

# If you were notified by Community Medical Centers, Inc. of a Data Incident that occurred in October 2021, you may be entitled to a Cash Payment or Identity Theft Protection

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

- A settlement has been reached in a class action lawsuit against Community Medical Centers, Inc. (“Defendant” or “CMC”) regarding a data incident (the “Incident”) that resulted in an unauthorized person gaining access to CMC’s network.
- You are a “Settlement Class Member” if your protected health information (“PHI”) or personally identifiable information (“PII”) was potentially compromised in the Incident. CMC mailed Settlement Class Members notice of the Incident in October 2021, and Settlement Class Members are also receiving notice of this Settlement.
- CMC has agreed to pay Plaintiffs and the Settlement Class \$1,925,000.00 (the “Settlement Fund”) to settle the claims in this Litigation. All Settlement Class Members can submit a timely Claim Form for one of the following:
  1. **Cash Payment Benefit:** All Settlement Class Members who submit a valid and complete Claim Form are eligible to receive a pro rata cash distribution payment from the Settlement Fund referred to as the “Settlement Share” estimated to be **approximately \$39**, subject to upward or downward proration depending upon how many Settlement Class Members file valid claims; or
  2. **Pango ID Theft Protection:** All Settlement Class members who submit a Valid Claim are eligible to receive thirty-six (36) months of free identity-theft protection and fraud restoration services called “Financial Shield” by Pango (“Pango ID Theft Protection”). Settlement Class Members who validly elect to receive Pango ID Theft Protection will have ninety (90) days after the code is sent to them by Pango to activate their Pango ID Theft Protection subscription.

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

Your Legal Rights and Options		Deadline
<b>SUBMIT A CLAIM FORM</b>	The only way to receive the cash payment benefit <b>or</b> the Pango ID Theft Protection is to submit a claim form by the deadline.	<b>NOVEMBER 16, 2023</b>
<b>EXCLUDE YOURSELF</b>	If you ask to be excluded, you will not receive a cash payment or the opportunity to enroll for 36 months of free Pango ID Theft Protection, but you may be able to file your own individual lawsuit against CMC for the same claims. This is the only option that leaves you the right to file your own lawsuit against CMC for the claims that are being resolved by the Settlement. In order to be effective, you must submit a request for exclusion by the deadline.	<b>NOVEMBER 16, 2023</b>
<b>OBJECT</b>	If you do not exclude yourself from the Settlement Class, you may submit an objection telling the Court why you do not like the Settlement. If your objection is overruled, you will be bound by the Settlement.	<b>NOVEMBER 16, 2023</b>
<b>DO NOTHING</b>	If you do nothing, you will remain in the Settlement Class and forfeit your right to receive the cash payment benefit or the Pango ID Theft Protection.	

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case must still decide whether to approve the Settlement and the requested attorneys’ fees, service awards, and costs. No settlement benefits or payments will be provided unless and until the Court approves the Settlement and it becomes final.

**Questions? Go to [www.Community-Settlement.com](http://www.Community-Settlement.com) or call 1-888-498-1702**

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## BASIC INFORMATION

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

A California court authorized this Notice because you have the right to know about the proposed 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.

The Honorable Erin Guy Castillo of the Superior Court of the State of California, County of San Joaquin, is overseeing this class action. The case is known as *Hinds v. Community Medical Centers, Inc.*, Case No. STK-CV-UNPI-2021-0010404 (the “Litigation”). The people who filed this lawsuit are called the “Plaintiffs” or “Class Representatives,” and the company sued, Community Medical Centers, Inc., is called “CMC” or the “Defendant.”

### 2. What is this lawsuit about?

The Litigation alleges that on or around October 10, 2021, CMC was the victim of a data incident whereby an unauthorized person gained access to CMC’s network and sensitive data. That data may have included Plaintiffs’ and/or Settlement Class Members’ personally identifiable information (PII) and protected health information (PHI), including first and last names, medical information, mailing addresses, dates of birth, Social Security numbers, and demographic information.

