

James E. Cecchi
**CARELLA BYRNE CECCHI
BRODY & AGNELLO P.C.**
5 Becker Farm Road
Roseland, NJ 07068
Telephone: (973) 994-1700

Linda P. Nussbaum
NUSSBAUM LAW GROUP, P.C.
1133 Avenue of the Americas, 31st floor
New York, NY 10036
Telephone: (917) 438-9189

Todd Garber
**FINKELSTEIN, BLANKINSHIP
FREI-PEARSON & GARBER, LLP**
One North Broadway, Suite 900
White Plains, NY 10601
Telephone: (844) 431-0695

-----X
IN RE CENTRASTATE HEALTHCARE
DATA SECURITY INCIDENT LITIGATION
-----X

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: OCEAN COUNTY
MASTER FILE: OCN-L-002002-24
CBLP

**REPLY MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT
AND CERTIFICATION OF A SETTLEMENT CLASS AND APPROVAL OF REQUEST
FOR ATTORNEYS' FEES, EXPENSES AND INCENTIVE AWARDS**

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I. INTRODUCTION

On June 7, 2024, the Court preliminarily approved the Settlement between Plaintiffs and Defendants CentraState Healthcare System, Inc. (“CentraState”) and Atlantic Health System, Inc. (“Atlantic”, collectively with CentraState, “Defendants”), and ordered that notice be given to the class (the “Preliminary Approval Order”).¹ The Preliminary Approval Order, *inter alia*, approved the Notice Plan, set a deadline for disseminating Notice to the Class, set a deadline for class members to request exclusion from the class or to object to the settlement, set a deadline for Plaintiffs to move for Final Approval of the Settlement, and set a date for the Fairness Hearing.

After the Court granted preliminary approval, the Settlement Administrator—with the help of the Parties—successfully disseminated Notice to the Settlement Class. *See* Declaration of Ryan McNamee, executed August 19, 2024 (“McNamee Decl.”) (annexed as Exhibit A to the Declaration of James Cecchi dated August 21, 2024 (“Cecchi Decl.”)); *see also* Supplemental Declaration of Ryan McNamee, executed on October 3, 2024 (“Supp. McNamee Decl.”) (annexed as Exhibit 2 to the Declaration of Kevin G. Cooper dated October 4, 2024 (“Cooper Decl.”)). Individual Notice was provided directly to Settlement Class Members via first class mail, and the Class Notice reached approximately 92% of the Class, easily meeting the due process standard. *See* Supp. McNamee Decl. ¶¶ 4-7. The Notices were written in plain language, providing each Settlement Class Member with information regarding how to reach the Settlement Website, make a Claim, and how to opt-out or object to the Settlement. *Id.* at ¶ 6 Exh. A.

On August 21, 2024, Plaintiffs moved for Final Approval of the Settlement. At the time

¹ Trans ID: LCV20241443501. For a full recitation of the factual and procedural background, Plaintiffs refer this Court to and hereby incorporate Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement (“Preliminary Approval Motion”) filed on April 24, 2024 and the accompanying Exhibits, including the proposed Settlement Agreement, filed in conjunction therewith, and Plaintiffs’ Motion for Final Approval of Class Action Settlement filed on August 21, 2024.

of that filing, only 5 class members, out of 569,961 Settlement Class Members who were mailed notice of the Settlement, sought to be excluded from the Settlement, and no class member objected to the settlement. *See* McNamee Decl. ¶¶ 14-15. Since that time, three additional class members have sought exclusion, with one notifying A.B. Data in accordance with the Notice and two informing the Parties with a letter seeking both to exclude themselves from the class and to object to the settlement. *See* Cooper Decl., ¶¶ 3-10 & Exhibit 1; Supp. McNamee Decl. ¶¶ 14-15.

With regard to the letter to the Parties, Daniel and Lea Sivilich (the “Sivilich Parties”), submitted a letter dated September 16, 2024 seeking both exclusion from the settlement and objecting to the proposed Settlement (the “Sivilich Letter”). *See* Cooper Decl., ¶¶ 3-10, and Exhibit 1 annexed thereto. While the Sivilich Parties received the Notice, the mailing was delayed due to the need to re-mail with a different address. *See* Cooper Decl. ¶ 7.

