

Warren General Data Breach Litigation

(Robert Pessia et al. v. Warren General Hospital, Case No. 501-2023, Warren County Court of Common Pleas)

If your Private Information was accessed as a result of the Data Incident involving Warren General Hospital between September 15, 2023, and September 23, 2023, you may be entitled to benefits from a settlement.

This is not a solicitation from a lawyer. Please read this Notice carefully and completely.

THIS NOTICE MAY AFFECT YOUR RIGHTS. PLEASE READ IT CAREFULLY.

- A proposed \$1.3 million Settlement arising out of a data breach has been reached with Warren General Hospital (“Warren General”). Between September 15, 2023, and September 23, 2023, an unauthorized third party potentially gained access to Settlement Class Members’ Private Information (the “Data Incident”). Private Information includes names, address, Social Security numbers, date of birth, Driver’s license number, financial account information, payment card information, health insurance claims information, medical information involving diagnosis, medications, lab results, and other treatment information. The Settlement Class includes all natural persons in the United States whose Private Information was accessed as a result of the Data Incident, including those who were sent a notice by Warren General of the Data Incident. Warren General sent the notice around November 2023.
 - If you are a Settlement Class Member, you may be able to receive **one** of the following Settlement Benefits:
 - Cash Payment A:** You may submit a timely and valid Claim Form and provide supporting documentation that you spent money or incurred losses related to the Data Incident for up to \$5,000.
 - Cash Payment B:** Instead of selecting Cash Payment A and providing supporting documentation, you may choose to receive a flat cash payment with no documentation. The amount of your Cash Payment B depends on the number of valid claims and how much of the Settlement Fund remains after payment of valid Cash Payment A claims.
- The Settlement Administrator shall have discretion to treat incomplete Cash Payment A – Documented Loss Payment claims for treatment under Cash Payment B – Flat Cash Payments.
- Your legal rights will be affected whether you act or do not act. You should read this entire Notice carefully.

**This Settlement affects your legal rights even if you do nothing.
Questions? Go to WarrenDataBreachSettlement.com or call 1-888-814-8846.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

FILE A CLAIM FORM SUBMITTED OR POSTMARKED BY: APRIL 20, 2025	Submitting a timely and valid Claim Form is the only way that you can receive Settlement Benefits. If you submit a Claim Form, you will give up the right to sue Warren General and the Released Parties in a separate lawsuit about the legal claims this Settlement resolves.
EXCLUDE YOURSELF FROM THIS SETTLEMENT POSTMARKED BY: APRIL 5, 2025	This is the only option that allows you to sue, continue to sue, or be part of another lawsuit against Warren General and the Released Parties, for the legal claims this Settlement resolves. If you exclude yourself, you will give up the right to receive any Settlement Benefits from this Settlement.
OBJECT TO OR COMMENT ON THE SETTLEMENT POSTMARKED BY: APRIL 5, 2025	You may object to the Settlement by writing to the Court and informing it why you do not think the Settlement should be approved. You can also write the Court to provide comments or reasons why you support the Settlement. You will still be bound by the Settlement if it is approved, and you will not be allowed to exclude yourself from the Settlement. If you object, you may also file a Claim Form to receive Settlement Benefits, but you will give up the right to sue Warren General and the Released Parties in a separate lawsuit about the legal claims this Settlement resolves.
GO TO THE “FINAL APPROVAL” HEARING DATE: MAY 5, 2025	You may attend the Final Approval Hearing where the Court may hear arguments concerning approval of the Settlement. If you wish to speak at the Final Approval Hearing, you must make a request to do so in your written objection or comment. You are not required to attend the Final Approval Hearing.
DO NOTHING	If you do nothing, you will not receive a cash payment and you will give up your rights to sue Warren General and the Released Parties for the legal claims this Settlement resolves.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this lawsuit still has to decide whether to approve the Settlement. No Settlement Benefits or payments will be provided unless the Court approves the Settlement and it becomes final.

