

**If your Private Information was impacted in the Data Incident involving Capital Health Systems, Inc. between November 11 and November 26, 2023, you may be entitled to benefits from a settlement.**

*A court has authorized this Notice. This is not a solicitation from a lawyer.*

- A \$4.5 million settlement has been reached in a class action lawsuit against Capital Health Systems, Inc. (“Defendant”) arising from a data breach when the Defendant experienced an IT systems outage from November 11 through November 26, 2023 in which an unauthorized third party may have gained access to certain files containing Private Information belonging to certain individuals including patients, former patients, guarantors and employees of Defendant (the “Data Incident”). Private Information means some combination of Settlement Class Members’ names, addresses, dates of birth, Social Security numbers, email addresses, telephone numbers, clinical information and/or potentially other information stored within Defendant’s IT systems at the time of the Data Incident.
- The Settlement Class includes all persons whose Private Information was potentially compromised because of the Data Incident.
- If you are a Settlement Class Member, you can file a Claim Form for the following Settlement Class Member Benefits:
  - **Cash Payment A – Documented Losses:** You may submit a Claim Form and provide documentation showing that you spent money or incurred losses related to the Data Incident for up to \$5,000.00 per Settlement Class Member; **OR**
  - **Cash Payment B – Alternative Cash Payment:** Instead of selecting Cash Payment A, without providing documentation, you may submit a Claim Form to receive a flat cash payment in the estimated amount of \$100.00; **AND**
  - **Credit Monitoring:** In addition to a Cash Payment, you may also submit a Claim Form to receive three years of free Credit Monitoring (valued at \$90.00 per year).
- Your Cash Payment may be subject to a *pro rata* (a legal term meaning equal share) adjustment depending upon the total value of the Valid Claims submitted.

**This Notice may affect your rights. Please read it carefully.**

<b>Your Legal Rights and Options</b>		<b>Deadline</b>
<b>Submit a Claim Form</b>	The only way to get Settlement Class Member Benefits is to submit a timely and valid Claim Form.	Submitted or Postmarked by: <b>APRIL 6, 2026</b>
<b>Exclude Yourself or Opt-Out of the Settlement</b>	Get no Settlement Class Member Benefits. Keep your right to file your own lawsuit against the Released Parties about the legal Released Claims that are released by the Settlement in this lawsuit.	Postmarked by: <b>MARCH 9, 2026</b>
<b>Object to the Settlement</b>	Stay in the Settlement but tell the Court why you do not agree with the Settlement. You will still be bound by the Settlement if the Court approves it.	Filed or Postmarked by: <b>MARCH 9, 2026</b>
<b>Do Nothing</b>	Get no Settlement Benefits. Give up your legal rights.	

**Questions? Go to [www.CapitalHealthDataBreachSettlement.com](http://www.CapitalHealthDataBreachSettlement.com)  
or call 1-888-873-4996**

- These rights and options—and the deadlines to exercise them—are explained in this Notice.
- The Court must decide whether to approve the Settlement and the requested attorneys’ fees, costs, and Service Awards. No Settlement Class Member Benefits will be provided unless the Court approves the Settlement.

## BASIC INFORMATION

### 1. Why is this Notice being provided?

A court authorized this Notice because you have the right to know about the Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant Final Approval of the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get them.

District Judge Michael A. Shipp and Magistrate Judge Justin T. Quinn of the United States District Court for the District of New Jersey are overseeing this class action. The lawsuit is known as *Bruce Graycar, et al. v. Capital Health Systems, Inc.*, Civil Action No. 3:23-CV-1418-L23234-MAS-JTQ (“lawsuit”). The individuals who filed this lawsuit are called the “Plaintiffs” and/or “Class Representatives” and the company sued, Capital Health Systems, Inc., is called the “Defendant.”

### 2. What is this lawsuit about?

Plaintiffs filed this lawsuit against Defendant, individually and on behalf of Settlement Class Members, regarding possible unauthorized access to Settlement Class Members’ Private Information involved in the Data Incident. The Private Information involved in the Data Incident includes for some individuals names, addresses, dates of birth, Social Security numbers, email addresses, telephone numbers, clinical information and/or potentially other information stored within Defendant’s information technology systems at the time of the Data Incident.