While the Sivilich Letter is not a proper objection failing to be served in accordance with the notice program, and seeking both exclusion from the class settlement and objecting to the settlement, Plaintiffs will briefly address the issues raised herein. *See e.g., Mulroy v. Natl. Water Main Cleaning Co. of New Jersey*, No. CIV.A. 12-3669 WJM, 2014 WL 7051778, at *3 fn. 3 (D.N.J. Dec. 12, 2014) (“A party may not, however, conditionally object to a settlement; nor can a class member purport to both object and opt out.”).

Foremost, the Sivilich Letter does not object to the substance of the Class Settlement in any manner. Rather, it raises two procedural issues. First, they object that the Notice did not provide due process because they did not receive the Notice until after the September 7, 2024 deadline and were unable to opt-out. As previously noted, their request to be excluded has been accepted by the parties and they have been informed of such. Second, they object that the class action mechanism and its requirement to opt-out violates their rights to file their own lawsuit against Centrastate.

Neither objection warrants denial of final approval of the Class Settlement. First, the Notice provided to the Class is in full accord with all statutory and due process requirements, and was approved by the Preliminary Approval Order. Next, the use of an “opt out” process does not violate the Sivilich’s rights. To the contrary, the governing rules and due process mandate that Class members be given the opportunity to opt out of the class if they so choose to protect their rights. Finally, the Preliminary Approval Order accounts for the possibility of opt-out requests received after the deadline, further protecting the rights of the Sivilich Parties and other class members.

Besides the Sivilich Letter however, the response of the Class has been overwhelmingly positive with an over 7% response rate as of October 3, 2024 with additional claims coming in through October 7, 2024. *See* Supp. McNamee Decl. at ¶ 13

Accordingly, Plaintiffs respectfully request that the Court: (1) Order that the Sivilich Parties’ are excluded from the Class; (2) grant final approval of the proposed Settlement; (3) certify a Settlement Class pursuant to Rule 4:32-2(e), (4) designate the moving Plaintiffs as Class Representatives, (5) designate Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C. (“Carella Byrne”), Nussbaum Law Group, P.C. (“Nussbaum Law Group”), and Finkelstein, Blankenship, Frei-Pearson & Garber, LLP (“Finkelstein Blankenship”), as Class Counsel; (6) approve the requested Incentive Awards; and (7) approve Class Counsel’s request for reimbursement of fees and expenses.

II. ARGUMENT

A. THE SIVILICH LETTER DOES NOT PROVIDE ANY BASIS TO REJECT THE CLASS SETTLEMENT

1. The Notice Provided Due Process to the Class

Pursuant to Rule 4:32-2(b)(2) of the Rules Governing the Courts of the State of New Jersey, where plaintiffs seek to certify a class under Rule 4:32-1(b)(3), as is the case here, the Court must provide the following notice to members of a class:

(2) If a class is certified pursuant to R. 4:32-1(b)(3), the court shall direct to the members of the class the best notice practicable under the circumstances, consistent with the due process of law. The notice shall state the following in concise, clear and easily understood language:

- (A) the nature of the action;
- (B) the definition of the class certified;
- (C) the class claims, issues or defenses;
- (D) that a class member may enter an appearance through counsel if the member so desires;
- (E) that the court will exclude from the class any member who requests exclusion, stating when and how members may elect to be excluded; and
- (F) the binding effect of a class judgment on class members pursuant to paragraph (c) of this rule.

N.J. Ct. R. R. 4:32-2(b)(2). To satisfy due process, notice to class members must be “reasonably calculated under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.” *Cerbo v. Ford of Englewood, Inc.*, No. BER-L-2871-03, 2006 WL 177586, at *4 (N.J. Super. L. Div. Jan. 26, 2006) (quoting, *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314–15, 70 S.Ct. 652, 94 L. Ed. 865 (1950)).