CMC denies any wrongdoing, and no court or other entity has made any judgment or other determination of any wrongdoing or that any law has been violated. CMC denies these and all other claims made in the Litigation. By entering into the Settlement, CMC is not admitting any wrongdoing.

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

In a class action, Class Representatives sue on behalf of all people they allege have similar claims. 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 (opt-out) from the Settlement Class.

The Class Representatives in this case are Daniel Hinds, Christopher Beck, Mohammad M. Dawood, Sylvia Lopez, Darin Palermo, Aholiva Justiniano Miranda, and Robert Donaire.

### 4. Why is there a Settlement?

Plaintiffs and the Defendant do not agree about the claims made in the Litigation. The Litigation has not gone to trial, and the Court has not decided in favor of the Plaintiffs or the Defendant. Instead, Plaintiffs and the Defendant have agreed to settle the Litigation. Plaintiffs and the attorneys for the Settlement Class (“Class Counsel”) believe the Settlement is best for all Settlement Class Members because of the Settlement Benefits made available under the Settlement, because of the risks and uncertainty associated with continued litigation, and because of the nature of the defenses raised by the Defendant.

## WHO IS INCLUDED IN THE SETTLEMENT?

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

You are a Settlement Class Member if your PII and/or PHI was potentially compromised in the Incident. CMC previously mailed notice of the Incident to Settlement Class Members, and notice of this Settlement was sent to Settlement Class Members. If you are not sure whether you are a Settlement Class Member, you may contact the Settlement Administrator at 1-888-498-1702.

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

Yes. Excluded from the Settlement Class are Officers of Defendant, the judges presiding over the Action and members of their immediate family, and Class Members who submit a Request for Exclusion.

### 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.Community-Settlement.com](http://www.Community-Settlement.com) or call the Settlement Administrator's toll-free number at 1-888-498-1702.

## THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

### 8. What does the Settlement provide?

CMC has agreed to pay \$1,925,000.00 (the "Settlement Fund") to settle this Litigation. The Settlement Fund will be used to pay benefits to the Settlement Class Members who file valid and timely claims, the costs of notice and claims administration, attorneys' fees and costs and service awards to the Plaintiffs. If you are a Settlement Class Member, you may be able to receive one of the following benefits by completing a claim form, located at [www.Community-Settlement.com](http://www.Community-Settlement.com).

#### 1. Cash Payment Benefit

By submitting a valid claim for the cash payment benefit using the claim form, you are eligible to receive a cash payment of **approximately \$39**, subject to upward or downward proration depending upon how many Settlement Class Members file valid claims. This amount cannot be combined with the below Pango ID Theft Protection benefit.

#### 2. Pango ID Theft Protection

By submitting a valid claim for the Pango ID Theft Protection using the claim form, you are eligible to receive thirty-six (36) months of free identity theft protection and fraud resolution services from Pango called "Financial Shield" ("Pango ID Theft Protection"). Settlement Class Members who validly elect the Pango ID Theft Protection will have ninety (90) days after the code is sent to them by Pango to activate their Pango ID Theft Protection subscription. Any member of the Settlement Class who fails to activate their Pango ID Theft Protection subscription by the activation deadline will be considered as having waived any right to activate their Pango ID Theft Protection subscription.

Questions? Go to [www.Community-Settlement.com](http://www.Community-Settlement.com) or call 1-888-498-1702

## HOW TO GET BENEFITS FROM THE SETTLEMENT

### 9. How do I submit a claim for the cash payment benefit or the Pango ID Theft Protection?

Settlement Class Members seeking the cash payment benefit or the Pango ID Theft Protection must submit a valid claim form to the Settlement Administrator by **November 16, 2023**. You will need your unique CPT ID and Passcode to file a claim form online. Your unique CPT ID and Passcode can be found on the postcard notice mailed to you. If you did not receive a postcard notice but believe you are a Settlement Class Member, or if you no longer have your unique CPT ID and Passcode, contact the Settlement Administrator at 1-888-498-1702.

