

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Gay et al. v. Garnet Health

Index No. 523537/2025

Supreme Court of New York, County of Kings

**IF YOU ARE A GARNET HEALTH PATIENT AND HAD A MYCHART ACCOUNT
BETWEEN MAY 7, 2020 AND AUGUST 10, 2023
A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS,
AND ENTITLE YOU TO A CASH PAYMENT.**

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 Garnet Health, Defendant, in a class action lawsuit. This Action concerned Defendant's use of third-party tracking technologies, including Meta Pixel and Google Analytics, on its web pages. The Plaintiffs claim that using tracking technologies violated certain privacy laws.
- The Action is called *Gay et al. v. Garnet Health*, Index No. 523537/2025. It is pending in the Supreme Court of New York for Kings County, New York (the "Action").
- The Defendant denies that it did anything wrong, and the Court has not decided who is right.
- The Parties have agreed to settle the Action (the "Settlement") to avoid the costs and risks, disruptions, and uncertainties of continuing the Action.
- The Defendant's records indicate that you are a Settlement Class Member and may be entitled to Settlement Benefits under the Settlement. You may have received a previous notice directly from the Defendant.
- Your rights are affected whether you act or do not 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 Settlement 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 www.GarnetHealthSettlement.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 request a paper copy of the Claim Form.</p>	April 16, 2026
OPT-OUT OF THE SETTLEMENT	You can choose to opt-out of the Settlement and receive no Settlement Benefits. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims resolved by this Settlement. You can hire your own lawyer at your own expense.	March 17, 2026
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 Benefits.	March 17, 2026
DO NOTHING	Unless you opt-out of the Settlement, you are automatically part of the Settlement. If you do nothing, you will not receive Settlement 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 Supreme Court of New York for Kings County, New York, authorized this Notice. You have a right to know about the proposed Settlement of this Action, and about all your options, before the Court decides whether to grant final approval of the Settlement. This Notice explains the Action, your legal rights, what Settlement Benefits are available, and who can receive them.

The Action is called *Gay et al. v. Garnet Health*, Index No. 523537/2025. It is pending in the Supreme Court of New York for Kings County, New York. The people that filed this Action are called the “Plaintiffs” or “Class Representatives”, and the company they sued, Garnet Health, is called the “Defendant.”

2. What is this Action about?

This Action alleges that the Defendant used third-party tracking technologies, such as Meta Pixel and Google Analytics, on its website in a way that violates certain privacy laws.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. This individual is called the “Plaintiff” or “Class Representative.” Together, the people included in the class action are called a “Class” or “Settlement Class Members.” One court resolves the lawsuit for all Settlement Class Members, except for those who opt-out from the settlement. In this Settlement, the Class Representatives are Dolores Gay and Corrine Jacob. Everyone included in this Action are the Settlement Class Members.

4. Why is there a Settlement?

The Court did not decide whether the Plaintiffs or the Defendant are 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 Settlement Benefits from the Settlement. The Plaintiffs and their attorneys 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 natural persons who are, or were, patients of defendant Garnet Health from May 7, 2020 through August 10, 2023, and had a MyChart account with a status of Alive.”

6. Are there exceptions to being included?

Yes. Excluded from the Settlement Class are: “(i) Defendant, any entity in which Defendant has a controlling interest, and Defendant’s affiliates, parents, subsidiaries, officers, directors, legal representatives, successors, and assigns; (ii) any patients of Defendant currently described with a ‘Patient Type’ of Correctional Ward MC Block; (iii) any judge, justice, or judicial officer presiding over the Action and the members of their immediate families and judicial staff; and (iv) any individual who timely and validly excludes themselves from the Settlement.”

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

- Email: info@GarnetHealthSettlement.com
- Call toll-free: **(833) 754-8995**
- By mail:

Gay et al. v. Garnet Health
c/o Kroll Settlement Administration
P.O. Box 225391
New York, NY 10150-5391

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

The Settlement Benefits

7. What does the Settlement provide?

The Defendant has agreed to pay for two Settlement Benefits that are available to all Settlement Class Members.

You may file a claim for one or both of these Settlement Benefits.

SETTLEMENT BENEFITS

1. **Privacy Monitoring.** All Settlement Class Members are eligible to enroll in one (1) year of Dashlane Premium. This comprehensive service is designed to restore users' privacy and anonymity, and includes:
 - Dark Web scanning
 - Advanced phishing protection
 - VPN, password manager, and other online privacy tools

If anything suspicious happens, you will be able to talk to a fraud resolution agent to help fix any problems.

2. **Cash Payment.** All Settlement Class Members may claim a one-time **\$19.50** cash payment. You do not have to provide any proof or explanation to claim this Settlement Benefit.

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

- Email: info@GarnetHealthSettlement.com
- Call toll-free: **(833) 754-8995**
- By mail:

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

If you stay in the Settlement Class, you won't be able to be part of any other lawsuit against Defendant about the issues that this Settlement covers. The "Releases" section of the Settlement Agreement describes the legal claims that you give up if you remain in the Settlement Class. The Settlement Agreement is available at www.GarnetHealthSettlement.com.

