

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

Kaplan v. Northwell Health, Inc.
Case No. 520763/2025

If You Are Receiving this Notice a Class Action Settlement May Affect Your Rights.

***The Supreme Court of the State of New York, County of Kings,
authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.***

- A Settlement has been reached in a class action lawsuit claiming that Defendant, Northwell Health, Inc. (“Northwell” or “Defendant”) disclosed its patients’ personally identifiable information (“PII”) to third parties via Tracking Technologies, without permission in violation of state and federal statutes.
- The lawsuit is called *Kaplan v. Northwell Health, Inc.*, Case No. 520763/2025 in New York State Supreme Court, Kings County. The lawsuit asserts claims related to the alleged disclosure of PII. Defendant denies it is or can be held liable for Plaintiffs’ claims made in the lawsuit. The Settlement does not establish who is correct, but rather is a compromise to end the lawsuit.
- There are two classes included in the Settlement Class:
 - **Subclass 1:** You are included in Settlement Subclass 1 if you are or were a patient of Northwell and logged into Northwell’s FollowMyHealth patient portal between January 1, 2020 and December 31, 2023 or booked an appointment on Northwell’s website, northwell.edu, in that same timeframe.
 - **Subclass 2:** You are included in Settlement Subclass 2 if you are or were a patient of Northwell between January 1, 2020 and July 25, 2024 and you are not included in Settlement Subclass 1.
- The Class specifically excludes: (i) Defendant’s officers and directors; (ii) Defendant’s Counsel and in-house counsel who advised Defendant on the Action or Predecessor Actions; and (iii) members of the judiciary to whom this case is assigned, their families, and members of their staff.
- Persons included in Settlement Subclass 1 are eligible to submit a Claim Form to receive a cash payment of \$15.00 and a twelve (12) month subscription to Privacy Monitoring.
- Persons included in Settlement Subclass 2 are eligible to submit a Claim Form to receive a twelve (12) month subscription to Privacy Monitoring.
- Your legal rights are affected regardless of whether you act or do not act. Please read this Notice carefully.

QUESTIONS? CALL 1-833-360-6887 Toll-Free or VISIT www.nwpixelsettlement.com

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM	This is the only way you may receive benefits from this Settlement. The deadline to submit a Claim Form is April 20, 2026 .
EXCLUDE YOURSELF FROM THE SETTLEMENT	If you do not want to be legally bound by the Settlement, you must exclude yourself by March 23, 2026. If you exclude yourself from the Settlement, you will not receive Settlement benefits. If you do not exclude yourself from the Settlement, you will remain in the class and will give up the right to sue Northwell Health, Inc. over the claims resolved in the Settlement.
OBJECT TO THE SETTLEMENT	Write to the Court explaining why you do not agree with the Settlement. The deadline to object is March 23, 2026 .
ATTEND THE FINAL FAIRNESS HEARING	You may ask the Court for permission for you or your attorney to speak about your objection at the Final Fairness Hearing. The Final Fairness Hearing will be held on April 21, 2026 at 9:30 a.m. ET .
DO NOTHING	You will not receive any Settlement benefit and you give up rights.

- These rights and options—and the deadlines to exercise them—are explained in this Notice. For complete details, please see the Settlement Agreement, whose terms control, available at www.nwpixelsettlement.com.
- The Court in charge of this case still has to decide whether to approve the Settlement. No Settlement benefits or payments will be provided unless the Court approves the Settlement, and it becomes Final.

BASIC INFORMATION

1. What is this Notice and why was it issued?

The Court authorized this Notice to inform you about a proposed Settlement with Defendant. You may have legal rights and options that you may act on before the Court decides whether to approve the proposed Settlement. You may be eligible to receive a cash payment and/or Privacy Monitoring as part of the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

The case is called *Kaplan v. Northwell Health, Inc.*, Case No. 520763/2025, pending in the Supreme Court of the State of New York, County of Kings.

The people who sued are called the Plaintiffs. The Defendant is Northwell Health, Inc.

2. What is a class action lawsuit?

A class action is a lawsuit in which one or more plaintiffs—in this case, Eryn Kaplan, Michael Zurl, and Kathyann McClendon—sues on behalf of a group of people who have similar claims.

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Together, this group is called a “Class” and consists of “Class Members.” In a class action, the court resolves the issues for all class members. After the Parties reached an agreement to settle this case, the Court granted preliminary approval of the Settlement and recognized it as a case that should be treated as a class action for settlement purposes.

