

**CIRCUIT COURT
OF BOONE COUNTY, MISSOURI**

Notice of Class Action Settlement

If you received notice from Defendant that your personal information may have been compromised as a result of a Security Incident that occurred in May 2020, please read this notice.

**The Circuit Court of Boone County, Missouri
Has preliminarily approved a class action settlement that may affect your legal rights.**

A state court authorized this notice. This is not a solicitation from a lawyer.

A class action settlement has been reached in the case of *Casey Bumbales v. MU Health Care*, Case No. 20BA-CV03309 pending in the Circuit Court of Boone County, Missouri in Columbia, Missouri.

On October 7, 2024, the Court preliminarily approved this settlement and, by agreement of the Parties, certified this lawsuit to proceed as a class action for settlement purposes only.

If you received notice from Defendant that your personal information may have been compromised as a result of a Security Incident that occurred in May 2020 at Defendant, you are a member of the Settlement Class. Excluded from the Settlement Class are those persons who timely and validly request exclusion from the Settlement Class.

If you are a Class Member, then you may be entitled to compensation under the terms of a proposed settlement. If you are a Class Member and you wish to file a claim, object to the Settlement, or exclude yourself from the Settlement, you must do so following the procedures outlined in this notice.

This notice is to advise you of the status of the lawsuit, the terms of the proposed Settlement, and your rights in connection with the proposed Settlement. This is not a lawsuit against you. A full copy of the Settlement Agreement may be reviewed at the Settlement website at www.MUHealthCareSettlement.com. This Notice contains only a summary of the Settlement Agreement.

**Your legal rights will be affected whether you act or do not act.
Please read this entire notice carefully.**

Summary of Your Legal Rights and Options in this Settlement	
DO NOTHING	If you do nothing, you will be included in the Settlement Class but receive no benefits. You will be bound by the Court's judgment, and release claims against Defendant relating to the Security Incident
SUBMIT A CLAIM FORM BY JANUARY 14, 2025	Class Members can choose to submit a claim to receive Settlement benefits. For more information about submitting a claim, see question 7. If you submit a valid claim form, assuming the Court approves the Settlement, you will receive a Participating Class Member Payment. You will be bound by the Court's judgment and release claims against Defendant relating to the Security Incident.
ASK TO BE EXCLUDED BY JANUARY 14, 2025	If you want to exclude yourself or "opt out" of the Settlement, you must submit a Request to Opt Out to the Claims Administrator, postmarked on or before January 14, 2025 . If so, you will not receive any benefits from the settlement and you will not release your claims you may have against Defendant relating to the Security Incident.

**OBJECT TO THE
SETTLEMENT BY
JANUARY 14, 2025**

If you wish to object to the Settlement, you must file your objection in writing to the Clerk of Court and send a copy of your objection to the attorneys for all Parties. If you exclude yourself from the Settlement, you cannot file an objection. Class Members who do not timely make their objections in this manner will be deemed to have waived all objections and shall not be heard or have the right to appeal approval of the Settlement. If you file an objection and wish it to be considered, **you must also appear** at the Final Approval Hearing, in-person or through counsel, to show cause of why the proposed Settlement should not be approved as fair, reasonable, and adequate.

These options and the deadlines to exercise them are further detailed in this notice.

Notice Contents

Basic Information

1. WHY DID I RECEIVE NOTICE OF THIS SETTLEMENT?

You received postcard notice of this Settlement because records show that you received notice from Defendant that your personal information may have been compromised as a result of the Security Incident in May 2020. If these records are correct, you are a Class Member, and you are entitled to receive Settlement benefits if you submit a valid claim form to the Claims Administrator before the deadline and if the Court grants final approval of the Settlement. You also have other options as described in this notice.