Plaintiffs allege that between November 11 and November 26, 2023, a cybersecurity incident may have resulted in unauthorized access or acquisition of Settlement Class Members’ Private Information (“Data Incident”). Subsequently, on May 24, 2025, Plaintiffs filed a Consolidated Amended Complaint against Defendant, alleging claims for negligence, negligence *per se*, breach of implied contract, breach of fiduciary duty, unjust enrichment, declaratory judgement and violation of the New Jersey Consumer Fraud Act, N.J.S.A. §§ 56:8 *et seq.*

Defendant denies the legal claims and denies any wrongdoing or liability. The Court has not made any determination of any wrongdoing by Defendant, or that any law has been violated. Instead, Plaintiffs and Defendant have agreed to a settlement to avoid the risk, cost, and time of continuing the lawsuit.

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

In a class action, one or more people (called Class Representatives) sue on behalf of all people who have similar legal claims. Together, all these people are called a class or class members. One court resolves the issues for all class members, except for those class members who timely exclude themselves (opt-out) from the class.

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#### 4. Why is there a Settlement?

Plaintiffs and Defendant do not agree about the legal claims made in this lawsuit. The lawsuit has not gone to trial, and the Court has not decided in favor of Plaintiffs or Defendant. Instead, Plaintiffs and Defendant have agreed to settle the lawsuit. The Class Representatives, Defendant, and their lawyers believe the Settlement is best for Settlement Class Members because of the Settlement Class Member Benefits available and the risks and uncertainty associated with continuing the lawsuit.

### WHO IS INCLUDED IN THE SETTLEMENT?

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

The Settlement Class includes all persons whose Private Information was potentially compromised because of the Data Incident.

#### 6. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Settlement Class are (a) the judge(s) to whom the Action is assigned and any member of those judge's staffs or immediate family members; (b) lawyers for the Parties, any member of their respective staffs who worked directly on the Action, and any member of their immediate families; (c) any governmental entity; (d) any entity in which any of the Defendants have a controlling interest; (e) any of Defendants' subsidiaries, parents, affiliates, and officers, directors, legal representatives, heirs, successors, or assigns; and (f) Settlement Class Members who submit a valid Request for Exclusion prior to the Opt-Out Deadline.

#### 7. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Settlement Class Member, you may go to the Settlement Website at [www.CapitalHealthDataBreachSettlement.com](http://www.CapitalHealthDataBreachSettlement.com) or call the Settlement Administrator's toll-free number at 1-888-873-4996.

### THE SETTLEMENT BENEFITS

#### 8. What does the Settlement provide?

If you are a Settlement Class Member and you submit a timely and valid Claim Form, you may be eligible to receive the following Settlement Benefits:

**Cash Payment A – Documented Losses:** You may submit a Claim Form and provide documentation showing that you spent money or incurred losses related to the Data Incident for up to \$5,000.00 per Settlement Class Member.

Examples of documented losses incurred as a result of the Data Incident, include (without limitation) unreimbursed costs, expenses, losses or charges incurred as a result of identity theft or identity fraud, falsified tax returns, or other possible misuse of the class member's personal information; costs incurred on or after November 11, 2023 associated with purchasing or extending additional credit monitoring or identity theft protection services and/or accessing or freezing/unfreezing credit reports with any credit reporting agency, and other miscellaneous expenses incurred related to any

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Documented Losses such as notary, fax, postage, copying, mileage, and long-distance telephone charges.

Examples of reasonable documentation can include receipts or other documentation not “self-prepared”. If you do not submit reasonable documentation supporting a loss, or if your Claim Form is invalid as determined by the Settlement Administrator, and you do not cure your invalid Claim Form, your Claim Form will be denied and your Claim Form for Cash Payment A – Documented Losses will instead be processed as if you elected Cash Payment B – Alternative Cash Payment.

**Cash Payment B – Alternative Cash Payment:** Instead of selecting Cash Payment A, without providing documentation, you may submit a Claim Form to receive a flat cash payment in the estimated amount of \$100.00.