BASIC INFORMATION

1. Why did I get this Notice?

A court authorized this Notice because you have the right to know about the proposed Settlement of this class action lawsuit and about all 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 them, and how to get them.

The lawsuit is known as *Robert Pessia et al. v. Warren General Hospital*, Case No. 501-2023, Warren County Court of Common Pleas (the “lawsuit”), before the Honorable Judge Robert G Yeatts. The individuals who filed this lawsuit are called the “Plaintiffs” and the entity they sued, Warren General Hospital, is called the “Defendant.” The Plaintiffs and the Defendant agreed to this Settlement.

2. What is this lawsuit about?

Plaintiffs filed this lawsuit against Defendant, individually, and on behalf of members of the Settlement Class whose Private Information, including names, address, Social Security numbers, date of birth, Driver’s license number, financial account information, payment card information, health insurance claims information, medical information involving diagnosis, medications, lab results, and other treatment information was accessed as a result of the Data Incident.

Plaintiffs allege between September 15, 2023, and September 23, 2023, there was unauthorized access by a cybercriminal to the Defendant’s network and that Private Information of certain of Defendant’s patients was exfiltrated. Plaintiffs brought this lawsuit against Defendant.

The Plaintiffs allege that Warren General failed to adequately protect their Private Information and that they were injured as a result. Warren General denies any wrongdoing, and no court or other entity has made any judgment or other determination of any wrongdoing or that the law has been violated. Warren General denies these and all other legal claims made in the lawsuit. By entering into the Settlement, Warren General is not admitting that it did anything wrong.

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Questions? Go to WarrenDataBreachSettlement.com or call 1-888-814-8846.**

3. Why is this a class action?

In a class action, one or more people called the class representatives sue on behalf of all people who have similar legal claims. Together, all these people are called a class or class members. One court resolves the issues for all class members, except for those class members who exclude themselves (opt out) from the class.

The Class Representatives in this lawsuit are Plaintiffs Robert Pessia, Peter Hettman, Heidi Tuller, Robert Marrone, and Jean Berry.

4. Why is there a Settlement?

The Class Representatives and Warren General 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 the Class Representatives or Warren General. Instead, the Class Representatives and Warren General have agreed to settle the lawsuit. The Class Representatives, Defendant, and their lawyers believe the Settlement is best for all Settlement Class Members because of the benefits available to Settlement Class Members and 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?

The Settlement Class includes all natural persons in the United States whose Private Information was accessed as a result of the Data Incident, including those who were sent notification from Defendant of the Data Incident. You may have been sent notice regarding the Data Incident around November 2023.

If you have any questions as to whether you are a Settlement Class Member, you may contact the Settlement Administrator.

6. Are there exceptions to individuals who are included as Settlement Class Members in the Settlement?

Yes. Excluded from the Settlement Class are: (a) all persons who are governing board members of the Defendant; (b) governmental entities; and (c) the Court and any Judge(s) presiding over this matter, the Court's immediate family, and Court staff.

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 WarrenDataBreachSettlement.com or call the Settlement Administrator's toll-free number at 1-888-814-8846.

THE SETTLEMENT BENEFITS - WHAT YOU GET IF YOU QUALIFY

8. What does the Settlement provide?

If you are a Settlement Class Member and you submit a timely and valid Claim Form, you may be eligible to receive one of the following Settlement Benefits:

Cash Payment A: You may submit a timely and valid Claim Form and provide supporting documentation that you spent money or incurred losses related to the Data Incident for up to \$5,000 per person.

Examples of documentation include (but are not limited to): (i) credit card statements; (ii) bank statements; (iii) invoices; (iv) telephone records; and (v) receipts. "Self-prepared" documents such as handwritten receipts are, by themselves, insufficient to receive reimbursement, but can be considered to add clarity or support other submitted documentation.

You will not be reimbursed for expenses if you have been reimbursed for the same expenses by another source, including compensation provided in connection with the credit monitoring and identity theft protection product offered as part of the notice provided by Defendant.

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If you file for Cash Payment A and don't submit qualifying documentation, or if your claim is deemed incomplete by the Settlement Administrator, the Settlement Administrator has the discretion to treat your claim as eligible for Cash Payment B.