Submitting a Claim Form for a Settlement Payment

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

The fastest way to submit your Claim Form is online at www.GarnetHealthSettlement.com. If you prefer, you can download a printable Claim Form from the Settlement Website and mail it to the Settlement Administrator.

You may also request a Claim Form from the Settlement Administrator by calling toll-free at **(833) 754-8995** or by emailing info@GarnetHealthSettlement.com.

10. Are there any important Settlement payment deadlines?

If you are submitting a Claim Form online, you must do so by **April 16, 2026**. If you are submitting a claim by U.S. mail, the completed and signed Claim Form, must be **postmarked no later than April 16, 2026**.

11. When will the Settlement Benefits be issued?

The Court will hold a Final Approval Hearing on **April 13, 2026** (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 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 has appointed attorneys Gary M. Klinger of Milberg Coleman Bryson Phillips Grossman, PLLC; Philip J. Krzeski of Chestnut Cambronne PA; Dylan J. Gould of Markovits, Stock & DeMarco, LLC; and Joseph M. Lyon of The Lyon Firm, to represent you and other 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 \$750,000 as reasonable attorneys' fees and costs of litigation. This amount will be paid by Defendant.

Class Counsel will also ask for a service award payment of \$2,500 for each of the Class Representatives. The service award payment will also be paid by Defendant.

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 and is sometimes also called "opting out." If you opt-out, you will not receive Settlement Benefits or payment. However, you will keep any rights you may have to sue Defendant on your own about the legal issues in this case.

If you exclude yourself, 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 Benefits if you exclude yourself.

The Opt-Out Deadline in this Settlement is March 17, 2026.

To be valid, your Request for Exclusion must have the following information:

- (1) the name of the Action called *Gay et al. v. Garnet Health*, Index No. 523537/2025, pending in the Supreme Court of New York for Kings County, New York;
- (2) your full name, mailing address, telephone number, and email address;
- (3) personal signature; and
- (4) the words “Request for Exclusion” or a clear and similar statement that you do not want to participate in the Settlement.

You may only exclude yourself—not any other person.

Mail your Request for Exclusion to the Settlement Administrator at:

Gay et al. v. Garnet Health
ATTN: Exclusion Request
c/o Kroll Settlement Administration
P.O. Box 225391
New York, NY 10150-5391

Your Request for Exclusion must be submitted, postmarked, or emailed by March 17, 2026.

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 reason(s) 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: called *Gay et al. v. Garnet Health*, Index No. 523537/2025, pending in the Supreme Court of New York for Kings County, New York;
- (2) your full name, mailing address, telephone number, and email address;
- (3) information that proves that you are a Settlement Class Member (such as a notice you have received, or proof that you were a patient with a MyChart account between May 7, 2020 and August 10, 2023);
- (4) a clear description of all the reasons you object; include any legal support, such as documents or citations to legal authority, you may have for your objection;
- (5) if you have hired your own lawyer in connection with this objection, provide their name, bar number, and contact information (address, telephone number, and email address);
- (6) if you have hired your own lawyer, their signed statement or certificate of representation;
- (7) if you or your lawyer have objected in any other cases in the past three years, list the names, courts, and civil action numbers for each of those cases;
- (8) whether or not you or your lawyer would like to speak at the Final Approval Hearing;
- (9) if you plan on calling witnesses or submitting documents at the Final Approval Hearing, provide a full list of both; and,

(10) your signature.

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 **March 17, 2026**. You must also send a copy of the objection to Class Counsel, and counsel for Defendants.

Clerk of the Court
Clerk of the Court Kings County Supreme Court Courthouse 320 Jay Street Brooklyn, NY 11201

Class Counsel	Counsel for Defendants
Philip J. Krzeski Chestnut Cambronne, PA 100 Washington Ave. S., Ste. 1700 Minneapolis, MN 55401	David Carney Baker & Hostetler LLP 127 Public Square, Ste. 2000 Cleveland, OH 44114-1214

17. What is the difference between objecting and excluding?

Objecting is telling the Court that you do not like something about the Settlement. You may object to the Settlement only if you do not exclude yourself 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 on **April 13, 2026, at 2:30 p.m. ET**, in the Kings County Supreme Court Courthouse at 320 Jay Street, Brooklyn, NY 11201.

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 a service award payments to the Class Representative. 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 www.GarnetHealthSettlement.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 Settlement Benefits 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, www.GarnetHealthSettlement.com.

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

- Email: info@GarnetHealthSettlement.com
- Call toll-free: **(833) 754-8995**
- By mail:

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P.O. Box 225391
New York, NY 10150-5391

You can obtain copies of publicly filed documents by visiting the office of the Clerk of the Court, Kings County Supreme Court Courthouse at 320 Jay Street, Brooklyn, NY 11201.

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