**Credit Monitoring:** In addition to a Cash Payment, you may also submit a Claim Form to receive three years of free Credit Monitoring (valued at \$90.00 per year).

Your Cash Payment may be subject to a *pro rata* (a legal term meaning equal share) adjustment increase from the Settlement Fund if the amount of timely and valid Claim Forms does not use the entire Net Settlement Fund. Alternatively, if the amount of timely and valid Claim Forms exceeds the amount of the Net Settlement Fund, your Cash Payment may be subject to a *pro rata* decrease.

## 9. What am I giving up to receive Settlement Class Member Benefits or stay in the Settlement Class?

Unless you exclude yourself (opt-out), you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, all Court orders and any judgments will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against the Released Parties about the legal issues in this lawsuit that are released by this Settlement. The specific rights you are giving up are called “Released Claims.”

## 10. What are the Released Claims?

Section XII of the Settlement Agreement describes the Released Claims and the Release, in necessary legal terminology, so please read these sections carefully. The Settlement Agreement is available at [www.CapitalHealthDataBreachSettlement.com](http://www.CapitalHealthDataBreachSettlement.com). For questions regarding the Release or Released Claims and what the language in the Settlement Agreement means, you can also contact Class Counsel for free, or you can talk to your own lawyer at your own expense.

# HOW TO GET BENEFITS FROM THE SETTLEMENT

## 11. How do I make a claim for Settlement benefits?

You must submit a timely and valid Claim Form for the Settlement Class Member Benefits described above. Your Claim Form must be submitted online at [www.CapitalHealthDataBreachSettlement.com](http://www.CapitalHealthDataBreachSettlement.com) by **APRIL 6, 2026**, or mailed to the Settlement Administrator at the address on the Claim Form, **postmarked by APRIL 6, 2026**. Claim Forms are also available on the Settlement Website at [www.CapitalHealthDataBreachSettlement.com](http://www.CapitalHealthDataBreachSettlement.com) or by calling 1-888-873-4996 or by writing to:

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or call 1-888-873-4996**

*Capital Health Data Breach Litigation*  
Settlement Administrator  
PO Box 4008  
Portland, OR 97208-4008

## **12. What happens if my contact information changes after I submit a Claim Form?**

If you change your mailing address or email address after you submit a Claim Form, it is your responsibility to inform the Settlement Administrator of your updated information. You may notify the Settlement Administrator of any changes by writing to:

*Capital Health Data Breach Litigation*  
Settlement Administrator  
PO Box 4008  
Portland, OR 97208-4008

## **13. When will I receive my Settlement benefits?**

If you submit a timely and valid Claim Form, Settlement Class Member Benefits will be provided after the Settlement is approved by the Court and becomes final. It may take time for the Settlement to be approved and become final. Please be patient and check [www.CapitalHealthDataBreachSettlement.com](http://www.CapitalHealthDataBreachSettlement.com) for updates.

## **THE LAWYERS REPRESENTING YOU**

### **14. Do I have a lawyer in this lawsuit?**

Yes, the Court has appointed Kenneth Grunfeld of Kopelowitz Ostrow P.A., James E. Cecchi of Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C., and Jamie P. Pizzirusso of Hausfeld LLP as Class Counsel to represent you and the Settlement Class for the purposes of this Settlement. You may hire your own lawyer at your own cost and expense if you want someone other than Class Counsel to represent you in this lawsuit.

### **15. How will Class Counsel be paid?**

Class Counsel will file a motion asking the Court to award attorneys' fees of up to one-third of the \$4.5 million Settlement Fund, plus reimbursement of costs. Class Counsel will also ask the Court to approve a Service Award for the Class Representatives of up to \$4,000 each for their efforts in achieving the Settlement. If awarded by the Court, the attorneys' fees and costs, and the Service Awards will be paid from the Settlement Fund. The Court may award less than these amounts.

Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards will be made available on the Settlement Website at [www.CapitalHealthDataBreachSettlement.com](http://www.CapitalHealthDataBreachSettlement.com) after it is filed with the Court.