Claim forms can be submitted online at [www.Community-Settlement.com](http://www.Community-Settlement.com) or by mail. If by mail, the claim form must be **postmarked** by **November 16, 2023**. The quickest way to submit a claim is online. Claim Forms are also available by calling 1-888-498-1702 or by writing to:

*Hinds v. Community Medical Centers, Inc.*  
c/o CPT Group, Inc.  
50 Corporate Park  
Irvine, CA 92606

For the Settlement Class Members who submit a valid claim for the Pango ID Theft Protection, the settlement website provides Settlement Class Members with the ability to request an email reminding them to timely enroll in Pango ID Theft Protection once the Court approves the Settlement. In order to receive this reminder email, the Settlement Class Members must provide, via the settlement website, the email address to which they would like the reminder email to be sent. The reminder email will be sent at or shortly before the Pango ID Theft Protection enrollment period begins after the Court has approved the Settlement.

### 10. What am I giving up to receive Settlement 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 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 Defendant and Released Parties about the legal issues in the Litigation 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 10 describes the Release, in necessary legal terminology, so please read this section carefully. The Settlement Agreement is available at [www.Community-Settlement.com](http://www.Community-Settlement.com) or in the public Court records on file in the Litigation. For questions regarding the Release or Released Claims and what the language in the Settlement Agreement means, you can also contact one of the lawyers listed in Question 14 for free, or you can talk to your own lawyer at your own expense.

### 12. 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 Settlement Administrator of your updated information. You may notify the Settlement Administrator of any changes by calling 1-888-498-1702, by emailing [Community-Settlement@cptgroup.com](mailto:Community-Settlement@cptgroup.com), or by writing to:

*Hinds v. Community Medical Centers, Inc.*  
c/o CPT Group, Inc.  
50 Corporate Park  
Irvine, CA 92606

**Questions? Go to [www.Community-Settlement.com](http://www.Community-Settlement.com) or call 1-888-498-1702**

### 13. When will I receive my Settlement Benefits?

If you file a timely and valid claim form, payment will be provided by the Settlement 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.Community-Settlement.com](http://www.Community-Settlement.com) for updates.

## THE LAWYERS REPRESENTING YOU

### 14. Do I have a lawyer in this case?

Yes, the Court has appointed Scott Edward Cole of Cole & Van Note, 555 12th Street, Ste. 1725, Oakland, CA 94607, (510) 891-9800; and Rachele R. Byrd of Wolf Haldenstein Adler Freeman & Herz LLP, 750 B Street, Suite 1820, San Diego, California, 92101, (619) 239-4599 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 the Litigation.

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

Class Counsel will file a motion asking the Court to award attorneys' fees of \$641,666.67 plus reasonable litigation costs and expenses to Class Counsel. They will also ask the Court to approve service awards of \$2,500 to each of the seven (7) Plaintiffs for participating in the Litigation and for their efforts in achieving the Settlement. If awarded by the Court, attorneys' fees and costs and the service awards will be paid out of 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.Community-Settlement.com](http://www.Community-Settlement.com) before the deadline for submission of objections.

## OPTING OUT OF THE SETTLEMENT

If you are a Settlement Class Member and want to keep any right you may have to sue or continue to sue the Defendant on your own based on the claims raised in the Litigation 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.

### 16. How do I get out of the Settlement?

To opt-out of the Settlement, you must mail a written notice of intent to opt-out. The written notice must be signed by you and include your name and address, and clearly state that you wish to be excluded from the Settlement Class.

The opt-out request must be **postmarked** and sent to the Settlement Administrator at the following address by **November 16, 2023**:

*Hinds v. Community Medical Centers, Inc.*  
c/o CPT Group, Inc.  
50 Corporate Park  
Irvine, CA 92606

You cannot exclude yourself by telephone or by email.

**Questions? Go to [www.Community-Settlement.com](http://www.Community-Settlement.com) or call 1-888-498-1702**

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

No. If you opt out, you are telling the Court you do not want to be part of the Settlement. You can only get Settlement benefits if you stay in the Settlement. If you opt out, do not submit a claim form.