THE CLAIMS IN THE LAWSUIT AND THE SETTLEMENT

3. What is this lawsuit about?

This lawsuit claims that Defendant violated state and federal laws including the Electronic Communications Privacy Act (“ECPA”), 18 U.S.C. § 2511, *et seq.* by disclosing their patients’ personally identifiable information (“PII”) to third parties via Tracking Technologies, without consent.

Defendant denies that it is or can be held liable for the claims made in the lawsuit. More information about the allegations in the lawsuit and Defendant’s responses can be found in the “Court Documents” section of the Important Documents page of the Settlement Website at www.nwpixelsettlement.com.

4. Why is there a Settlement?

The Court has not decided whether the Plaintiffs or Defendant should win this case. Instead, both sides agreed to this Settlement. That way, they can avoid the uncertainty, risks, and expense of ongoing litigation, and Settlement Class Members will get benefits now rather than years later—if ever. The Class Representatives and Class Counsel, attorneys for the Settlement Class Members, agree the Settlement is fair, reasonable, and adequate and, thus, in the best interests of the Settlement Class Members. The Settlement is not an admission of wrongdoing by Defendant and does not mean that Defendant did anything wrong.

The Court already has preliminarily approved the Settlement Agreement. Nevertheless, because the settlement of a class action determines the rights of all members of the Settlement Class, the Court overseeing this Litigation must give final approval to the Settlement Agreement before it can be effective. The Court has conditionally certified the Settlement Class for settlement purposes only, so that members of the Settlement Class may be given notice and the opportunity to exclude themselves from the Settlement Class or to voice their support or opposition to final approval of the Settlement Agreement. If the Court does not grant final approval to the Settlement Agreement, or if it is terminated by the Parties, then the Settlement Agreement will be void, and the Litigation will proceed as if there had been no settlement and no certification of the Settlement Class.

WHO’S INCLUDED IN THE SETTLEMENT?

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

The Settlement Class is defined as all natural persons who are members of Settlement Subclass 1 or Settlement Subclass 2.

Settlement Subclass 1: All patients of Northwell who logged into Northwell’s FollowMyHealth patient portal between January 1, 2020 and December 31, 2023,

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and all patients who booked an appointment on Northwell's website, northwell.edu, between January 1, 2020 and December 31, 2023.

Settlement Subclass 2: All other patients of Northwell between January 1, 2020 and July 25, 2024, not including those in Settlement Subclass 1.

Excluded from the Settlement Class are: i) Defendant's officers and directors; (ii) Defendant's Counsel and in-house counsel who advised Defendant on the Action or Predecessor Actions; and (iii) members of the judiciary to whom this case is assigned, their families, and members of their staff.

If you are still not sure whether you are included in the Settlement Class, you can contact the Settlement Administrator by visiting the Settlement Website at www.nwpixelsettlement.com.

THE SETTLEMENT BENEFITS

6. What does the Settlement provide?

This Settlement provides eligible Settlement Class Members with the option to claim two different types of benefits depending on Settlement Subclass (defined above):

Monetary Relief: Settlement Class Members in Settlement Subclass 1 who file a valid claim will receive a payment of \$15.00.

Privacy Monitoring: Settlement Class Members in Settlement Subclass 1 (defined above) **or** Settlement Subclass 2 who file a valid claim will receive access to a twelve (12) month subscription to Privacy Monitoring.

A detailed description of the settlement benefits can be found in the Settlement Agreement at www.nwpixelsettlement.com.

HOW TO GET BENEFITS

7. How do I make a Claim?

You **must** complete a Claim Form on or before the claim deadline of April 20, 2026, to receive benefits. You may submit a Claim Form either electronically on the Settlement Website at www.nwpixelsettlement.com, or by printing and mailing in a paper Claim Form, copies of which are available for download at www.nwpixelsettlement.com.

You must provide proof of your Settlement Class membership when filing a claim by providing the unique Notice ID and PIN on the Notice you received by email and certifying your Class membership. If for some reason you did not receive your Notice ID and PIN, but believe you are a Settlement Class Member, please call 833-360-6887 or email info@nwpixelsettlement.com to verify your identity and receive further information on how to file a claim.

Claim Forms must be submitted online by 11:59 p.m. ET on April 20, 2026, or postmarked by April 20, 2026.

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8. When will I get my payment?