## **EXCLUDE YOURSELF OR OPT-OUT OF THE SETTLEMENT**

If you are a Settlement Class Member and want to keep any right you may have to individually sue or continue to sue the Released Parties on your own about the legal claims in this lawsuit or released

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by the Released Claims, then you must take steps to remove yourself from the Settlement. This is called excluding yourself from—or “opting-out” of—the Settlement.

## 16. How do I opt-out of the Settlement?

To exclude yourself from the Settlement, you must mail a written request for exclusion, which includes the following:

- 1) Your full name, mailing address, telephone number and email address (if any);
- 2) Your original (“wet”) handwritten personal signature; and
- 3) A statement that you want to be excluded from the Settlement Class, such as “I request to be excluded from the proposed Settlement Class in as *Bruce Graycar, et al. v. Capital Health Systems, Inc.*, Civil Action No. 3:23-CV-1418-L23234-MAS-JTQ.”

The exclusion request must be **mailed** to the Settlement Administrator at the following address, and be **postmarked** by **MARCH 9, 2026**:

*Capital Health Data Breach Litigation*  
Settlement Administrator  
PO Box 4008  
Portland, OR 97208-4008

**You cannot opt-out (exclude yourself) by telephone or by email.**

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Settlement Class Members or multiple Settlement Class Members are not permitted. Settlement Class Members may only opt-out on behalf of themselves.

## 17. If I opt-out can I still get anything from the Settlement?

No. If you timely opt-out, you will not be entitled to receive Settlement Benefits, but you will not be bound by the Settlement or any judgment in this lawsuit. You can only receive Settlement benefits if you stay in the Settlement and submit a timely and valid Claim Form.

## 18. If I do not opt-out, can I sue Defendant for the same thing later?

No. Unless you opt-out, you give up any right to sue any of the Released Parties for the legal claims this Settlement resolves and Releases relating to the Data Incident, and you will be bound by all the terms of the Settlement and by all proceedings, orders, and judgments in the lawsuit. You must opt-out of this lawsuit to start or continue with your own lawsuit or be part of any other lawsuit against the Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

# OBJECTING TO THE SETTLEMENT

## 19. How do I tell the Court that I object to the Settlement?

If you are a Settlement Class Member, you can tell the Court you object to all or any part of the Settlement and/or Application for Attorneys’ Fees, Costs, and Service Awards.

To object, you must file your objection with the Court by **MARCH 9, 2026**, and send your objection by U.S. mail to Class Counsel, Defendant’s Counsel, and the Settlement Administrator postmarked by or sent by private courier (such as Federal Express) by **MARCH 9, 2026**, stating that you object

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to the Settlement in *Bruce Graycar, et al. v. Capital Health Systems, Inc.*, Civil Action No. 3:23-CV-1418-L23234-MAS-JTQ.

To file an objection, you cannot exclude yourself from the Settlement Class. Your objection must include all of the following information:

1. The name of the proceedings (*Bruce Graycar, et al. v. Capital Health Systems, Inc.*);
2. Your full name, mailing address, telephone number, and email address (if any);
3. All grounds for your objection, accompanied by any legal support for the objection known to you or your lawyer;
4. The identity of all lawyers who represent you, including any former or current lawyer who may be entitled to compensation for any reason related to the objection to the settlement and/or Application for Attorneys' Fees, Costs, and Service Awards;
5. A statement of whether you and/or your lawyer(s) intend to appear at the Final Approval Hearing;
6. A statement confirming whether you intend to personally appear and/or testify at the Final Approval Hearing;
7. A list of all people who will be called to testify at the Final Approval Hearing in support of the objection (if any);
8. The number of times you or your lawyer and/or lawyer's law firm have objected to a class action settlement within the five (5) years preceding the date of the objection, the caption of each case in which the objection was made, and a copy of any orders related to or ruling upon the prior objections that were issued by the trial and appellate courts in each listed case; and
9. Your signature (a lawyer's signature is not sufficient).

Class Counsel and/or Defendant's counsel may conduct limited discovery on any objector or objector's counsel.

