

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Joan Tozzi v. South Shore Mental Health Center, Inc. d/b/a Aspire Health Alliance

Case No. 2484CV02307

Superior Court of Suffolk County, Massachusetts

IF YOUR PRIVATE INFORMATION WAS POTENTIALLY IMPACTED IN THE SEPTEMBER 2023 ASPIRE HEALTH ALLIANCE DATA INCIDENT, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS, AND ENTITLE YOU TO SETTLEMENT BENEFITS, INCLUDING 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 South Shore Mental Health Center, Inc. d/b/a Aspire Health Alliance (“Aspire” or “Defendant”) in a class action lawsuit. This case is about the targeted cyberattack on Aspire's computer systems that occurred in September 2023 (“Data Incident”). Certain files that contained Private Information were potentially accessed. These files may have contained personal information such as names; dates of birth; dates of medical services; individual health insurance policy numbers; physician or medical facility information; medical condition or treatment information; Medicare or Medicaid numbers; and patient accounts.
- The lawsuit is called *Joan Tozzi v. South Shore Mental Health Center, Inc. d/b/a Aspire Health Alliance*, Case No. 2484CV02307. It is pending in the Superior Court of Suffolk County, Massachusetts (the “Litigation”).
- Aspire denies that it did anything wrong, and the Court has not decided who is right.
- The parties have agreed to settle the lawsuit (“Settlement”) to avoid the costs and risks, disruptions, and uncertainties of continuing the Litigation.
- Aspire'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 Aspire about the Data Incident.
- 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 Cash Payment A – Documented Losses is by submitting a valid and timely Claim Form.</p> <p>The fastest way to submit your Claim Form is online at https://AspireDataIncident.com. If you prefer, you can download the Claim Form from the Settlement Website and mail it to the Settlement Administrator.</p>	9/16/2026
OPT-OUT OF THE SETTLEMENT	You can choose to opt-out of the Settlement and receive no Cash Payment or Medical Data Monitoring. 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.	9/16/2026
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 Class Benefits.	9/16/2026
DO NOTHING	Unless you opt-out of the Settlement, you are automatically part of the Settlement. If you do nothing, you will automatically receive Cash Payment B – <i>Pro Rata</i> Check and Medical Data Monitoring, 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 and released 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.

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION	3
WHO IS IN THE SETTLEMENT	4
THE SETTLEMENT BENEFITS.....	4
SUBMITTING A CLAIM FORM FOR SETTLEMENT BENEFITS	6
THE LAWYERS REPRESENTING YOU	6
OPTING OUT FROM THE SETTLEMENT	7
OBJECTING TO THE SETTLEMENT	7
THE COURT’S FINAL APPROVAL HEARING	9
IF I DO NOTHING	9
GETTING MORE INFORMATION	10

Basic Information

1. Why was this Notice issued?

The Superior Court of Suffolk County, Massachusetts, authorized this Notice. You have a right to know about the proposed Settlement of this class action lawsuit, 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 called *Joan Tozzi v. South Shore Mental Health Center, Inc. d/b/a Aspire Health Alliance*, Case No. 2484CV02307. It is pending in the Superior Court of Suffolk County, Massachusetts. The person that filed this lawsuit is called the “Plaintiff” (“Class Representative”) and the company she sued, South Shore Mental Health Center, Inc. d/b/a Aspire Health Alliance, is called the “Defendant.”

2. What is this lawsuit about?

This lawsuit alleges that during the September 2023 targeted cyberattack on Aspire's computer systems, certain files that contained Private Information were potentially accessed. These files may have contained personal information such as names; dates of birth; dates of medical services; individual health insurance policy numbers; physician or medical facility information; medical condition or treatment information; Medicare or Medicaid numbers; and patient accounts.

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 “Settlement Class Members.” One court resolves the lawsuit for all Settlement Class Members, except for those who opt-out from the settlement. In this proposed Settlement, the Class Representative is Joan Tozzi. Everyone included in this Action are the Settlement Class Members.