The hearing to consider the fairness of the Settlement is scheduled for **April 21, 2026, at 9:30 a.m. ET**. If the Court approves the Settlement, eligible Settlement Class Members whose Claims were approved by the Settlement Administrator will be sent payment after all appeals and other reviews, if any, are completed. Please be patient. Eligible claims will be paid to Settlement Class Members via written check unless a Class Member chooses to receive payment electronically. All checks will expire and become void 180 days after they are issued.

THE LAWYERS REPRESENTING YOU

9. Do I have a lawyer in this case?

Yes, the Court has appointed Terence R. Coates of Markovits, Stock & DeMarco, LLC; Elena A. Belov and David S. Almeida of Almeida Law Group LLC; Gary Klinger of Milberg Coleman Bryson Phillips Grossman, PLLC; Bryan L. Bleichner, Christopher P. Renz, and Philip J. Krzeski of Chestnut Cambronne PA; Joseph M. Lyon of The Lyon Firm, LLC; and Nicholas A. Coulson of Coulson P.C. as “Class Counsel.”

Should I get my own lawyer?

You don’t need to hire your own lawyer because Class Counsel are working on your behalf. These lawyers and their firms are experienced in handling similar cases. You will not be charged for these lawyers.

You can choose to hire your own lawyer, and ask your own lawyer to appear in Court for you, at your own expense, if you want someone other than Class Counsel to represent you.

10. How will the lawyers be paid?

Class Counsels’ attorneys’ fees, costs, and expenses will be paid separately by Defendants and awarded by the Court. Class Counsel is entitled to seek no more than \$5,250,000, but the Court may award less than this amount.

Class Counsel will also request a Service Award of up to \$3,000 for each of the Class Representatives. The Court will determine the proper amount of any attorneys’ fees, costs, and expenses to award Class Counsel and the proper amount of any Service Awards to the Class Representatives.

YOUR RIGHTS AND OPTIONS

11. What claims do I give up by participating in this Settlement?

If the Settlement becomes final, you will give up your right to sue Defendant for the claims this Settlement resolves. By staying in the Settlement Class, you will give Northwell a “release,” and all the Court’s orders will apply to you and bind you. A release means – at a high level – that you cannot sue or be part of any other lawsuit or other legal action against Northwell arising out of or

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based upon allegations, facts, or circumstances described in the Action or any complaint filed in the Predecessor Actions, Northwell's use of the Tracking Technologies, and the alleged Tracking Technology Disclosure.

The precise terms of the release are in the Settlement Agreement, which is available on the Important Documents page of the Settlement Website. In particular, Subsections 1.29, 1.30, and 1.31 of the Settlement Agreement describe the precise Released Claims, Released Parties, and Releasing Parties legal terminology, so please read these sections carefully.

The Released Claims shall not include the right of Plaintiffs, any Class Member, or any Releasing Party to enforce the terms of the Settlement Agreement. Unless you formally exclude yourself from this Settlement, you will release your claims. If you have any questions, you can talk for free to the attorneys identified above who have been appointed by the Court to represent the Settlement Class or you are welcome to talk to any other lawyer of your choosing at your own expense.

12. What happens if I do nothing at all?

If you do nothing, you will receive no benefits under the Settlement. You will be in the Settlement Class, and if the Court approves the Settlement, you will also be bound by all orders and judgments of the Court, the Settlement, and its included release. You will be deemed to have participated in the Settlement and will be subject to the terms of the Settlement Agreement. You won't be able to file a lawsuit or be part of any other lawsuit against Defendant for the claims or legal issues resolved in this Settlement.

13. How do I exclude myself from the Settlement?

If you are a member of the Settlement Class, you may exclude yourself from the Settlement (also known as "opting out"). If you exclude yourself, you will lose any right to participate in the Settlement, including any right to receive the benefits outlined in this notice.

If you decide on this option, you may keep any rights you have, if any, against Defendant, and you may file your own lawsuit against Defendant based upon the same legal claims that are asserted in this lawsuit, but you will need to find your own attorney at your own cost to represent you in that lawsuit. If you are considering this option, you may want to consult an attorney to determine your options.

IMPORTANT: You will be bound by the terms of the Settlement Agreement unless you submit a timely and signed written request to be excluded from the Settlement. To exclude yourself from the Settlement you must mail an "Exclusion Request," in the form of a letter postmarked no later than **March 23, 2026**. The Request for Exclusion must:

- Be in writing;
- State your full name;
- State your current address, telephone number, and email address;
- Contain the statement "I unequivocally wish to be excluded from the Settlement Class in the case of *Kaplan v. Northwell Health, Inc.*, Case No. 520763/2025";
- Be signed by you (digital or handwritten); and
- Be mailed to the Settlement Administrator: Northwell Health, Inc. Settlement, c/o Settlement Administrator, PO Box 25232, Santa Ana, CA 92799.

