

If you are a current or past patient of Lima Memorial Hospital and visited one of its websites at least once between January 1, 2018 and May 12, 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 \$1,500,000 settlement has been reached in a class action lawsuit against Lima Memorial Hospital and Lima Memorial Joint Operating Company d/b/a Lima Memorial Health System (“Defendants”), over Defendants’ alleged implementation and use of third-party analytics tools on their websites, during which Plaintiff alleges patients’ web-usage data, containing personal health information, was shared to Facebook and other third-parties allegedly resulting in the invasion of Plaintiff’s and Settlement Class Members’ privacy. LMH denies the allegations in the lawsuit and the Court has not decided who is right. But the Plaintiff and the Defendants have agreed to a Settlement.
- You are a “Settlement Class Member” if you were a current or former patient of LMH and visited any of LMH’s websites at least once between January 1, 2018 and up to and including May 12, 2023.
- If you are a Settlement Class Member, you may file a Claim Form to receive:
 - **Privacy Shield.** Settlement Class Members may enroll in one year of Privacy Shield, a data protection and monitoring service, and
 - **Cash Compensation.** Settlement Class Members may file a claim for a pro-rated cash payment, that will be calculated by dividing the Net Settlement Fund by the total number of valid claims received.

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

These rights and options—and the deadlines to exercise them—are explained in this Notice.

Your Legal Rights and Options		Deadline
SUBMIT A CLAIM FORM	You must submit a Claim Form by mail or online to receive Settlement benefits.	August 24, 2024
EXCLUDE YOURSELF	Get no Settlement benefits. Keep your right to file your own lawsuit against the Defendants and Released Parties about the legal claims in this case.	July 10, 2024
OBJECT	Tell the Court why you do not like the Settlement. You will still be bound by the Settlement if the Court approves it.	July 10, 2024
DO NOTHING	Get no Settlement benefits. Be bound by the Settlement.	

- The Court in charge of this case must still decide whether to approve the Settlement and the requested attorneys’ fees and expense award. No Settlement benefits or payments will be provided unless the Court approves the Settlement, and it becomes final.

Questions? Go to www.LMHPixelSettlement.com or call 1-877-728-0299.

BASIC INFORMATION

1. Why is this Notice being provided?

A Court authorized this Notice because you have the right to know about the proposed Settlement of a class action lawsuit and about 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.

Judge Jeffrey L. Reed of the Court of Common Pleas for Allen County, Ohio General Division is overseeing this class action lawsuit. The case is known as *Jane Doe v. Lima Memorial Hospital, et al.*, No. CV20220490. The person who filed this lawsuit is called the “Plaintiff” and the companies sued are Lima Memorial Hospital and Lima Memorial Joint Operating Company d/b/a Lima Memorial Health System (“Defendants”).

2. What is this lawsuit about?

The Litigation arises out of LMH’s implementation and use of third-party analytics tools on LMH’s websites, during which the lawsuit claims that Class Members’ web-usage data, containing personal health information, was shared to Facebook and other third-parties that developed analytics tools used by LMH on its website(s). This action allegedly resulted in the invasion of Plaintiff’s and Settlement Class Members’ privacy. Plaintiff’s Class Action Complaint can be viewed at www.LMHPixelSettlement.com.

Defendants deny all claims asserted against it in the Litigation, deny all allegations of wrongdoing and liability, and deny all material allegations of the Class Action Complaint. The Defendants’ Answer can be viewed at www.LMHPixelSettlement.com.

3. Why is the lawsuit a class action?

In a class action, a representative plaintiff or plaintiffs sues on behalf of all people who have similar legal claims. In the event of a settlement, together all these people are called a settlement class or settlement class members. One court resolves the issues for all settlement class members, except for those settlement class members who timely exclude themselves from the settlement class.

The proposed Representative Plaintiff in this case is anonymous, going by “Jane Doe” in the Settlement documents.

4. Why is there a Settlement?

Plaintiff and Defendants 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 Plaintiff or Defendants. Instead, Plaintiff and Defendants have agreed to settle the lawsuit. Plaintiff and the lawyers for the Settlement Class (“Settlement Class Counsel”) believe the Settlement is best for all Settlement Class Members due to 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?

Under the Settlement, the Court decided that the Class includes all current or former patients of Defendants who visited any of their websites, including limamemorial.org, at least once between January 1, 2018 and up to and including May 12, 2023.

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

Yes. Excluded from the Class are Defendants and their affiliates, parents, subsidiaries, officers, and directors, as well as the judge(s) presiding over this matter and the clerks of said judge(s). This exclusion does not apply, and should not be read to apply, to those employees of Plaintiff or Related Entities who received notification regarding the Website Usage Disclosure.

7. What is the “Website Usage Disclosure?”

“Website Usage Disclosure” means the alleged disclosure of personal information of Plaintiff and members of the Settlement Class to Facebook and other third-parties that developed analytics tools used by Defendants on their website(s).

