

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Barham v. Dental Group of Amarillo, LLP

Case No. 112201-C-CV

District Court for the 251st Judicial District for Potter County, Texas

IF DENTAL GROUP OF AMARILLO, LLP NOTIFIED YOU THAT YOUR PRIVATE INFORMATION WAS INVOLVED IN AN OCTOBER 26, 2023 DATA INCIDENT, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS AND ENTITLE YOU TO A BENEFIT.

A court has 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 has been reached with Dental Group of Amarillo, LLP, (“DGA” or “Defendant”) in a class action lawsuit. This class action lawsuit concerned the targeted cyberattack on DGA's computer systems that occurred on or about October 26, 2023 (the “Data Incident”). Certain files that contained private information were accessed. These files may have contained personal information such as names, email addresses, dates of birth, telephone numbers, Social Security numbers, drivers’ license numbers, and health information such as provider name, dates of service, X-rays, medical history, and dental insurance information.
- The lawsuit is captioned *Barham v. Dental Group of Amarillo, LLP*, Case No. 112201-C-CV, pending in the District Court for the 251st Judicial District for Potter County, Texas (the “Action”).
- DGA denies that it did anything wrong, and the Court has not decided who is right.
- The parties have agreed to settle the lawsuit (the “Settlement”) to avoid the costs and risks, disruptions, and uncertainties of continuing the litigation.
- DGA's records indicate that you are a Settlement Class Member, and entitled to benefits under the Settlement. You may have received a previous notice directly from DGA.
- Your 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	<p>The only way to receive benefits from this Settlement is by submitting a valid and timely Claim Form.</p> <p>The fastest way to submit your Claim Form is online at DGADDataSettlement.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.</p>	October 13, 2025
OPT-OUT OF THE SETTLEMENT	You can choose to opt-out of the Settlement and receive no payment. 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 hire your own lawyer at your own expense.	September 29, 2025
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 Class Member Benefits.	September 29, 2025
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 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.

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Basic Information

1. Why was this notice issued?

The District Court for the 251st Judicial District for Potter County, Texas, authorized this notice. You have a right to know about the proposed Settlement of this Action, 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 *Barham v. Dental Group of Amarillo, LLP*, Case No. 112201-C-CV, pending in the District Court for the 251st Judicial District for Potter County, Texas. The people that filed this lawsuit are called the “Plaintiffs” (or “Class Representatives”) and the entity they sued Dental Group of Amarillo, LLP, the “Defendant.”

2. What is this lawsuit about?

This lawsuit alleges that during the October 26, 2023 targeted cyberattack on DGA's computer systems, certain files that contained private information were accessed. These files may have contained personal information such as names, email addresses, dates of birth, telephone numbers, Social Security numbers, drivers’ license numbers, and health information such as provider name, dates of service, X-rays, medical history, and dental insurance information.

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 of the settlement. In this Settlement, the Class Representatives are Steve Barham and Jimmy Nunn, and everyone included in this Action are the Class Members.

4. Why is there a Settlement?

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

Who is in the Settlement?

5. Who is included in the Settlement?

The court has defined the Settlement Class as: “all living individuals residing in the United States who were sent a notice by Defendant that their Private Information may have been impacted in the Data Incident.”

6. Are there exceptions to being included?

Yes. Excluded from the Settlement Class are: (a) employees, directors, officers, and agents of Defendant; and (b) the Judge assigned to the Action, that Judge’s immediate family, and Court staff.

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

- Email: info@dgadatasettlement.com
- Call toll free, 24/7: **1- (833) 360-6769**
- By mail: **DGA Data Incident Settlement, c/o Settlement Administrator, P.O. Box 25226, Santa Ana, CA 92799.**

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

The Settlement Benefits

7. What does the Settlement provide?

DGA will establish a Settlement Fund of \$1,000,000.00. The Settlement Fund will first be used to pay court-approved attorneys’ fees and costs, Service Awards for the Plaintiffs, and Settlement Administration Costs. The net remaining funds will be used to pay for the Settlement Class Member Benefits described below.

You may claim Credit Monitoring Services and **either** Cash Payment A **or** Cash Payment B.

CREDIT MONITORING SERVICES. All Settlement Class Members are eligible to receive 3 years of Credit Monitoring Services. This includes:

- (1) real time monitoring of the Settlement Class Member’s credit file at three bureaus;
- (2) dark web scanning with immediate notification of potential misuse;
- (3) comprehensive public record monitoring;
- (4) medical identity monitoring;
- (5) identity theft insurance with no deductible; and
- (6) access to fraud resolution agents to help investigate and resolves instances of theft

CASH PAYMENTS. All Settlement Class Members are eligible for a Cash Payment. You may select **only one** Cash Payment, **not both**.

Cash Payment A – Documented Losses. If you incurred actual, **documented** out-of-pocket losses due to the Data Incident, you may file a claim for reimbursement. The maximum amount of this reimbursement is \$5,000.00.

This benefit covers expenses like:

- (1) bank, credit card, and debit card fees;
- (2) overdraft, declined payment, and returned check fees;
- (3) cost to replace your driver’s license, Social Security number, or other types of identification;
- (4) long distance phone charges, cell phone charges (if charged by the minute), or data charges (if charged by the amount of data used);
- (5) fees for credit reports or credit monitoring; and
- (6) losses due to identity theft or fraud

You must submit third-party documentation, such as receipts, to verify the costs you incurred. You may submit “self-prepared” documents to clarify or support other submitted documentation, but **self-prepared documents by themselves are not sufficient** to file a valid claim.