Cash Payment B: Instead of selecting Cash Payment A, you may file a claim with no documentation to receive a flat cash payment.

Your Cash Payment may be subject to a pro rata (a legal term meaning equal share) adjustment increase from the Net Settlement Fund if the amount of Valid Claims is insufficient to exhaust the entire Net Settlement Fund. Similarly, in the event the amount of Valid Claims exhausts the amount of the Net Settlement Fund, the amount of Cash Payments may be reduced pro rata accordingly.

In addition, Warren General has agreed to take certain remedial measures and enhanced security measures as a result of this lawsuit.

Please review Question 9 carefully for additional information regarding the order in which Settlement Benefits are paid from the Settlement Fund. This additional information may impact your decision as to which of the two Settlement Benefit options is the best option for you.

9. How will Settlement Benefits be paid?

Before determining which Settlement Benefit option is best for you, it is important for you to understand how Settlement payments will be made. Court-awarded attorneys' fees up to a maximum of 35% of the \$1,300,000.00 Settlement Fund, reasonable costs and expenses incurred by Class Counsel, Administrative Expenses for costs of the settlement administration, and Service Awards of up to \$2,000 to each of the Class Representatives will be deducted from the Settlement Fund before making payments to Settlement Class Members. The Court may award less than these amounts. The remainder of the Settlement Fund will be distributed in the following order:

1. Valid Claims for Cash Payment A up to \$5,000 per Settlement Class Member will be paid first. If you file for Cash Payment A and don't submit qualifying documentation, or if your claim is deemed incomplete by the Settlement Administrator, the Settlement Administrator has the discretion to treat your claim as eligible for Cash Payment B.
2. If money remains in the Settlement Fund after paying Valid Claims for Cash Payment A, the amount of the Settlement Fund remaining will be used to create a "Post DL Net Settlement Fund," which will be used to pay all timely and valid Cash Payment B claims. The value of Cash Payment B is unknown at this time, but will be calculated by subtracting from the Net Settlement Fund the amount paid for Valid Claims for Cash Payment A and after those expenses are deducted, the Post DL Net Settlement Fund will be divided pro rata to Settlement Class Members with Valid Claims for Cash Payment B.

10. What is the total value of the Settlement?

The Settlement provides a \$1,300,000.00 Settlement Fund and remedial actions to be taken by Warren General for the benefit of the Settlement Class. Any court-approved Attorneys' Fees and Costs, Service Awards to the Class Representatives, taxes due on any interest earned by the Settlement Fund, if necessary, and any notice and settlement administration expenses will be paid out of the Settlement Fund, and the balance ("Net Settlement Fund") will be used to pay for the above Settlement Benefits. Any costs associated with Warren General's remedial and enhanced security measures will be paid by Warren General separate from the Settlement Fund.

11. 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 and any judgments 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 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."

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12. What are the Released Claims?

Section XIII of the Settlement Agreement describes the Released Claims and the Release, in necessary legal terminology, so please read these sections carefully. The Settlement Agreement is available at WarrenDataBreachSettlement.com. For questions regarding the Release or Released Claims and what the language in the Settlement Agreement means, you can also contact Class Counsel listed in Question 16 for free, or you can talk to your own lawyer at your own expense.

HOW TO GET SETTLEMENT BENEFITS - SUBMITTING A CLAIM FORM

13. How do I make a claim for Settlement Benefits?

You must submit a timely and valid Claim Form for the Settlement Benefits described in Question 8. Your Claim Form must be submitted online at WarrenDataBreachSettlement.com by **April 20, 2025**, or mailed to the Settlement Administrator at the address on the Claim Form, **postmarked** by **April 20, 2025**. Claim Forms are also available on the Settlement Website at WarrenDataBreachSettlement.com or by calling 1-888-814-8846 or by writing to:

Warren General Data Breach Litigation
Settlement Administrator
PO Box 2918
Portland, OR 97208-2918

14. What happens if my contact information changes after I submit a Claim Form?

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 writing to:

Warren General Data Breach Litigation
Settlement Administrator
PO Box 2918
Portland, OR 97208-2918

15. When will I receive my Settlement Benefits?

If you file a timely and valid Claim Form, Settlement Benefits will be provided by the Settlement Administrator after the Settlement is approved by the Court and becomes final.