To object, you must file timely written notice with the Court as provided below no later than **MARCH 9, 2026**, and send by U.S. mail to Class Counsel, Defendant's Counsel, and the Settlement Administrator postmarked by or sent by private courier (such as Federal Express) by **MARCH 9, 2026**, at the following addresses:

Court	Class Counsel	Defendant's Counsel	Settlement Administrator
District Judge Michael A. Shipp & Magistrate Judge Justin T. Quinn Re: <i>Graycar, et al. v.</i> <i>Capital Health Systems,</i> <i>Inc.</i> , Case No. 3:23-CV- 23234-MAS-JTQ 402 E State Street Trenton, NJ 08608-1500	James E. Cecchi CARELLA, BYRNE, CECCHI, OLSTEIN, BRODY & AGNELLO, P.C. 5 Becker Farm Road Roseland, NJ 07068	Jon Kardassakis Lewis Brisbois Bisgaard & Smith LLP 633 West 5 <sup>th</sup> Street, Suite 4000 Los Angeles, CA 90071	<i>Capital Health Data</i> <i>Breach Litigation</i> Settlement Administrator PO Box 4008 Portland, OR 97208-4008

If you do not comply with the requirements for objecting as detailed above, you will waive and forfeit any and all rights you may have to appear separately and/or to object to the Settlement and you will be bound by all the terms of the Settlement and by all proceedings, orders, and judgments in the lawsuit.

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

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Opting-out is telling the Court that you do not want to be part of the Settlement Class. If you opt-out, you cannot object because you are no longer part of the Settlement.

## THE FINAL APPROVAL HEARING

The Court will hold a “Final Approval Hearing” to decide whether to approve the Settlement. You may attend and you may ask to speak if you submit an objection by the deadline, but you do not have to.

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

The Court will hold a Final Approval Hearing on **July 14, 2026, at 11:00 a.m. Eastern** before the Honorable Justin T. Quinn of the United States District Court for the District of New Jersey, 402 E State Street Trenton, NJ 08608-1500. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement and Class Counsel’s Application for Attorneys’ Fees and Costs.

If there are objections that were filed by the deadline, the Court will consider them. If you file a timely objection, and you would like to speak at the hearing, the Court will also listen to you or your lawyer speak at the hearing, if you so request.

**Note:** The date and time of the Final Approval Hearing are subject to change without further notice to the Settlement Class. The Court may also decide to hold the hearing via video conference or by telephone. You should check the Settlement Website [www.CapitalHealthDataBreachSettlement.com](http://www.CapitalHealthDataBreachSettlement.com) to confirm the date and time of the Final Approval Hearing has not changed.

## 22. Do I have to attend the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you file an objection, you do not have to attend the Final Approval Hearing to speak about it. As long as you file a written objection by the deadline, the Court will consider it.

## 23. May I speak at the Final Approval Hearing?

Yes, as long as you do not exclude yourself (opt-out) and you submit a timely written objection requesting to speak at the hearing, you can (but do not have to) participate and speak for yourself at the Final Approval Hearing. This is called making an appearance. You also can have your own lawyer speak for you, but you will have to pay for the lawyer yourself.

If you want to appear, or if you want your own lawyer instead of Class Counsel to speak for you at the hearing, you must follow all of the procedures for objecting to the Settlement listed in Question 19 above—and specifically include a statement whether you and your counsel will appear at the Final Approval Hearing.

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## IF YOU DO NOTHING

### 24. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will not receive Settlement Class Member Benefits, and you will give up rights to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against any of the Released Parties about the legal issues in this lawsuit that are released by the Settlement relating to the Data Incident.

## GETTING MORE INFORMATION

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

This Notice summarizes the Settlement. Complete details about the Settlement are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at [www.CapitalHealthDataBreachSettlement.com](http://www.CapitalHealthDataBreachSettlement.com). You may get additional information at [www.CapitalHealthDataBreachSettlement.com](http://www.CapitalHealthDataBreachSettlement.com), by calling toll-free 1-888-873-4996, or by writing to:

*Capital Health Data Breach Litigation*  
Settlement Administrator  
PO Box 4008  
Portland, OR 97208-4008

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT'S  
CLERK OFFICE REGARDING THIS NOTICE.**

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