The Notice approved by the Court in this instance meets these requirements. Plaintiffs hired, and the Court approved, A.B. Data as the “Settlement Administrator”. The Settlement Administrator created a Notice Plan, approved by the Court, and sent individual notice to Class Members by U.S. mail (the “Summary Notice”).² The Settlement Administrator established a settlement website that informs Class Members of the terms of the Settlement Agreement, their rights, and important dates related to the settlement (www.CentraStateSettlement.com).³ The Settlement website includes the Long Notice, the Claim Form (available to download or submit

² Supp. McNamee Decl. at Ex. A.

³ *Id.* at ¶¶8-11.

electronically),⁴ the Preliminary Approval Order, and the Settlement Agreement, and the motion for a Fee Award and Costs and Service Awards. The settlement website also informs Class Members of the changed venue of the action. Class Members are able to submit Claim Forms through the Settlement Website.⁵ Finally, the Settlement Administrator has made a toll-free number available to provide Class Members with information about the Settlement.⁶ Direct notice was delivered to approximately 92% of the Class Members.⁷

As evidenced by the Sivilich Letter, the Notice plan worked. The Sivilich Parties received the mailed notice, visited the settlement website for additional details about the lawsuit, and ultimately elected to exclude themselves. While the need to re-send the Sivilich Parties due to dated address information resulted in their exclusion request being submitted after the September 7, 2024 deadline, the Preliminary Approval Order anticipates such circumstances and provides the Court with the discretion to allow it:

The Request for exclusion shall not be effective unless it provides the required information and is made within the time stated above **or the request for exclusion is otherwise accepted by the Court.**

Preliminary Approval Order, ¶16 (emphasis added). The Parties agree that the circumstances here warrant permitting the exclusion of the Sivilich Parties from the Class. Accordingly, no violation of their due process rights have occurred that would warrant denial of Final Approval of the Class Settlement.

2. **The Opt-Out Process Did not Violate the Rights of the Sivilich Parties or Class Members.**

The Sivilich Parties' objection to the use of an opt-out procedure likewise does not provide

⁴ *Id.* at ¶10.

⁵ *Id.* at ¶11.

⁶ *Id.* at ¶8.

⁷ Supp. McNamee Decl. at ¶¶ 4-7.

any valid basis to reject the settlement. In fact, the Rules and due process *require* that Class members be given the right to opt out of this Class Settlement. *See* N.J. Ct. R. R. 4:32-2(b)(2)(E) (Requiring that the Class Notice state, “that the court will exclude from the class any member who requests exclusion”); *Phillips Petroleum Co. v. Shutts*, 472 U.S. 797, 812 (1985) (“due process requires at a minimum that an absent plaintiff be provided with an opportunity to remove himself from the class by executing and returning an “opt out” or “request for exclusion” form to the court.”).

And as previously noted, by electing to opt of the Class Settlement, the Sivilich’s objections to the settlement become moot, as a putative class member cannot both opt out of the class and object to the terms of the class settlement. *See Mulroy*, 2014 WL 7051778, at *3, fn. 3 (“A party may not, however, conditionally object to a settlement; nor can a class member purport to both object and opt out.”). Once a party opts out of the class, it no longer has standing to object. *Skeen v. BMW of N.A., LLC*, No. 2:13-CV-1531-WHW-CLW, 2016 WL 4033969, at *10 (D.N.J. July 26, 2016) (“Because Mr. Ellenbogen has requested exclusion from the N14 Class, he no longer has standing to object to the settlement”); *In re Ins. Brokerage Antitrust Litig.*, 282 F.R.D. 92, 110 (D.N.J. 2012) (“The case law does not suggest that a class member requesting exclusion from a settlement may nonetheless object to that settlement.”). Accordingly, upon the exclusion of the Sivilich Parties, the Court need not consider their objections. As there are no other objections to the Class Settlement, final approval should be granted.