2. WHAT IS A CLASS ACTION AND WHO IS INVOLVED?

In a Class Action lawsuit, one or more people called “Class Representatives” (in this case, Casey Bumbales and Amanda Kunkelman) sue on behalf of other people who have similar claims. These people together are a “class.” The class representatives who sue – and all the Class Members like them – are called plaintiffs. The entity they sued (in this particular case, The Curators of the University of Missouri on behalf of MU Health Care) is called the Defendant. One court resolves the issues for everyone who does not exclude himself/herself.

3. WHY IS THIS LAWSUIT A CLASS ACTION?

The Court has preliminarily decided that this lawsuit can proceed as a Class Action for Settlement purposes only because it meets the requirements of Missouri Supreme Court Rule 52.08. Specifically, the Court found that, for Settlement purposes only, there are a sufficient number of people who were affected by the Security Incident at issue in this case, that there are legal questions common to each of them, that the Class Representatives will fairly and adequately represent the Settlement Class’s interests, and that this Class Action will be more efficient than having many individual lawsuits.

4. WHAT IS THIS LAWSUIT ABOUT?

The Class Representatives filed a Class Action Petition (Bumbales) and a Class Action Complaint (Kunkelman) (collectively, “Petition”) against Defendant, which were consolidated into a single case (hereafter the “Consolidated Action”). The Petition alleges that Defendant acted unlawfully by failing to prevent the Security Incident. The Class Members claimed that Defendant failed to fulfill its legal duty to adequately secure and safeguard the information of Class Representatives and Class Members and that Defendant breached promises made to the Class Representatives and Class Members concerning the security of their data.

Defendant has denied and continues to deny the allegations asserted by the Class Representatives in the Consolidated Action and contends that Defendant was and is in compliance with applicable state and federal law. The Court has not made any ruling on the merits of this case. To resolve this matter without the expense, delay, and uncertainties of continued litigation, the Parties have reached a Settlement, which resolves all claims against Defendant. The Settlement is not an admission of wrongdoing by the Defendant and does not imply that there has been, or would be, any finding that the Defendant violated the law. The Court has already preliminarily approved the Settlement. Nevertheless, because the Settlement of a Class Action determines the rights of all members of the Class, the Court overseeing this lawsuit must give final approval to the Settlement before it can be effective. The Court has certified the Settlement Class for settlement purposes only and subject to final approval of the Settlement, so that members of the Settlement Class can be given this notice and the opportunity to submit a Claim Form, to object to the Settlement, or to exclude themselves from the Settlement Class. If the Court does not grant final approval of the Settlement, or if it is terminated by the Parties, the Settlement will be void, and the lawsuit will proceed as if there had been no settlement and no certification of the Settlement Class.

The Settlement

5. HOW DO I KNOW IF I AM PART OF THE SETTLEMENT?

The following Settlement Class has been certified by the Court subject to final approval of the Settlement: all individuals who were notified by Defendant that their personal information may have been compromised as a result of the Security Incident. The “Security Incident” means the data incident occurring between May 4-6, 2020, giving rise to the Consolidated Action, as further described in the Petition. You will be considered a member of the Settlement Class unless you timely file a Valid Exclusion Statement.

6. WHAT DOES THE SETTLEMENT PROVIDE?

If the Court grants final approval, Class Members who submit Valid Claim Forms are entitled to the following settlement benefits:

- 1) **Reimbursement:** A cash payment of up to \$150.00 per Class Member for out-of-pocket expenses, including up to three hours of lost time related to the Security Incident (up to \$25.00 per hour) and/or documented expenses or monetary loss as outlined in the Settlement Agreement; or
- 2) **Fixed Cash Payment:** A cash payment of \$60.00 if you select “Fixed Cash Payment” in the Valid Claim Form you submit as outlined in the Settlement Agreement.