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

No. Unless you opt-out, you give up any right to sue the Defendant and Released Parties for the claims this Settlement resolves and releases relating to Incident. You must opt-out of the Litigation to start or continue with your own lawsuit or be part of any other lawsuit against the Defendant or any of 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 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 requested attorneys' fees, costs and service awards. You can also give reasons why you think the Court should not approve the Settlement or attorneys' fees, costs and service awards. To object, you must mail timely written notice as provided below no later than **November 16, 2023**, stating you object to the Settlement. The objection must include all the following additional information:

- 1) Your full name, current address, current telephone number;
- 2) The case name and number—*Hinds v. Community Medical Centers, Inc.*, Case No. STK-CV-UNPI-2021-0010404;
- 3) Information identifying you as a Settlement Class Member, including proof that you are a member of the Settlement Class (e.g., copy of your postcard notice, copy of the original notice of the Incident, or a statement explaining why you believe you are a Settlement Class Member);
- 4) A written statement of the position you wish to assert, including the legal and factual grounds for the position;
- 5) Copies of any other documents you wish to submit in support of your position;
- 6) The identity of any and all counsel representing you in connection with the objection;
- 7) A statement whether you or your counsel will appear at the Final Approval Hearing; and
- 8) Your signature or the signature of your duly authorized attorney or other duly authorized representative (if any) representing you in connection with the objection.

To be timely, written notice of an objection in the appropriate form must be mailed, postmarked no later than **November 16, 2023**, to the Settlement Administrator at the following address:

*Hinds v. Community Medical Centers, Inc.*  
c/o CPT Group, Inc.  
50 Corporate Park  
Irvine, CA 92606

Any Settlement Class Member who fails to comply with the requirements for objecting in Section 10 of the Settlement Agreement waives and forfeits any and all rights they may have to appear separately and/or to object to the Settlement Agreement and will be bound by all the terms of the Settlement Agreement and by all proceedings, orders and judgments in the litigation.

## 20. What is the difference between objecting and asking to opt out?

Objecting is simply telling the Court you do not like something about the Settlement or requested attorneys' fees, service awards, and costs. You can object only if you stay in the Settlement Class (meaning you do not opt-out of the Settlement). Opting out of the Settlement is telling the Court you do not want to be part of the Settlement Class or the Settlement. If you opt-out, you cannot object to the Settlement.

## THE FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing on **December 7, 2023, at 9:00 a.m.** before Judge Erin Guy Castillo at San Joaquin Civil Division Stockton Courthouse, 180 E. Weber Ave., Suite 200 Stockton, CA 95202, Department 10B.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement, Class Counsel's application for attorneys' fees, costs and expenses, and the service awards to the Plaintiffs. If there are objections, the Court will consider them. The Court will also listen to people who have asked to speak at the hearing.

Note: The date and time of the Final Approval Hearing are subject to change. Any change will be posted at [www.Community-Settlement.com](http://www.Community-Settlement.com).

### 22. Do I have to attend to 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 send an objection, you do not have to come to Court to speak about it. As long as you mail your written objection on time, 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), you can (but do not have to) participate and speak for yourself at the Final Approval Hearing about the Settlement. 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 and specifically include a statement whether you and your counsel (if any) will appear at the Final Approval Hearing.

## 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 any Settlement Benefits. You will give up rights explained in the "Opting Out from the Settlement" section of this Notice, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendant or any of the Released Parties about the legal issues in the Litigation that are released by the Settlement Agreement relating to the Incident.

**Questions? Go to [www.Community-Settlement.com](http://www.Community-Settlement.com) or call 1-888-498-1702**



## GETTING MORE INFORMATION

### 25. 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.Community-Settlement.com](http://www.Community-Settlement.com), by calling 1-888-498-1702 or by writing to:

*Hinds v. Community Medical Centers, Inc.*  
c/o CPT Group, Inc.  
50 Corporate Park  
Irvine, CA 92606  
[Community-Settlement@cptgroup.com](mailto:Community-Settlement@cptgroup.com)

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

**Questions? Go to [www.Community-Settlement.com](http://www.Community-Settlement.com) or call 1-888-498-1702**