B. CLASS MEMBERS’ OVERWHELMING SUPPORT FOR THE SETTLEMENT MANDATES FINAL APPROVAL

“Since court approval is a substitute for the usual right of litigants to determine their own best interests, the reaction of class members is a significant element that [courts] must consider.” *New York Career Guidance Servs., Inc. v. Wells Fargo Financial Leasing, Inc.*, 2006 WL 224000, at *9 (Sup. Ct. Bergen Cnty. Jan. 27, 2006). Here, the Class Members have overwhelmingly

endorsed the Court's judgment at preliminary approval that the Settlement is fair, reasonable, and adequate. Direct notice was delivered to approximately 92% of the Class Members.⁸ Other than the Sivilich Letter, there were no other objections and only 6 requests for exclusion.⁹ No Class member, not even the Sivilich Parties, has objected to the substantive terms of the Settlement Agreement, the incentive awards, or the amount sought by counsel in fees, costs, and expenses.

III. CONCLUSION

For the reasons set forth above and in Plaintiffs' opening papers in support of their Motion for Final Approval, Plaintiffs respectfully request that the Court (1) grant the Sivilich Parties' request to be excluded from the Class; (2) grant Plaintiffs' Motion for Final Approval of the Settlement and enter Final Judgment with the proposed order form submitted with the motion; (3) grant Class Counsel's motion for attorneys' fees of \$999,900.00, and costs and expenses in the amount of \$14,269.37; and (4) grant Plaintiffs' request for incentive awards of \$500 for each of the Class Representatives and \$250 for each of the Named Plaintiffs.

Date: October 4, 2024

/s/ James E. Cecchi
 James E. Cecchi
 Kevin G. Cooper
**CARELLA, BYRNE, CECCHI,
 OLSTEIN, BRODY & AGNELLO, P.C.**
 5 Becker Farm Road
 Roseland, NJ 07068
 Telephone: (973) 994-1700

Linda P. Nussbaum
NUSSBAUM LAW GROUP, P.C.
 1133 Avenue of the Americas, 31st floor
 New York, NY 10036
 Telephone: (917) 438-9189

Todd Garber

⁸ Supp. McNamee Decl. at ¶¶ 4-7.

⁹ *Id.* at ¶¶ 4-7; 14-15.

**FINKELSTEIN, BLANKINSHIP
FREI-PEARSON & GARBER, LLP**
One North Broadway, Suite 900
White Plains, NY 10601
Telephone: (844) 431-0695

*Attorneys for Plaintiffs, individually and on
behalf of all others similarly situated*

James E. Cecchi
**CARELLA BYRNE CECCHI
BRODY & AGNELLO P.C.**
5 Becker Farm Road
Roseland, NJ 07068
Telephone: (973) 994-1700

Linda P. Nussbaum
NUSSBAUM LAW GROUP, P.C.
1133 Avenue of the Americas, 31st floor
New York, NY 10036
Telephone: (917) 438-9189

Todd Garber
**FINKELSTEIN, BLANKINSHIP
FREI-PEARSON & GARBER, LLP**
One North Broadway, Suite 900
White Plains, NY 10601
Telephone: (844) 431-0695

Class Counsel

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: OCEAN COUNTY

IN RE CENTRASTATE HEALTHCARE
DATA SECURITY INCIDENT LITIGATION

MASTER FILE: OCN-L-002002-24
(CBLP)

This Document Relates To:
All Actions

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**DECLARATION OF KEVIN G. COOPER IN SUPPORT OF PLAINTIFFS' MOTION
FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT
AND CERTIFICATION OF A SETTLEMENT CLASS AND APPROVAL OF REQUEST
FOR AN AWARD OF ATTORNEY FEES AND EXPENSES**

I, Kevin G. Cooper, declare as follows:

1. I am a partner at Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C, Co-Lead Class Counsel in this action. I am an attorney at law licensed to practice in the State of New Jersey. I have personal knowledge of the facts set forth in this declaration and, if called as a

witness, I could and would testify competently thereto.

2. I submit this Declaration in further support of Plaintiffs' motion for final approval of class action settlement, and in further support of Class Counsel's motion for attorneys' fees, expenses, costs and incentive awards.

3. On September 16, 2024, my firm and the Settlement Administrator received an email from Defense Counsel enclosing a letter from Daniel Sivilich and his spouse, Lea Sivilich. A copy of the letter dated September 16, 2024 is annexed hereto as **Exhibit 1**.