4. Why is there a Settlement?

The Court did not decide whether the Plaintiff 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 benefits from the Settlement. The Plaintiff and her 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 this way: “All living individuals 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 Class are: (a) all persons who are employees, directors, officers, and agents of Defendant; (b) governmental entities; (c) the Judge assigned to the Action, that Judge’s immediate family, and Court staff; and (d) anyone who 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@AspireDataIncident.com
- Call toll free, 24/7: (833) 421-7285
- By mail:

Aspire Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also view the Settlement Agreement at <https://AspireDataIncident.com>.

The Settlement Benefits

7. What does the Settlement provide?

Aspire will establish a Settlement Fund of \$400,000.00. The Settlement Fund will first be used to pay court-approved attorneys’ fees and costs, a Service Award payment for the Plaintiff, and the costs of administering the Settlement. The net remaining money will be used to pay for the benefits described below.

All Settlement Class Members will receive **Medical Data Monitoring** and one of the following **Cash Payments**.

Cash Payment A – Documented Losses

OR

Cash Payment B – Pro Rata Cash

The benefits are explained in more detail on the following pages.

MEDICAL DATA MONITORING. All Settlement Class Members will receive one year of CyEx Medical Shield. This comprehensive service comes with \$1 million of medical identity theft insurance, and includes monitoring for:

- healthcare insurance ID exposure
- Medical Record Number (MRN) exposure
- unauthorized Health Savings Account (HSA) spending

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

CASH PAYMENTS

Cash Payment A – Documented Losses. If you incurred actual, documented, unreimbursed out-of-pocket losses due to the Data Incident, you can get back up to **\$2,500.00**. The losses must have occurred between September 13, 2023, and September 16, 2026.

This benefit covers out-of-pocket expenses like:

- losses because of fraud or identity theft;
- costs for freezing and unfreezing your credit with a credit reporting agency;
- credit monitoring costs incurred on or after mailing of the notice of the Data Incident, through the date of claim submission; and
- miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance telephone charges.

You need to send proof, like receipts, to show how much you spent or lost. Your personal certifications, declarations, or affidavits do not constitute reasonable documentation to make a valid claim, but you may include that to provide clarification, context, or support for other submitted reasonable documentation showing that your expenses were because of the Data Incident. You cannot claim a payment for expenses that have already been reimbursed by a third party.

-OR-

Cash Payment B – Pro Rata Cash. If you do not submit a claim for Cash Payment A, you will automatically receive Cash Payment B, which is an equal share of the monies remaining in the Net Settlement Fund after Claims for Cash Payment A have been deducted. Payments will be sent following court approval of the Settlement.

A full description of how this work is available in Settlement Agreement, at <https://AspireDataIncident.com>.

On the Settlement Website, you may provide an updated address to receive your Cash Payment, or elect to receive your Cash Payment by Venmo, Zelle, or PayPal instead of a paper check.

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

- Email: info@AspireDataIncident.com
 - Call toll free, 24/7: (833) 421-7285
- By mail:

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

If you stay in the class, you won't be able to be part of any other lawsuit against Aspire about the issues that this Settlement covers. The "Releases" 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 <https://AspireDataIncident.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 <https://AspireDataIncident.com>. If you prefer, you can download a printable Claim Form from the website and mail it to the Settlement Administrator at:

Aspire Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also contact the Settlement Administrator to request a Claim Form by telephone, toll free, (833) 421-7285, by email info@AspireDataIncident.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 for Cash Payment A, you must do so by September 16, 2026. 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 September 16, 2026.

11. When will the Settlement benefits be issued?

The Court will hold a Final Approval Hearing on October 1, 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 payments will be distributed if the Court grants Final Approval, and after any appeals are resolved.

Please be patient.