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Any request for exclusion purporting to seek exclusion on behalf of more than one Settlement Class Member shall be deemed invalid by the Settlement Administrator.

14. How do I object to the Settlement?

If you are a member of the Settlement Class and think that the Court should not approve the settlement, you can object to the Settlement and provide reasons why you think the settlement should not be approved. To do so, no later than March 23, 2026, you must file your written objection and copies of such papers you propose to be submitted at the Final Approval Hearing with the Clerk of the Court, or alternatively, if you are represented by counsel, file any objection through the Court's electronic filing system. Additionally, you must send copies of such papers by mail, hand, or overnight delivery service to Class Counsel and Northwell Health's Counsel at the addresses listed below.

Your written objection may include any supporting documentation you wish the Court to consider. If your objection is submitted and overruled by the Court at the Final Approval hearing, you will remain fully bound by the terms of the Settlement Agreement and the Final Approval Order.

Mailing addresses for Class Counsel and Northwell Health's Counsel are as follows:

CLASS COUNSEL:	NORTHWELL HEALTH'S COUNSEL:
Gary M. Klinger MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC 227 W. Monroe Street, Suite 2100 Chicago, IL 60606	Kathryn E. Caldwell ROPES & GRAY, LLP 800 Boylston Street Boston, MA 02199-3600
Bryan L. Bleichner Christopher P. Renz Philip J. Krzeski CHESTNUT CAMBRONNE PA 100 Washington Avenue South, Suite 1700 Minneapolis, MN 55401	Christopher P. Conniff Christine Moundas Matt Corriel ROPES & GRAY, LLP 1211 Avenue of the Americas New York, NY 10036
Terence R. Coates MARKOVITS, STOCK & DEMARCO, LLC 119 E. Court St., Ste. 530 Cincinnati, Ohio 45202	
David S. Almeida Elena A. Belov ALMEIDA LAW GROUP LLC 849 W. Webster Avenue Chicago, Illinois 60614	
Joseph M. Lyon THE LYON LAW FIRM, LLC	

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2754 Erie Ave. Cincinnati, Ohio 45208	
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Nicholas A. Coulson COULSON P.C. 300 River Place Drive Suite 1700 Detroit, MI 48207	
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THE COURT'S FAIRNESS HEARING

15. When and where will the Court hold a hearing on the fairness of the Settlement?

The Court will hold the Final Fairness Hearing on **April 21, 2026 at 9:30 a.m. ET** at the **Supreme Court of the State of New York, County of Kings Courthouse, 360 Adams Street, Brooklyn, New York**. The purpose of the hearing is for the Court to determine whether the Settlement is fair, reasonable, adequate, and in the best interests of the Class. At the hearing, the Court will hear any objections and arguments concerning the fairness of the proposed Settlement, including those related to the amount requested by Class Counsel for attorneys' fees, costs, and expenses and the Service Awards payments to the Class Representatives.

Note: The date and time of the Final Fairness Hearing are subject to change by Court Order. Any changes will be posted at the Settlement Website, www.nwpixelsettlement.com, or through the Court's publicly available docket. You should check the Settlement Website to confirm the date and time have not been changed.

16. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have, but you are welcome to attend the hearing at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as your written objection was filed or mailed on time and meets the other criteria described in the Settlement Agreement, the Court will consider it. You may also pay a lawyer to attend on your behalf at your own expense, but you don't have to.

17. May I speak at the Hearing?

Yes. You may ask the Court for permission to speak at the Final Fairness Hearing concerning any part of the proposed Settlement.

GETTING MORE INFORMATION

18. Where can I get additional information?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement, which is available at www.nwpixelsettlement.com.

YOU MAY CONTACT THE SETTLEMENT ADMINISTRATOR ONLINE AT
www.nwpixelsettlement.com, BY PHONE AT 1-833-360-6887, OR WRITING TO:

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Northwell Health, Inc. Settlement
c/o Settlement Administrator
PO Box 25232
Santa Ana, CA 92799

**PLEASE DO NOT CALL THE COURT, THE CLERK OF THE COURT, THE JUDGE, OR THE
DEFENDANT WITH QUESTIONS ABOUT THE SETTLEMENT OR CLAIMS PROCESS.**

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