4. The letter does not appear to have been received by the Claims Administrator or by Class Counsel.

5. The letter seeks both to exclude Daniel and Lea Sivilich from the settlement and to object to the settlement on their behalf.

6. The letter does not take issue with any of the substantive terms of the proposed settlement. Rather, Mr. Sivilich notes that he did not receive the Notice of the proposed Class settlement until September 13, 2024, six days after the September 7 deadline (set by the Court's June 7, 2024 Order granting Preliminary Approval) for submitting objections or requests for exclusion. Mr. Sivilich then objects to the Notice on due process grounds, and further asserts that by requiring him to opt out of the class, his rights to sue Centrastate had been violated. Finally, Mr. Sivilich notes that he "will be sending opt out letters."

7. Upon receiving the letter from Defense Counsel, the Settlement Administrator advised that the Notice had to be remailed to Mr. Sivilich due to a previous returned notice mailing.

8. On September 30, 2024, I spoke with Mr. Sivilich by telephone. Mr. Sivilich confirmed to me that he and his wife were requesting to be excluded from the Class and asserting

the noted objections.

9. I have conferred with Defense Counsel who have consented to the exclusion of Mr. and Mrs. Sivilich due to the remaining and the Parties agree that the exclusion request should be granted.

10. Even though the exclusion removes Mr. and Mrs. Sivilich from the proposed settlement class, and thus the ability to object to the settlement, the letter is being submitted to the Court in order to ensure a fulsome record.

11. Attached hereto as **Exhibit 2**, is the Supplemental Declaration of Ryan McNamee dated October 3, 2024.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and accurate.

Executed on October 4, 2024 in Roseland, New Jersey



Kevin Cooper

Exhibit 1

Daniel M. Sivilich
Lea K. Sivilich
3575 SW 51st Terrace
Ocala, FL 34474
908-770-6166

September 16, 2024

Superior Court of New Jersey
Monmouth County
Paul Cahill
Room 101
71 Monument St
Freehold, NJ 07728

Re: *CentraState Healthcare Data Security Incident Litigation*
Case No. MON-L-000504-23

Your Honors,

We object to the aforementioned Settlement Class for the following reasons:

On **September 13, 2024** both my wife and I received notices from the CentraState Litigation Settlement Administrator. They were in the form of tattered 6" x 4 1/4" postcards. We almost threw them away as junk mail, but upon inspection it indicated that I was Claimant 560182900 and my wife Lea is Claimant 560183003 of a class action against CentraState Healthcare. The postcard specifically states:

What are my other options? Settlement Class Members who file a Claim Form, object to the Settlement, or do nothing are choosing to stay in the Settlement Class, will be legally bound by all orders of the Court, and will not be able to start, continue, or be part of any other lawsuit against Defendants relating to the Security Incident. If you don't want to be legally bound by the Settlement or receive any benefits from it, you must exclude yourself. You may also object to the Settlement. To exclude yourself or object to the Settlement, you must follow the instructions available online at www.CentraStateSettlement.com. **Any requests for exclusion or objections must be postmarked or filed on or before September 7, 2024.**

We did not receive notification until 6 days after September 7th. As required by the Federal Rules of Civil Procedure, Rule 23, we have not been properly informed of the nature of this action. Therefore this case should be considered invalid and the Settlement Administration company should be fired!!

The postcard further states that if we do nothing we are:

" choosing to stay in the Settlement Clas,s will be legally bound by all of the orders that the Court, and will not be able to start, continue, or be part of any other lawsuit against Defendantsrelating to the Security Incident."

To get further details, we had to go to the Settlement website to get the Settlement agreement, thus putting the burden on us to determineour next course of action.

We did not authorize the use of our names or our information to be included in this case. But as stated in the documents, if we do not respond, it is OUR responsibility to either join an action for which we have no recollection of taking place or to opt-out, otherwise we forego our rights to independently bring suit against CentraState Healthcare. This right to petition is one of the freedoms protected by the First Amendment of the Constitution. The method of notifying

potential class members via postcard mail usurps that right. Had we dismissed this as junk mail as was our initial reaction, we would automatically lose our right to sue. If we do not fill out a claim form, we get no compensation and our rights are violated.

