

If you were sent a Notice of Data Incident by Radiology Associates of Albuquerque, P.A. d/b/a RAA Imaging; and Advanced Imaging, LLC d/b/a High Resolution you could get benefits from a class action settlement.

A state Court authorized this Detailed Notice (“Notice”). This is not a solicitation from a lawyer.

This is Notice of a proposed class action settlement that provides benefits to settle claims relating to a Data Incident that occurred between approximately July 22, 2021, to August 3, 2021, and from December 22, 2020, to July 15, 2021, in which Defendants’ computer systems were infiltrated by unauthorized individuals and the personal health information and personally identifiable information (collectively “Personal Information”) of patients was potentially compromised. Defendants deny all liability but have entered into a proposed Settlement.

- Under the Settlement, Defendants will pay \$3,080,475 into a Settlement Fund, which after Court-approved deductions for fees, expenses, and awards will be used to provide the following benefits:
 - The option to enroll in three years of 3-credit-bureau credit monitoring and identity theft protection services (including \$1,000,000 in identity theft insurance), at no cost to you.
 - Valid claims submitted for Ordinary Losses (up to \$400), Lost Time (at \$20/hour up to 4 hours), and Extraordinary Losses (up to \$4,000) if you experienced related to the Data Incident.
 - In addition, you can elect to receive a Cash Payment in an amount estimated to be \$80 (subject to increase or decrease based on the total Net Settlement Funds remaining after payment of all other claim types)
- You have the right to do nothing, submit a claim, object to the Settlement or any part of it, or opt-out of the Settlement. If you do not opt-out of the Settlement, and final approval is granted, you will release any claims you have relating to the Data Incident as set forth in the Settlement Agreement.
- Your legal rights are affected, so please read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
SUBMIT A CLAIM	To receive any of the cash benefits or the identity theft protection services available from the Settlement, you must submit a claim using the Claim Form, which may be obtained online at www.radiologysettlement.com or by calling (833) 462-3506. If you submit a claim, you give up the right to bring a separate lawsuit about the same issues, but you are eligible to receive any of the Settlement benefits to which you have a valid claim.
EXCLUDE YOURSELF	If you exclude yourself from the Settlement, you will get no benefits from the Settlement, but you will keep the right to bring a separate lawsuit about the same issues at your own expense, if you choose.
OBJECT	If you object to the Settlement or any part of it, you may write to the Court about your objection. If the Settlement is approved you will still give up the right to bring a separate lawsuit about the same issues, and you will need to submit a claim to receive any Settlement benefits.
DO NOTHING	If you do nothing you will give up the right to bring a separate lawsuit about the same issues, and you will not be eligible to receive any benefits of the Settlement.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- Please be patient while the Court decides whether to approve the Settlement. Payments will be made if the Court approves the Settlement and after any appeals.

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BASIC INFORMATION

1. Why did I get this Notice?

This Notice has been posted to the Settlement Website relating to a class action brought against Defendants relating to a Data Incident that occurred between approximately July 22, 2021, to August 3, 2021, and from December 22, 2020, to July 15, 2021, in which Defendants' computer systems were infiltrated by unauthorized individuals and the Personal Information of patients was potentially compromised.

The Court approved this Notice because Class Members have a right to know about the proposed class action Settlement, and about their options, before the Court decides whether to approve the Settlement. This package explains the Lawsuit, the Settlement, Class Members' legal rights, what benefits are available, and how to claim those benefits.

The Court in charge of the case is the State of New Mexico County of Bernalillo Second Judicial District Court, and the case is known as Andreoni v. Radiology Associates of Albuquerque, P.A. d/b/a RAA Imaging; and Advanced Imaging, LLC d/b/a High Resolution. The person who sued is called the Plaintiff or Class Representative, and the companies he sued are called the Defendants.

2. What is this Lawsuit about?

The Lawsuit claims that the Defendants failed to properly safeguard the personally identifiable information that Plaintiff alleges was compromised in the Data Incident. Defendants contend that they acted in accordance with applicable law and that they have no liability or fault relating to the Data Incident.