Reimbursement Terms: Defendant will pay up to a total of \$8,000,000 for all Class Members’ valid claims for Reimbursement and Fixed Cash Payments, payments to Class Representatives, Fee Award, and Administrative Expenses. To receive compensation for out-of-pocket losses / lost time incurred due to the Security Incident, or a Fixed Cash Payment, you must submit a Valid Claim Form by January 14, 2025. Claims for Lost Time will be compensated at up to \$25.00 per hour (up to three hours per Class Member) upon attestation, made subject to the penalties of perjury, by the Class Member that the time was spent as a result of the Security Incident. If a claim for reimbursement is determined to be deficient, the Class Member will receive a Notice of Deficient Claim and given an opportunity to cure the defect. If the defect cannot be cured, then the Class Member shall be notified that he/she has fourteen (14) calendar days to make a claim for a Fixed Cash Payment. If the valid claims for Reimbursement and Fixed Cash Payments submitted by Class Members, payments to Class Representatives, Fee Award, and Administrative Expenses exceed a total of \$8,000,000, all claims will be reduced on a pro rata basis prior to payment. The amount you are entitled to receive depends on several factors, including how many Valid Claim Forms are filed before the Claims Deadline. You can look at the Claim Form at www.MUHealthCareSettlement.com to see an explanation of the types of loss that will be considered, as well as specific documentation requirements.

Remedial Measures: The Settlement also provides remedial relief for all Class Members, regardless of whether you make a claim in the Settlement, including use of two-factor authentication for Defendant’s electronic mail system and training for five years.

Fees, Costs, and Expenses Associated with the Settlement: The parties estimate that the fees, costs, and expenses associated with the Settlement will be as follows: (i) Settlement Administration Costs estimated to be One Hundred Thousand Dollars (\$100,000); (ii) a Fee Award, to be requested by Class Counsel, not to exceed 22% of the Payment Cap; and (iii) an Incentive Award, to be requested by the Class Representatives, not to exceed Five Thousand Dollars (\$5,000) to each Class Representative.

For those Class Members entitled to a cash payment, the exact amount of such payment is unknown at this time and may vary depending on several factors, including the costs of other expenses to be paid from the Settlement. The Claims Administrator will calculate the final amount that is due to each eligible Participating Class Member and shall pay settlement distributions directly to each eligible Class Member who timely returns a completed Valid Claim Form and who does not actively remove himself or herself from the Class and who otherwise qualifies for the distribution.

7. HOW DO I RECEIVE A BENEFIT?

If you are an eligible Class Member and you do not exclude yourself from the Settlement, and if you wish to receive a payment from the Settlement, then you must make a valid claim by January 14, 2025.

Claims can be filed online at www.MUHealthCareSettlement.com by January 14, 2025 or by mailing your Claim Form to the Claims Administrator at Bumbales v. Curators of UM, c/o Epiq, PO Box 3710, Portland, OR 97208-3710. You may also contact the Claims Administrator toll-free at 1-888-625-4386 with any questions. Late claims for distribution will not be paid.

If the Settlement is approved by the Court after the Final Approval Hearing, and if you have timely submitted a Valid Claim Form for Reimbursement or a Fixed Cash Payment by the deadline of January 14, 2025, you will be sent a Participating Class Member Payment for your monetary share of the Settlement.

8. HOW WILL I RECEIVE PAYMENTS?

The Claims Administrator will issue a check to each Class Member entitled to a Participating Class Member Payment following the final approval of the Settlement.

The Parties cannot predict exactly when (or whether) the Court will give final approval to the Settlement, so please be patient. However, if the Court finally approves the Settlement, you will be paid, if eligible, within 21 calendar days after the Effective Date of the Settlement. If there is an appeal of the Settlement, payment will be delayed. Updated Information about the case can be obtained through Class Counsel at the telephone number or email address provided below.

YOUR RIGHTS AND OPTIONS

9. WHAT HAPPENS IF I DO NOTHING AT ALL?

If the Court grants final approval of the Settlement, and you do nothing, then you will be bound by the Court's Final Judgment that will forever bar you from pursuing any claim against Defendant and the Defendant Released Parties related to the Security Incident that occurred in May 2020, and you will receive no payment from the Claims Administrator.

