http://www.TCHsettlement.com). You may also call the Settlement Administrator with questions or to receive a Claim Form at (833) 890-6037.

### 24. What if my contact information changes or I no longer live at my address?

It is your responsibility to inform the Settlement Administrator of your updated information. You may do so at the address below, by calling toll-free (833) 890-6037 or at the Contact page of the Settlement Website:

Settlement Administrator – 83226  
c/o Kroll Settlement Administration LLC  
P.O. Box 225391  
New York, NY 10150-5391

This Notice is approved by the Hamilton County Court of Common Pleas.

**DO NOT CONTACT THE COURT DIRECTLY IF YOU HAVE QUESTIONS ABOUT THE SETTLEMENT.** Please contact the Settlement Administrator or Class Counsel if you have any questions about the Settlement.