8. 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.LMHPixelSettlement.com for additional information.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

9. What does the Settlement provide?

Under the Settlement, Defendants have agreed to create a \$1,500,000 Settlement Fund. The Settlement Fund will be used to pay for: (i) reasonable Notice and Claims Administration Costs incurred pursuant to this Settlement Agreement as approved by the Parties and approved by the Court, (ii) any taxes owed by the Settlement Fund, (iii) any Service Award approved by the Court, (iv) any Attorneys’ Fees, Costs, and Expenses Award approved by the Court, and (v) any benefits to Settlement Class Members, pursuant to the terms and conditions of this Agreement. The money remaining for payment of benefits to Settlement Class Members is called the “Net Settlement Fund.”

If you are a Settlement Class Member, and you file a valid and timely Claim Form by **August 24, 2024**, you may be eligible for the following Settlement benefits:

- **Privacy Shield.** Settlement Class Members may enroll in one year of Privacy Shield, a data protection and monitoring service, and
- **Cash Compensation.** Settlement Class Members may file a claim for a cash payment that will be calculated by first subtracting from the Net Settlement Fund the total cost of all valid Privacy Shield claims, and then dividing the remaining amount by the number of valid Cash Compensation claims (so that all Cash Compensation claim payments will be equal).

Questions? Go to www.LMHPixelSettlement.com or call 1-877-728-0299.

10. What am I giving up to receive Settlement benefits or stay in the Settlement Class?

Unless you exclude yourself, you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, the Court's orders 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 Defendants and 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."

11. What are the Released Claims?

The Settlement Agreement in Section XIV describes the Release, Released Claims, and the Released Parties in necessary legal terminology, so please read this section carefully. The Settlement Agreement is available at www.LMHPixelSettlement.com or in the public court records on file in this lawsuit. For questions regarding the Release and what it means, you can also contact one of the lawyers listed in Question 15 for free, or you can talk to your own lawyer at your own expense.

HOW TO GET BENEFITS FROM THE SETTLEMENT

12. How do I make a claim for Settlement benefits?

To receive Settlement benefits, you must file a valid Claim Form. Your Claim Form must be complete and submitted to Claims Administrator, submitted online or mailed and **postmarked on or before August 24, 2024**. Claim Forms may be submitted online at www.LMHPixelSettlement.com or printed from the website and mailed to the Claims Administrator at the address on the form. The quickest way to submit a Claim Form is online. Claim Forms are also available by writing to:

LMH Claims Administrator
P.O. Box 2714
Portland, OR 97208-2714

13. What happens if my contact information changes after I submit a claim?

If you change your mailing address or email address after you submit a Claim Form, it is your responsibility to inform the Claims Administrator of your updated information. You may notify the Claims Administrator of any changes by calling 1-877-728-0299 or by writing to:

LMH Claims Administrator
P.O. Box 2714
Portland, OR 97208-2714

14. When will I receive my Settlement Benefits?

If you file a valid Claim Form, activation of your Privacy Shield credit monitoring will occur, and your payment will be provided by the Claims Administrator, 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.LMHPixelSettlement.com for updates.

Questions? Go to www.LMHPixelSettlement.com or call 1-877-728-0299.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in this case?

Yes, the Court has appointed the law firm Milberg Coleman Bryson Phillips Grossman located at 227 W. Monroe Street, Suite 2100, Chicago, Illinois 60606 as Settlement 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 Settlement Class Counsel to represent you in this lawsuit.

16. How will Settlement Class Counsel be paid?

Settlement Class Counsel will file a motion asking the Court for reasonable attorney fees not to exceed thirty five percent (35%) of the value of the Settlement Fund (which will include the retail value of the Privacy Shield services), plus reasonable costs and expenses incurred in prosecuting the litigation.

Settlement Class Counsel will also ask the Court to approve a Service Award of \$2,500 from the Settlement Fund for the named Plaintiff, Jane Doe, for participating in this lawsuit and for her efforts in achieving the Settlement. The Court may award less than the amounts requested by Settlement Class Counsel.

Settlement Class Counsel's application for reasonable attorneys' fees and expenses, and the Service Award will be made available on the Settlement Website at www.LMHPixelSettlement.com before the deadline for you to comment or object to the Settlement.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you are a Settlement Class Member and you want to keep any right you may have to sue or continue to sue Defendants and Released Parties on your own based on the legal claims raised in this lawsuit or released by the Released Claims, then you must take steps to get out of the Settlement. This is called excluding yourself from – or “opting out” of – the Settlement.

17. How do I get out of the Settlement?

You may request to be excluded from the Settlement Class in writing by either sending a letter or printing out and returning the Exclusion Request Form that is available at the Settlement Website. Your request must be **postmarked, or on or before July 10, 2024**. Your request must include the following:

- Your name, address, and telephone number;
- A statement that you wish to be excluded from the Settlement Class;
- A statement as to whether you visited Defendants' website(s) at least once between January 1, 2018 and up to and including May 12, 2023; and
- Your signature.