10. WHY WOULD I ASK TO BE EXCLUDED?

If you already have your own lawsuit against the Defendant about the same claims in this lawsuit and want to continue with it, you need to ask to be excluded from the Class. If you exclude yourself, you will not be legally bound by the Court's judgment in this case. If you start your own lawsuit against the Defendant after you exclude yourself, you'll have to hire and pay your own lawyer for that lawsuit, and you'll have to prove your claims. If you do exclude yourself so you can start or continue your own lawsuit against Defendant, you should talk to your own lawyer.

11. HOW DO I ASK THE COURT TO EXCLUDE ME IN THIS CASE?

You have the right to exclude yourself from (i.e., “opt out” of) the Settlement Class. If you exclude yourself. You will be giving up the right to receive any payment and the right to object, but you will not be releasing the claims that are released in this Settlement.

To exclude yourself from the Class, you must inform the Claims Administrator in writing of your name, address, and your intention to be excluded. The Exclusion Statement must contain the name, address, and telephone number of the Class Member to be valid. It must also contain the words: “I elect to exclude myself from the settlement in *Casey Bumbales v. Curators of the University of Missouri d/b/a MU Health Care*” All requests for exclusion must be submitted, signed, and mailed to the Claims Administrator and postmarked no later than January 14, 2025. If you return a late request for exclusion, the request will be deemed invalid, and you will remain a member of the Class and will be bound by all the terms of the Settlement.

YOU CANNOT EXCLUDE YOURSELF BY TELEPHONE OR BY SENDING AN EMAIL.

DO NOT SUBMIT BOTH A CLAIM FORM AND A REQUEST FOR EXCLUSION. IF YOU SUBMIT BOTH A CLAIM FORM AND A REQUEST FOR EXCLUSION, YOUR CLAIM FORM WILL BE DISREGARDED.

12. HOW DO I OBJECT TO THE SETTLEMENT?

You have the right to object to the Settlement if you wish. To object, you must file a written statement with the Clerk of the Court, Circuit Court of Boone County, 705 E. Walnut, Columbia, Missouri 65201, no later than January 14, 2025. You must also mail a copy of your objection to the following two places postmarked no later than January 14, 2025.

CLASS COUNSEL	DEFENDANT’S COUNSEL
Todd C. Werts Lear Werts LLP 103 Ripley Street Columbia, MO 65201	Jena Valdetero Greenberg Traurig, LLP 77 West Wacker Drive, Suite 3100 Chicago, IL 60601

A copy of your objection must also be mailed to the Claims Administrator at the following address: *Bumbales v. Curators of UM*, c/o Epiq, PO Box 3710, Portland, OR 97208-3710.

Your objection must: (i) include your full name, address, and telephone number; (ii) state the case name and number of this Consolidated Action; (iii) attach documents establishing or provide information sufficient to allow the Parties to confirm you are a Class Member; (iv) include a statement of your specific objections; (v) state all grounds for the objection, with factual and legal support for the stated objection, including any supporting materials; (vi) identify any other objections you have filed, or have had filed on your behalf, in any other class action cases in the last four years; (vii) provide a list of witnesses you may call to testify and exhibits you intend to introduce as evidence at the Final Approval hearing; and (viii) be signed by you.

If you file an objection and wish it to be considered, you must also appear at the Final Approval Hearing, which will be held on **February 3, 2025 at 1:30p.m.** in Division IV of the Boone County Courthouse, 705 E. Walnut, Columbia, MO 65201, in-person or through counsel to show cause of why the proposed Settlement should not be approved as fair, reasonable, and adequate.

You will not be excluded from the Settlement by filing an objection. If you exclude yourself from the Settlement or submit a Valid Claim Form, you cannot file an objection.