The approval process may take time. Please be patient and check WarrenDataBreachSettlement.com for updates.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

Yes, the Court has appointed Andrew W. Ferich of Ahdoot & Wolfson, PC, and Danielle L. Perry of the law firm Mason LLP 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 this lawsuit.

17. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award Attorneys' Fees and Costs of up to 35% of the \$1.3 million Settlement Fund. Class Counsel will also ask the Court to approve Service Awards for the Class Representatives of up to \$2,000 each for their efforts in achieving the Settlement. If awarded by the Court, the Attorneys' Fees and Costs, and the Service Awards will be paid from the Settlement Fund. The Court may award less than these amounts.

Class Counsel's application for the Attorneys' Fees and Costs and the Service Awards will be made available on the Settlement Website at WarrenDataBreachSettlement.com.

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EXCLUDING YOURSELF FROM THE SETTLEMENT

If you are a Settlement Class Member and want to keep any right you may have to individually sue or continue to sue Warren General and/or the Released Parties on your own about the legal claims 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.

18. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must mail a written request for exclusion, which includes the following:

- 1) Your name, address, telephone number, and email address (if any);
- 2) Your personal physical signature; and
- 3) A statement that you want to be excluded from the Settlement Class, such as “I hereby request to be excluded from the Settlement Class in *Pessia et al. v. Warren General Hospital*.”

The exclusion request must be **mailed** to the Settlement Administrator at the following address, and be **postmarked** by **April 5, 2025**:

Warren General Data Breach Litigation
Settlement Administrator
PO Box 2918
Portland, OR 97208-2918

You cannot opt out (exclude yourself) by telephone or by email.

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Settlement Class Members or multiple Settlement Class Members where the opt out hasn’t been signed by every individual Settlement Class Member will not be allowed.

19. If I exclude myself, can I still get anything from the Settlement?

No. If you timely opt out, you will not be entitled to receive Settlement Benefits, but you will not be bound by the Settlement or any judgment in this lawsuit. You can only get Settlement Benefits if you stay in the Settlement and submit a timely and valid Claim Form.

20. If I do not exclude myself, can I sue Warren General for the same thing later?

No. Unless you timely opt out, you give up any right to individually sue any of the Released Parties for the legal claims this Settlement resolves and Releases relating to the Data Incident. You must opt out of this lawsuit to start or continue with your own lawsuit or be part of any other lawsuit against the Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

OBJECT TO OR COMMENT ON THE SETTLEMENT

21. 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 object to all or any part of the Settlement.

To object, you must send by U.S. Mail to the Clerk of the Court, Class Counsel, Defendant’s Counsel, and the Settlement Administrator postmarked by or shipped by private courier (such as Federal Express) by **April 5, 2025**, stating you object to the Settlement in *Robert Pessia et al. v. Warren General Hospital*, Case No. 501-2023.

To file an objection, you cannot exclude yourself from the Settlement Class. Your objection must include all the following information:

- 1) Your full name, address, telephone number, and email address (if any);
- 2) All grounds for the objection, accompanied by any legal support for the objection known to you as the objector or your own lawyer;