The Lawyers Representing You

12. Do I have a lawyer in the case?

Yes, the Court has appointed attorneys Jeff Ostrow of Kopelowitz Ostrow P.A.; Nick A. Colella and Patrick D. Donathenof Lynch Carpenter LLP; and Jason M. Leviton and Bendan Jarobeof Block & Leviton LLP, 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 35% of the Settlement Fund as reasonable attorneys' fees plus litigation costs. This amount will be paid from the Settlement Fund.

Class Counsel will also ask the court to approve a Service Award payment of up to \$2,500.00 for the Class Representative. The Service Award will also be paid from the Settlement Fund.

Opting Out 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 an Opt-Out Request.

If you 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 benefits if you opt-out. However, you will keep any rights you may have to sue Defendant and other Released Parties on your own about the legal issues in this case.

The deadline to opt-out from the Settlement is September 16, 2026.

To be valid, your Opt-Out Request must have the following information:

- (1) the name of the Litigation: *Joan Tozzi v. South Shore Mental Health Center, Inc. d/b/a Aspire Health Alliance*, Case No. 2484CV02307, pending in the Superior Court of Suffolk County, Massachusetts;
- (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 Opt-Out Request to the Settlement Administrator at:

Aspire Data Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

Your Opt-Out Request must be submitted and postmarked by September 16, 2026.

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 opted-out from the Settlement (**see Question 15**)

You must provide the following information for the Court to consider your objection:

- (1) the name of the Litigation: *Joan Tozzi v. South Shore Mental Health Center, Inc. d/b/a Aspire Health Alliance*, Case No. 2484CV02307, pending in the Superior Court of Suffolk County, Massachusetts;
- (2) your full name, mailing address, telephone number, and email address;
- (3) all grounds for the objection;

- (4) whether the objector or their counsel (if any) will appear at the Final Approval Hearing; and
- (5) a personal signature.

For your objection to be considered, 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 16, 2026. You must also send a copy of the objection by U.S. Mail to the Settlement Administrator, Class Counsel, and Defendant’s Counsel.

Clerk of the Court Clerk of the Court Suffolk County Courthouse 3 Pemberton Square, 13 th Floor Boston, MA 02108	Settlement Administrator Aspire Data Incident Settlement c/o Settlement Administrator P.O. Box 25226 Santa Ana, CA 92799-9958
Class Counsel Jeff Ostrow Kopelowitz Ostrow P.A. 1 West Las Olas Boulevard Suite 500 Fort Lauderdale, FL 33301	Counsel for Defendant Chistopher R. Deubert Costangy, Brooks, Smith & Prophete LLP 800 Boylston St Suite 1005 Boston, MA 02199

17. What is the difference between objecting and excluding?

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 opt-out from the Settlement. Opting out from the Settlement is 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 **October 1, 2026, at 2:00 p.m. Eastern Time**, in Courtroom 1015 at the Suffolk County Courthouse 3 Pemberton Square Boston, MA 02108.

At the Final Approval Hearing, the Court will decide whether to approve the Settlement. The court will also decide Class Counsel’s request for an attorneys’ fees and costs award and the request for a Service Award to the Class Representative. The Court will also consider any timely 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 <https://AspireDataIncident.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, <https://AspireDataIncident.com>.

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

- Email: info@AspireDataIncident.com
- Call toll free, 24/7: (833) 421-7285
- By mail:

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c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You can obtain copies of publicly filed documents by visiting the office of the Clerk of the Court located at the Suffolk County Courthouse, 3 Pemberton Square, Boston, MA 02108, between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Court holidays, or by accessing the docket in this case through the Massachusetts Trial Court Case Access system at <https://www.masscourts.org/eservices/home.page.2>.

You may also speak with Class Counsel by calling (954) 525-4100 or by writing to the following address:

Aspire Data Incident Settlement
Kopelowitz Ostrow, P.A.
Attn: Jeff Ostrow,
1 West Las Olas Blvd, Suite 500
Ft. Lauderdale, FL 33301

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