3. Why is this a class action?

In a class action lawsuit, one or more people called "Class Representatives" sue on behalf of themselves and other people who have similar claims. All of these people are called a Settlement Class or Class Members. This is a class action because the Court has preliminarily determined that the Settlement meets the legal requirements for resolution of a class action. Because the case is a class action, one court resolves the issues for everyone in the Settlement Class, except for those people who choose to exclude themselves from the Settlement Class.

4. Why is there a settlement?

The Court did not decide in favor of the Plaintiff or the Defendants. Instead, both sides agreed to a Settlement. The Plaintiff has the duty to act in the best interests of the class as a whole and, in this case, it is his belief, as well as Class Counsel's opinion, that this Settlement is in the best interest of all Class Members for at least the following reasons:

There is legal uncertainty about whether a judge or a jury will find that Defendants are legally responsible, whether this case could proceed as a class action if litigated, whether Plaintiff would be able to prove causation and damages at trial, and whether any verdict would withstand appeal, which might result in Class Members receiving no recovery, or a substantially smaller recovery than that being offered here. Even if the Plaintiff were to win at trial, there is no assurance that the Class Members would be awarded more than the current Settlement provides, and it may take years of litigation before any payments would be made. By settling, the Class Members will avoid these and other risks and the delays associated with continued litigation in exchange for access to guaranteed benefits now.

While Defendants dispute Plaintiff's claims, they have agreed to settle the Lawsuit to avoid the costs, distractions, and risks of litigation. Thus, even though Defendants deny that they did anything improper, they believe settlement is in the best interests of all the Parties. The Court will evaluate the Settlement to determine whether it is fair, reasonable, and adequate before it approves the Settlement.

WHO IS IN THE SETTLEMENT

To see if you will get money or other benefits from this Settlement, you first have to decide if you are a Class Member.

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

If you received a Summary Notice addressed to you regarding the Data Incident, then you are a Class Member, you will be a part of the Settlement unless you exclude yourself. If you are not sure whether you have been properly included, you can call the number at the bottom of this Notice to check.

THE SETTLEMENT BENEFITS- WHAT YOU GET

6. What does the Settlement provide and how can I claim benefits?

The Settlement provides for a number of benefits, and Class Members can claim as many of the benefits to which they are entitled. These benefits are available because Defendant has agreed to pay \$3,080,475 into a Settlement Fund.

First, Class Members may submit a claim to receive, at no cost, three years of 3-credit-bureau credit monitoring and identity theft protection services (including \$1,000,000 in identity theft insurance).

Second, Class Members who suffered an out-of-pocket loss or Lost Time related to the Data Incident may submit a claim for a cash reimbursement. Defendants will pay valid claims for Ordinary Losses (up to \$400), Lost Time (at \$20/hour up to 4 hours), and Extraordinary Losses (up to \$4,000) that a Class Member experienced fairly traceable to the Data Incident. These categories are explained in detail on the Claim Form.

In addition, you may elect to receive a Cash Payment estimated to be \$80 (subject to increase or decrease based on the total Net Settlement Funds remaining after payment of all other claim types). The Cash Payment will be calculated as each claimant's *pro rata* amount of the monies left in the Net Settlement Fund after deducting the costs for paying for the credit monitoring described above and paying valid claims for Ordinary Losses, Extraordinary Losses, and Lost Time.

To receive any of the cash benefits or the identity theft protection services available from the Settlement, you must submit a claim using the Claim Form, which may be obtained online at www.radiologysettlement.com or by calling (833) 462-3506.

7. When would I get my benefits?

The Court will hold a hearing on May 7, 2024, to decide whether to approve the Settlement. If the Court approves the Settlement, there may be a period when appeals can be filed. Once any appeals are resolved or if no appeals are filed, it will be possible to distribute the funds. This may take several months and perhaps more than a year.

8. What am I giving up to get a payment?

Unless you exclude yourself, you are staying in the Settlement Class, and that means you cannot sue, continue to sue, or be part of any other lawsuit against Defendants relating to the legal claims in *this* case. It also means that all of the Court's orders will apply to you. Once the Settlement is final, your claims relating to *this* case will be released.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want a payment from this Settlement or the other benefits described here, but you want to keep the right to sue or continue to sue the Defendants on your own about the legal issues in this case, then you must take steps to get out. This is called excluding yourself—or is sometimes referred to as “opting out” of the Settlement.