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- 3) The number of times you have objected to a class action settlement within the 5 years preceding the date that you file the objection, the caption of each case in which you have made an objection, and a copy of any orders related to or ruling upon your prior objections that were issued by the trial and appellate courts in each listed case;
- 4) The identity of any lawyers representing you in connection with the objection, including any former or current lawyers who may be entitled to compensation for any reason related to the objection to the Settlement and/or Application for Attorneys' Fees, Costs, and Service Awards;
- 5) The number of times in which your lawyer or your lawyer's law firm has objected to a class action settlement within the 5 years preceding the date of the filed objection, the caption of each case in which your lawyer or the firm has made the objection and a copy of any orders related to or ruling upon your lawyer's or the lawyer's law firm's prior objections that were issued by the trial and appellate courts in each listed case in which your lawyer and/or lawyer's law firm have objected to a class action settlement within the preceding 5 years;
- 6) All agreements that relate to the objection or the process of objecting—whether written or oral—between you and/or your lawyer and any other person or entity;
- 7) The identity of all lawyers (if any) representing you who will appear at the Final Approval Hearing;
- 8) A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- 9) A statement confirming whether you intend to personally appear and/or testify at the Final Approval Hearing; and
- 10) Your signature as the objector (a lawyer's signature is not sufficient).

To be timely, written notice of an objection including all the information above must be mailed to Clerk of the Court, Class Counsel, Defendant's Counsel and the Settlement Administrator by **April 5, 2025**, at the following addresses:

COURT	CLASS COUSEL	DEFENDANT'S COUNSEL	SETTLEMENT ADMINISTRATOR
Clerk of Court 37 th Judicial District 204 4 th Ave Warren, PA 16365	Andrew Ferich Ahdoot & Wolfson P.C. 201 King of Prussia Rd. Suite 650 Radnor, PA 19087	Michael Jervis Mullen Coughlin LLC 426 W. Lancaster Ave Suite 200 Devon, PA 19333	Warren General Data Breach Litigation Settlement Administrator PO Box 2918 Portland, OR 97208-2918

If you fail to comply with the requirements for objecting as detailed above, you waive and forfeit all rights you may have to appear separately and/or to object to the Settlement and you will be bound by all the terms of the Settlement and by all proceedings, orders, and judgments in the lawsuit.

22. What is the difference between objecting and requesting exclusion?

Objecting is simply telling the Court you do not like something about the Settlement or the requested attorneys' fees 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

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

The Court will hold a Final Approval Hearing on **May 5, 2025 at 9:00 a.m. ET** before the Honorable Robert G. Yeatts of the Warren County Court of Common Pleas, 204 4th Ave, Warren, PA 16365.

The date and time of the Final Approval Hearing are subject to change without further notice to the Settlement Class. The Court may also decide to hold the hearing via video conference or by telephone. You should check the Settlement Website WarrenDataBreachSettlement.com to confirm the date and time of the Final Approval Hearing has not changed.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and will decide whether to approve the Settlement, Class Counsel's application for Attorneys' Fees and Costs, and the Service Awards to the Class Representatives. If there are objections that were filed by the deadline, the Court will consider them. If you file a timely objection, and you would like to speak at the Final Approval Hearing, the Court will also listen to you or your lawyer speak at the hearing, if you so request.

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24. Do I have to come 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 submit an objection, you do not have to come to the Final Approval Hearing to talk about it. As long as you mail your written objection on time the Court will consider it.

25. May I speak at the Final Approval Hearing?

Yes, as long as you do not exclude yourself (opt out) and you submit a timely written objection requesting to speak at the hearing, 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 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 the procedures for objecting to the Settlement listed in Question 21 above—and specifically include a statement whether you and your lawyer will appear at the Final Approval Hearing.

IF YOU DO NOTHING

26. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will not receive Settlement Benefits, and 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 any of the Released Parties about the legal issues in this lawsuit that are released by the Settlement relating to the Data Incident.

GETTING MORE INFORMATION

27. How do I get more information?

This Notice summarizes the proposed Settlement. For more details about the Settlement, please see the Settlement Agreement and other related documents available at WarrenDataBreachSettlement.com, by calling toll-free 1-888-814-8846, by contacting Class Counsel, or by visiting the office of the Clerk’s Office, Warren County Court of Common Pleas, 204 4th Ave, Warren, PA 1636, between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Court holidays.

If you have questions about the proposed Settlement or anything in this Notice, you may contact the Settlement Administrator at:

Warren General Data Breach Litigation
Settlement Administrator
PO Box 2918
Portland, OR 97208-2918

PLEASE DO NOT CONTACT THE COURT OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

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