A request to be excluded that is sent to an address other than designated below, or that is not postmarked within the time specified, will be invalid and the person making the request will be considered a member of the Settlement Class and will be bound as a Settlement Class Member by the Settlement Agreement, if approved.

Your exclusion request must be **postmarked** and sent to the Claims Administrator at the following address by **July 10, 2024**:

LMH Claims Administrator
Exclusions
P.O. Box 2714
Portland, OR 97208-2714

Questions? Go to www.LMHPixelSettlement.com or call 1-877-728-0299.

18. If I exclude myself, can I still get anything from this Settlement?

No. If you exclude yourself, you are telling the Court you do not want to be part of the Settlement. You can get benefits from the Settlement only if you stay in the Settlement and submit a valid Claim Form.

19. If I do not exclude myself, can I sue the Defendants for the same thing later?

No. Unless you exclude yourself, you give up any right to sue the Defendants and Released Parties for the claims resolved by this Settlement. You must exclude yourself from this lawsuit to start or continue your own lawsuit or to be part of any other lawsuit against the Defendants or any of the Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

OBJECT TO THE SETTLEMENT

20. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class Member, you can tell the Court you do not agree with all or any part of the Settlement or the requested attorneys' fees and expenses award. You can also give reasons why you think the Court should not approve the Settlement or the attorneys' fees and expenses award.

To object, you must file a timely written notice of your objection, so it is **filed** by **July 10, 2024**. Such notice must:

- Included your full name, current address, telephone number, and email address;
- Include your original signature;
- Contain proof that you are a member of the Settlement Class, including an attestation under the laws of the United States that you are, or have been, a patient of Defendants and visited Defendants' website(s) at least once between January 1, 2018 and up to and including May 12, 2023;
- State that you object to the Settlement, in whole or in part;
- Set forth a statement of the legal and factual basis for your Objection;
- Provide copies of any documents that you wish to submit in support of your position;
- Identify all counsel representing you, if any;
- Contain the signature of your duly authorized attorney or other duly authorized representative, along with documentation setting forth such representation; and
- Contain a list, including case name, court, and docket number, of all other cases in which you and/or your counsel has filed an objection to any proposed class action settlement in the past three (3) years.

To be timely, written notice of an objection in the appropriate form must be **filed** with the Court by **July 10, 2024**, with copies sent at the same time to Settlement Class Counsel and Defendants. The addresses for each are as follows:

THE COURT	SETTLEMENT CLASS COUNSEL	DEFENDANTS
Allen County Clerk of Courts P.O. Box 1243 Lima, OH 45802	Gary M. Klinger Milberg Coleman Bryson Phillips Grossman 227 W. Monroe Street, Suite 2100 Chicago, Illinois 60606	Christopher G. Dean MCDONALD HOPKINS, LLC 600 Superior Ave., E., Suite 2100 Cleveland, Ohio 44114

Questions? Go to www.LMHPixelSettlement.com or call 1-877-728-0299.

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

Objecting is simply telling the Court you do not like something about the Settlement or the requested attorneys' fees and expenses award. You can object only if you stay in the Settlement Class (that you do not exclude yourself). Requesting exclusion is telling the Court you do not want to be part of the Settlement Class or the Settlement. If you exclude yourself, you cannot object to the Settlement.

THE FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing on **August 8, 2024, at 1:30 p.m.** before Judge Jeffrey L. Reed of the Court of Common Pleas for Allen County, Ohio General Division, 333 N Main St, Lima, OH 45801, in Courtroom B.

At the Final Approval Hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve: the Settlement, Settlement Class Counsel's application for reasonable attorneys' fees and their reasonable costs and expenses and a Service Award. If there are objections, the Court will consider them. The Court will also listen to people who have asked to speak at the hearing. The Court can only approve or deny the Settlement Agreement. It cannot change the terms of the Settlement.

Note: The date and time of the Final Approval Hearing are subject to change. The Court may also decide to hold the hearing via videoconference or by phone. Any change will be posted at www.LMHPixelSettlement.com.

23. Do I have to attend to the Final Approval Hearing?

No. Settlement 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 hearing to speak about it. As long as you file or mail your written objection on time, the Court will consider it.

24. May I speak at the Final Approval Hearing?

Yes, as long as you do not exclude yourself, 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 hire and pay for your own lawyer. If you choose to make an appearance, 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.

IF YOU DO NOTHING

25. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will not receive any Settlement benefits. You will give up rights explained in the "Excluding Yourself from the Settlement" section of this Notice, including your right to start or continue a lawsuit, or be part of any other lawsuit against Defendants or any of the Released Parties about the legal issues in this lawsuit that are released by the Settlement Agreement.

Questions? Go to www.LMHPixelSettlement.com or call 1-877-728-0299.

GETTING MORE INFORMATION

26. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at www.LMHPixelSettlement.com, by calling 1-877-728-0299, or by writing to:

LMH Claims Administrator
P.O. Box 2714
Portland, OR 97208-2714

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

Questions? Go to www.LMHPixelSettlement.com or call 1-877-728-0299.