Section (v) of Rule 23 puts the burden on us, the class members, to opt out. By not doing so, we waive right to independently sue the Defendant. **If we did not receive a notification due to the method of delivery, then we have not been properly informed of "(i) the nature of the action."** This cannot be a more direct violation of our First Amendment right to file a lawsuit in a court of law.

Rule 23 works on the assumption that the Notice to Class Members is actually received and read. In our opinion that the method of notification for all class actions should require all prospective members be contacted via certified mail and require proof of receipt with a physical signature. The burden of proof should be on the law firms initiating the suit. Class actions have now become a cottage industry where lawyers make millions of dollars and the members get around \$30. This is a waste of valuable court time!

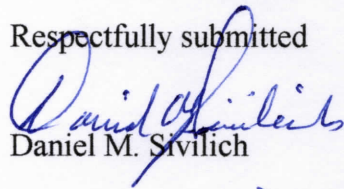
Therefore, we request that this case be dismissed since it is in direct violation of our First Amendment rights and probably many other members who are unwillingly part of this action unless they spend their time and money opting out.

Our objections only apply to us. They are not part of any other action or subset. We are not represented by council in this objection. We have no plans to attend the hearing, but we ask the court to take our objections into serious consideration when making a decision. We will be sending opt-out letters to both Councils.

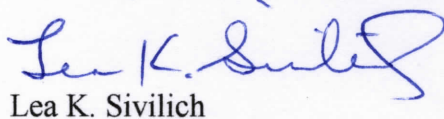
We hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 2024.

Respectfully submitted



Daniel M. Sivilich



Lea K. Sivilich

Exhibit 2

**SUPERIOR COURT OF NEW JERSEY
CIVIL DIVISION: OCEAN COUNTY**

IN RE: CENTRASTATE HEALTHCARE
DATA-SECURITY INCIDENT
LITIGATION

Master File No. OCN-L-2008-24

**SUPPLEMENTAL DECLARATION
OF RYAN MCNAMEE IN SUPPORT
OF FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

I, Ryan McNamee, hereby declare as follows:

1. I am a Project Manager at A.B. Data, Ltd.'s Class Action Administration Division ("A.B. Data"), whose Corporate Office is located in Milwaukee, Wisconsin. This declaration ("Declaration") is based upon my personal knowledge, and that of A.B. Data staff members, and if called as a witness, I could and would testify competently thereto.

2. I submit this Declaration in connection with the class action notice administration proceedings related to the above-captioned Action (the "Action").

3. This Declaration details the steps that were taken to implement notice of the settlement as required by the Court's "Preliminary Approval Order" entered June 7, 2024. Those steps included: i) mailing the Court-approved "Summary Notice" ("Postcard Notice") to Settlement Class Members; and ii) establishing a toll-free telephone number and case-specific website to address potential Settlement Class Member inquiries.

DISSEMINATION OF NOTICE

4. On June 18, 2024, A.B. Data received electronic data files containing the names and mailing addresses for 569,961 potential Settlement Class Members. All Settlement Class Member information that was provided to A.B. Data has been stored in a secure environment with controlled access.

5. Prior to the mailing, A.B. Data also processed the Settlement Class Members' mailing addresses through the United States Postal Service's (the "USPS") NCOALink® database to update the mailing addresses with any registered moves and to standardize the mailing addresses to allow for maximum postage discounts.

6. On July 9, 2024, pursuant to the Preliminary Approval Order, the Notice was sent by USPS First-Class Mail postage prepaid, to the 569,961 Settlement Class Members. A true and correct copy of the Notice is attached as **Exhibit A**.

7. As of the date of this Declaration, A.B. Data has had 121,083 Notices to Settlement Class Members returned as undeliverable by the USPS. Tracing efforts to locate a better address were made, resulting in 77,100 updated addresses that were remailed Notice.