If you claim Cash Payment A, you may **not** also claim Cash Payment B.

Cash Payment B – Flat Cash Payment. In lieu of submitting a claim for Documented Losses, you may request a one-time cash payment of \$125.00

If you claim Cash Payment B, you may **not** also claim Cash Payment A.

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

- Email: info@dgadatasettlement.com
- Call toll free, 24/7: **1- (833) 360-6769**
- By mail: **DGA Data Incident Settlement, c/o Settlement Administrator, P.O. Box 25226, Santa Ana, CA 92799.**

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

Unless you opt-out of the Settlement, you won’t be able to sue, continue to sue, or be part of any other lawsuit against the Defendant about any of the legal claims this Settlement resolves. The “Release” section of the Settlement Agreement (Section XIII) describes the legal claims that you give up if you remain in the Class. The Settlement Agreement is available at DGADDataSettlement.com

Submitting a Claim Form for a Settlement Class Member Benefit

9. How do I submit a claim for a Settlement Class Member Benefit?

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

DGA Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799

You may also contact the Settlement Administrator to request a Claim Form by telephone, toll free,

- (833) 360-6769, by email info@dgadatasettlement.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 **October 13, 2025**. If you are submitting a claim by U.S. mail, the completed and signed Claim Form, including supporting documentation, must be postmarked no later than **October 13, 2025**.

11. When will the Settlement Class Member Benefits be issued?

The Court will hold a Final Approval Hearing on **October 27, 2025 (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 Class Member Benefits 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 appointed attorneys Kenneth Grunfeld of Kopelowitz Ostrow, William B. Federman of Federman & Sherwood, and Leigh S. Montgomery of EKSM, LLP to represent you and Settlement 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 attorneys' fees of up to one-third of the Settlement Fund, plus reimbursement of reasonable costs, which will be paid from the Settlement Fund.

Class Counsel will also ask for Service Awards of \$2,500.00 for each of the Class Representatives. Service Awards will 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 a request for exclusion or "opting-out."

If you exclude yourself or opt-out, 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 Class Member Benefits if you exclude yourself, but you will keep any rights you may have to sue DGA on your own about the legal issues in this case.

The deadline to exclude yourself or opt-out from the Settlement is **September 29, 2025**.

To be valid, your opt-out request must have the following information:

- (1) the name of the Action: *Barham v. Dental Group of Amarillo, LLP*, Case No. 112201-C-CV, pending in the District Court for the 251st Judicial District for Potter County, Texas;
- (2) your full name, mailing address, telephone number, and email address (if any);
- (3) your personal signature; and
- (4) the words “Request for Exclusion” or a clear and similar statement that you want to be excluded from the Settlement.

You may only exclude yourself—not any other person.

Mail your opt-out request to the Settlement Administrator at:

DGA Data Incident Settlement
ATTN: Exclusion Request
P.O. Box 25226
Santa Ana, CA 92799

Your opt-out request must be submitted, postmarked, or emailed by **September 29, 2025**.

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 Settlement 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 name of the Action: *Barham v. Dental Group of Amarillo, LLP*, Case No. 112201-C-CV, pending in the District Court for the 251st Judicial District for Potter County, Texas;
- (2) your full name, mailing address, telephone number, and email address (if any);
- (3) a clear description of all the reasons you object, including any legal support you may have for your objection;
- (4) the number of times you have objected to a class action settlement in the last 5 years, the caption of each case, and copies of any orders or rulings related to your objections that were issued by the court;

- (5) if you have hired your own lawyer to represent you at the Final Approval Hearing, provide their name and contact information, and indicate if they will appear at the Final Approval Hearing;
- (6) the number of times your lawyer has objected to a class action settlement in the last 5 years, the caption of each case, and copies of any orders or rulings related to their objections that were issued by the court;
- (7) a full list of all witness you plan to call and documents you plan to submit at the Final Approval Hearing;
- (8) a statement confirming whether you intend to personally appear or testify at the Final Approval Hearing; and
- (9) your signature (if you have hired your own lawyer, your lawyer'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 **September 29, 2025**. You must also send copies of the objection to Class Counsel and counsel for Defendants.

Clerk of the Court	Class Counsel	Counsel for Defendants
Clerk of the Court 251st District Court 350 SE 6 th Ave. Suite 5B Amarillo, TX 79101	Kenneth Grunfeld Kopelowitz Ostrow P.A. One West Las Olas Blvd. Suite 500 Ft. Lauderdale, FL 33301 William B. Federman Federman & Associates 4131 North Central Expressway Suite 900 Dallas, TX 75201 Leigh Montgomery EKSM, LLP 4200 Montrose Suite 200 Houston, TX 77006	Jonathan O. Harris Jackson Lewis P.C. 611 Commerce Street Nashville, TN 37203

17. 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 or opt-out 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 in-person on **October 27, 2025 at 9:30am Central Time**, at 2309 Russell Long Blvd., Canyon, Texas 79015.

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 Awards to the Class Representatives who brought this Action on behalf of the Class. The Court will also consider any objections to the Settlement.

If you are a Settlement 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 **DGADDataSettlement.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, **DGADDataSettlement.com**.

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

- Email: **info@dgadatasettlement.com**
- Call toll free, 24/7: **1-(833) 360-6769**
- By mail: **DGA Data Incident Settlement, c/o Settlement Administrator, P.O. Box 25226, Santa Ana, CA 92799.**

You can obtain copies of publicly filed documents by visiting the office of the Clerk of the Court, 251st District Court, 350 SE 6th Ave. Suite 5B, Amarillo, TX 79101.

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