9. How do I get out of the Settlement?

To exclude yourself from this Settlement, you must send a letter by mail saying that you want to opt-out or be excluded from *Andreoni v. Radiology Associates of Albuquerque, P.A. d/b/a RAA Imaging; and Advanced Imaging, LLC d/b/a High Resolution*. The letter must include your name, address, telephone number, and your signature. You must mail your exclusion request postmarked no later than **May 1, 2024** to:

Radiology Associates of Albuquerque Data Breach
c/o Kroll Settlement Administration LLC
PO Box 225391
New York, NY 10150-5391

You cannot exclude yourself on the phone or by e-mail. If you ask to be excluded, you will not get any Settlement benefits, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit.

10. If I don't exclude myself, can I sue later for the same thing?

No. Unless you exclude yourself, you give up the right to sue the Defendants for the claims resolved by this Settlement. If the Settlement is finally approved, you will be permanently enjoined and barred from initiating or continuing any lawsuit or other proceeding against Defendants about the issues in this Lawsuit. Remember that the exclusion deadline is **May 1, 2024**.

11. If I exclude myself, can I get money from this Settlement?

No. If you exclude yourself, you are not eligible for any money or other benefits from this Settlement.

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in this case?

The Court appointed the law firms of Osten & Harrison, PLC; Stranch, Jennings & Garvey, PLLC; Turke & Strauss, LLP; and Cohen & Malad, LLP to represent you and other Class Members. Together, the lawyers are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

13. How will the lawyers be paid?

Class Counsel will ask the Court for an Attorneys' Fees Amount of up to \$1,026,825, plus reasonable expenses, to be paid from the Settlement Fund, along with a Service Award to the Class Representative of \$2,500.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you don't agree with the Settlement or some part of it.

14. How do I tell the Court that I don't like the Settlement?

If you're a Class Member, you can object to the Settlement if you don't like any part of it. To object, you must send a letter to the Settlement Administrator saying that you object to the Settlement, or part of it, in *Andreoni v. Radiology Associates of Albuquerque, P.A. d/b/a RAA Imaging; and Advanced Imaging, LLC d/b/a High Resolution*. To have your objection considered by the Court, you also must file your objection with the Clerk of the Court (identified below). You must state the reasons for your objection and include any evidence, briefs, motions or other materials you intend to offer in support of the objection. You must include your name, address, telephone number, your signature, and the reasons you object to the Settlement, along with any materials in support of your arguments. If you intend to appear at the Final Approval Hearing either yourself or by a lawyer,

you must also state your intention to appear. You must also mail the objection to the Settlement Administrator at the following address no later than **May 1, 2024**:

Radiology Associates of Albuquerque Data Breach
c/o Kroll Settlement Administration
PO Box 225391
New York, NY 10150-5391

Second Judicial District Court Bernalillo County
400 Lomas Blvd NW
Albuquerque, NM 87102

15. What's the difference between objecting and excluding?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you stay in the Settlement. Excluding yourself is telling the Court that you don't want to be part of the Settlement. If you exclude yourself, you have no basis to object because this case no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

The Court will hold a hearing to decide whether to approve the Settlement. You do not need to attend, but you are welcome to do so, if you choose.

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

The Court will hold a Final Approval Hearing at **3:00 p.m. on May 7, 2024** on Zoom (Please check the Settlement Website for updates on the hearing). At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. The Court will listen to people who have asked to speak at the hearing and complied with question 18 of this Detailed Notice. The Court may also decide how much to pay Class Counsel and the Plaintiff. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

17. Do I have to come to the hearing?

No. You are welcome to come at your own expense if you wish, but Class Counsel will answer questions the Court may have. If you send an objection, you don't have to come to Court to talk about it, unless you want to. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary unless you want to.

18. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing along with your objection as set forth in paragraph 14 above.

IF YOU DO NOTHING

19. What happens if I do nothing at all?

If you do nothing, you will be a part of this Settlement, but you must submit a claim to receive any benefits. You won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendants relating to the claims brought in this case.

GETTING MORE INFORMATION

20. Are there more details about the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement on file with the Court and available on the Settlement Website at www.radiologysettlement.com. You can also call toll free (833) 462-3506.