

Blank v. East Tennessee Children's Hospital

c/o Kroll Settlement Administration
P.O. Box 225391
New York, NY 10150-5391

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LEGAL NOTICE

**You Are A Member of the Proposed
Settlement of the Case *K.B. (minor)*
through *Joan Blank et al. v. East
Tennessee Children's Hospital
Association, Inc.***

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A settlement has been reached in *K.B. (minor) through Joan Blank et al. v. East Tennessee Children's Hospital Association, Inc.*, Case No. C2LA0081, pending in the Circuit Court for Anderson County, State of Tennessee (the "Lawsuit"). As you may already be aware, the Lawsuit involves a claim for the alleged disclosure of personal data belonging to current and former patients of East Tennessee Children's Hospital Association, Inc. ("ETCH"). The Settlement will release all Data Breach claims you and others may have against ETCH under state law.

ETCH denies that it violated the law and claims that its data security practices were proper. By settling, neither ETCH nor the Data Breach victims who filed the Lawsuit make concessions as to the merits of their claims or defenses. The parties settled to avoid the risks, uncertainty, expense, and burden of further litigation.

In order to receive a settlement benefit, you must submit a Claim Form. If the Court approves the Settlement, you, as a Settlement Class Member, will be able to claim your share of the Settlement, which will be a pre-tax amount of approximately equal to either the Out-of-Pocket Losses and/or Extraordinary Losses you have incurred as a result of the Data Breach, the time you have lost responding to the Data Breach, or both. You may also claim up to three (3) years of free credit monitoring services. You may also make a claim for an Alternative Cash Payment of \$50 in lieu of the credit monitoring services and Out-of-Pocket Losses and/or Extraordinary Loss and time lost reimbursements.

ETCH has agreed to establish a Settlement Fund of \$1,550,000 to pay the settlement benefits, as well as for Costs of Claims Administration, Plaintiffs' service awards, and attorneys' fees and expenses as awarded by the Court. ETCH has also agreed to undertake certain remedial measures and enhanced data security measures. The Court will determine the amount of attorney's fees, expenses, and Cost of Claims Administration that will ultimately be paid. If you wish to comment on the Settlement, you may file your comments with the Court by **October 20, 2023**. The Court will hold a Fairness Hearing on or about **December 12, 2023**, at which you may appear on your own behalf or through an attorney.

The Proposed Class Counsel for the Settlement Class are the law firms Stranch Jennings & Garvey, PLLC, Migliaccio & Rathod LLP, Milberg Coleman Bryson Phillips Grossman, Morgan & Morgan, Mason LLP, The Lyon Firm, The Arnold Law Firm, Cohen & Malad, LLP, Hellmuth & Johnson, and Turke & Strauss LLP. The attorneys will be filing a motion with the Court for an award of fees as part of the Settlement and have committed to not request more than 33% of the Settlement Fund, totaling \$511,500 in attorneys' fees and expenses. Service awards of \$1000 for each Class Representative will also be requested. If you wish to comment on any aspect of this Settlement, including to object to its terms, the fee request, the service awards, or any other aspect of the Settlement, you can do so by following the instructions in the preceding paragraph. Any comment on the fee request must be submitted by **October 20, 2023**.

For more information on the case and the Settlement and your rights under it, visit www.ETCHDataSettlement.com or contact the Claims Administrator at **1-833-747-6027**.

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