WEBSITE AND TELEPHONE

8. On July 8, 2024, A.B. Data established a case-specific toll-free telephone number (877-411-4707) with interactive voice response ("IVR) system to answer questions for recipients of the Notice and provide summary information to frequently asked questions specific to the Settlement. This also provided callers the opportunity to speak with a live customer support representative.

9. As of the September 30, 2024, a total of 1,877 calls have been placed to the toll-free number.

10. On July 8, 2024, A.B. Data established a case-specific Settlement Website, www.CentraStateSettlement.com. The Settlement Website includes case-specific information, including relevant deadlines and downloadable versions of the Preliminary Approval Order, Settlement Agreement, Long-Form Notice, Declaration of Justin Parks, Order Transferring Venue, and other relevant pleadings and documents.

11. The Settlement Website includes functionality for Settlement Class Members to file a Claim Form online.

12. As of September 30, 2024, the Settlement Website has had 153,490 visits.

CLAIMS

13. As of September 30, 2024, A.B. Data has received 44,354 Claims filed. Claims will continue to be received through the filing deadline of October 7, 2024. After all claims are received A.B. Data will perform eligibility, fraud, duplicate and other customer audits to establish valid claim submissions.

OBJECTIONS

14. As of the date of this Declaration, A.B. Data has not received any written objections or comments related to the Settlement. A.B. Data has been made aware of 1 objection.

OPT OUTS

15. As of the date of this Declaration, A.B. Data has received 6 unique requests to opt out of the Settlement. A summary of the requests submitted is attached as **Exhibit B**.

ESTIMATED FEES

16. To date, A.B. Data has incurred \$393,243 in reimbursed claims administration costs. A.B. Data estimates that it will incur approximately \$54,119 in additional claims administration costs to complete the claims processing and initial distribution of the Net Settlement Fund.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 3rd day of October 2024, in Eagan, MN.


Ryan McNamee

EXHIBIT A

Court Approved Legal Notice

***In re: CentraState Healthcare Data
Security Incident Litigation
Case No. MON-L-504-23
(Sup. Ct. of New Jersey, Law Div.:
Monmouth County)***

CentraState Litigation
Settlement Administrator
P.O. Box 170800
Milwaukee, WI 53217

PRESORTED
First-Class Mail
U.S. Postage
Paid
Permit #3780

**You Can Get a Cash Payment and FREE
Medical Data Monitoring To Help
Protect Your Personal Information That
May Have Been Impacted in the
CentraState Healthcare System, Inc. and
Atlantic Health System, Inc. Data
Security Incident.**

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

**IF YOU ARE A SETTLEMENT CLASS
MEMBER, YOU ARE ENTITLED TO
CLAIM BENEFITS AND YOUR
LEGAL RIGHTS WILL BE
AFFECTED WHETHER OR NOT YOU
TAKE ACTION.**

www.CentraStateSettlement.com
1-877-411-4707

Postal Service: Please do not mark bar code

Claimant ID: 5 [REDACTED]



[REDACTED]
[REDACTED]

000001
000001
000000

#



00000001

The Settlement Administrator will use this information for all communications regarding this Claim Form and the Settlement. If this information changes prior to distribution of cash payments and Medical Data Monitoring, you must notify the Settlement Administrator in writing at the address above. By submitting this Claim, you agree to receive electronic communications including emails and texts from the Settlement Administrator at the email and phone numbers provided herein. Message and data rates may apply.

First Name: _____ MI: _____ Last Name: _____

Alternative Name(s): _____

Mailing Address Line 1: _____ Mailing Address Line 2: _____

City: _____ State: _____ Zip: _____

Phone Number (Primary): _____ Email: _____

Date of birth: ____/____/____ Claim Number Provided on mailed Notice (if known): 559694012

If you want to make a claim for out of pocket expenses you must complete claim form online or mail a full claim form. Please visit www.CentraStateSettlement.com to file or print a Claimant ID.