Any attorney you may hire for the purpose of making an objection must file his or her Entry of Appearance on or before January 14, 2025. The Entry of Appearance shall be filed with the Clerk of the Court with a copy served upon Class Counsel and Defendant’s Counsel in accordance with Missouri Supreme Court Rules.

Any Class Member who does not timely file and serve this written objection will not be permitted to raise an objection, except for good cause shown, and any Class Member who fails to object in the manner described above will be deemed to have waived objections to the claim and will be foreclosed from raising any objections.

THE LAWYERS REPRESENTING YOU

13. DO I HAVE A LAWYER IN THIS CASE?

For purposes of this settlement, the Class Representatives and the Settlement Class are represented by both Co-Lead Counsel and a Class Executive Committee. Co-Lead Counsel are Bradford B. Lear and Todd C. Werts of Lear Werts LLP, 103 Ripley Street, Columbia, Missouri 65201. The Class Executive Committee is comprised of Troy Walton of Walton Telken, LLC, Aaron Zigler of Zigler Law Group, LLC, and Tyler Schneider and Kenneth Brennan of TorHoerman Law LLC.

You will not be personally charged for their work on the case (which is being paid out of the Settlement Fund). If you want to be represented by your own lawyer, you may hire one at your own expense.

14. IS THERE A RELEASE OR WAIVER OF CLAIMS?

Yes. Unless you affirmatively exclude yourself, you will agree to the “Release” of claims as described in Section V of the Settlement Agreement. That means that you cannot sue, continue to sue, or be part of any other lawsuit against Defendant or other Defendant Released Parties for any of the Released Claims. It also means that the Court’s orders will apply to you and legally bind you. You may view the Settlement Agreement for the full language of the claims you will give up if you remain in the Settlement by visiting www.MUHealthCareSettlement.com or requesting a copy from the Claims Administrator.

THE COURT’S FINAL APPROVAL HEARING

15. WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT?

The Court has already granted preliminary approval of the Settlement. The Court will hold a Final Approval Hearing on February 3, 2025, at 1:30 p.m. in the Boone County Courthouse, Division IV, 705 E. Walnut, Columbia, MO 65201. The Final Approval Hearing may be continued to a future date without further notice. At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. If there are objections, the Court will consider and rule on them. The Court may also decide how much to pay Class Counsel. After the hearing, the Court will decide whether to approve the Settlement.

If the Court does not approve the Settlement, if it approves the Settlement and the approval is reversed on appeal, or if the Settlement does not become final for some other reason, you will not be paid at this time, and Class Members will receive no benefits from the Settlement. Plaintiffs, Defendant, and all of the Class Members will be in the same position as they were prior to the execution of the Settlement, and the Settlement will have no legal effect, no class will remain certified (subject to approval or otherwise), and the Plaintiffs and Defendant will continue to litigate the Consolidated Action. There can be no assurance that if the Settlement is not approved, the Settlement Class will recover more than is provided in the Settlement, or indeed, anything at all.

16. DO I HAVE TO COME TO THE HEARING?

No, unless you have filed an objection. Class Counsel will answer questions the Court may have. But you are welcome to come at your own expense. If you send an objection, you have to come to Court to talk about it. You may also pay your own lawyer to attend, but it’s not necessary.

MORE INFORMATION

17. ARE MORE DETAILS AVAILABLE?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Agreement at www.MUHealthCareSettlement.com or by calling the Claims Administrator toll-free at 1-888-625-4386.

Please do not contact the Court Clerk, the Judge, Defendant's Counsel, or Defendant; they are not in a position to give you any advice about the Settlement.

19. WHAT ARE THE IMPORTANT DEADLINES?

The following are the important dates and deadlines under the proposed Settlement:

Last Day to Submit Request for Exclusion: January 14, 2025
Last Day to File and Serve Objections: January 14, 2025
Last Day to File a Claim Form: January 14, 2025
Final Approval Hearing: February 3, 2025