What is this Notice about? A proposed Settlement has been reached with CentraState Healthcare System, Inc. ("CentraState") and Atlantic Health System, Inc. ("Atlantic Health System") (together, "Defendants") relating to the data security incident announced in February 2023, in which an unauthorized party potentially accessed some documents that may have contained the personally identifiable information and protected health information of Defendants' patients, including their names, addresses, Social Security Numbers, dates of birth, health insurance information, and other medical records (the "Security Incident"). Plaintiffs claim that Defendants did not adequately protect their information and failed to provide timely notice of the Security Incident. Defendants deny any wrongdoing. No judgment or determination of wrongdoing has been made.

Who is included in the Settlement? Records indicate you are included in this Settlement as a Settlement Class Member. Settlement Class Members are the approximately 569,984 individuals who were notified by CentraState in or around February 2023 that their information may have been impacted in the Security Incident.

What benefits can I receive? Settlement Class Members can obtain several valuable benefits described below. Cash Benefit Payments may be reduced pro rata, depending on the number of Settlement Class Members who participate in the Settlement.

- Three years of free Medical Data Monitoring services through CyEx by Pango Group;
- Cash Benefit Payment - the amount will depend on the participation rate, but cash payments will equal a pro rata share of the Net Settlement Fund; and
- Cash payment of up to \$3,000 for Documented Out-of-Pocket Costs, for reimbursement of documented losses, and/or expenditures fairly traceable to the Security Incident. Payments for Out-of-Pocket Costs must be supported by Reasonable Documentation demonstrating the time and/or expense occurred on or after December 29, 2022.

How can I receive the Settlement Benefits? You must file and submit a Claim Form, including any required documentation, on or before October 7, 2024. To file a claim for Medical Data Monitoring, Cash Benefit Payment, and/or Out-of-Pocket Costs, you must submit your Claim Form by mailing back your Claim Form or by submitting a claim online at www.CentraStateSettlement.com. To file a claim online, use your Notice ID and Zip (located below).

Notice ID: [REDACTED]
Zip: [REDACTED]

What are my other options? Settlement Class Members who file a Claim Form, object to the Settlement, or do nothing are choosing to stay in the Settlement Class, will be legally bound by all orders of the Court, and will not be able to start, continue, or be part of any other lawsuit against Defendants relating to the Security Incident. If you don't want to be legally bound by the Settlement or receive any benefits from it, you must exclude yourself. You may also object to the Settlement. To exclude yourself or object to the Settlement, you must follow the instructions available online at www.CentraStateSettlement.com. Any requests for exclusion or objections must be postmarked or filed on or before September 7, 2024.

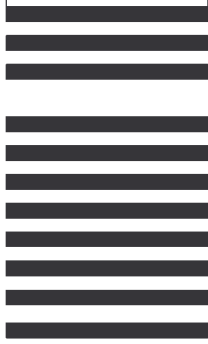
What happens next? The Court will hold a hearing on September 27, 2024, to consider whether to approve the Settlement and award up to 33.33% of the Settlement Fund for attorneys' fees and costs as well as up to \$500.00 to each of the Class Representatives. You or your attorney may ask to appear at the hearing, but are not required to do so.

More Information: Complete information about all of your rights and options, as well as Claim Forms, the Long Form Notice, and the Settlement Agreement, are available online at www.CentraStateSettlement.com or by calling toll-free 1-877-411-4707.

DEV



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POSTAGE WILL BE PAID BY ADDRESSEE

CentraState Litigation
Settlement Administrator
P.O. Box 170800
Milwaukee, WI 53217



EXHIBIT B

EXHIBIT B

First	Last	Addr	City	State	Zip	Postmark Date
Olena	Ciobofar	13 Beechwood Drive	Manalapan	NJ	07726	7/24/2024
Barbara	Kennard	134 Delaware TR	Lakewood	NJ	08701	7/24/2024
Suzanne	Barth	365 Hope Chapel Rd	Lakewood	NJ	08701	7/25/2024
Stephen	Stankewicz	103 Howard St	Perth Amboy	NJ	08861	8/3/2024
Rocco	Nittoli	12 Pemberton Drive	Matawan	NJ	07747	8/9/2024
Michael	Aument	120 Waring Way	Merritt Island	FL	32952	9/10/2024