

If you were notified of a Data Security Incident involving Tampa General Hospital that occurred in May 2023, you may be entitled to benefits from a class action settlement.

A Court has authorized this notice. This is **not** a solicitation from a lawyer.

- A \$6.8 million settlement has been reached in a class action lawsuit against Florida Health Sciences Center, Inc. d/b/a Tampa General Hospital (“Defendant”) arising out of a data security incident Defendant experienced in May 2023, by an unauthorized third party (“Data Security Incident”).
- You are part of the Settlement Class if you were sent notice by the Defendant that your Private Information was potentially compromised in the Data Security Incident between May 12, 2023, and May 30, 2023. Under the terms of the Settlement, Settlement Class Members who submit Valid Claims may be able to recover the following benefits, subject to *pro rata* adjustments:

○ **Cash Payment A:**

- **Compensation for Ordinary Losses:** With supporting documentation showing you incurred losses as a result of the Data Security Incident, you may be eligible for reimbursement up to \$1,500.00.
- **Compensation for Extraordinary Losses:** For certain documented monetary losses, you may be eligible for reimbursement up to \$7,500.00.
- **Compensation for Lost Time:** You are also eligible to receive reimbursement for up to four hours of lost time spent dealing with the Data Security Incident, calculated at the rate of \$25.00 per hour.

OR

- **Cash Payment B:** Instead of selecting Cash Payment A, you may elect to receive a flat payment in the amount of \$125.00.

AND

- **Credit Monitoring:** In addition to receiving either Cash Payment A or Cash Payment B, you may elect to receive one year of free 3-bureau credit monitoring services.
- **Business Practice Changes:** Although Defendant denies any wrongdoing, Plaintiffs have received assurances that the hospital is continuously updating and hardening systems to help prevent events such as this from occurring and has implemented additional defensive tools and increased monitoring.

This notice may affect your rights. Please read it carefully.

Your Legal Rights and Options		Deadline
SUBMIT A CLAIM FORM	The only way to get Settlement Class Member Benefits is to submit a Valid Claim.	Submitted online or by mail Postmarked by January 12, 2025
OPT OUT OF THE SETTLEMENT	Get no Settlement Class Member Benefits. Keep your right to file your own lawsuit against Defendant about the legal claims in this case.	Postmarked by December 28, 2024
OBJECT TO THE SETTLEMENT	Stay in the Settlement, but tell the Court why you do not agree with the Settlement. You will still be bound by the Settlement if the Court approves it.	Received by December 28, 2024
DO NOTHING	Get no Settlement Class Member Benefits. Be bound by the Settlement.	

- These rights and options—**and the deadlines to exercise them**—are explained in this notice.
- The Court must still decide whether to approve the Settlement. There will be no Settlement Class Member Benefits unless the Court approves the Settlement, and it becomes final.

BASIC INFORMATION

1. Why is this notice being provided?

A Court authorized this notice because you have the right to know about the proposed Settlement of this class action lawsuit and all of your rights and options before the Court decides 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 the benefits, and how to get them.

The Honorable Melissa M. Polo of the Florida 13th Judicial Circuit Court in Hillsborough County is overseeing this class action. The case is known as *DiPierro v. Florida Health Sciences Center, Inc. d/b/a Tampa General Hospital*, Case No. 23-CA-013984 (Fla. 13th. Jud. Cir. Ct., Hillsborough Cty.). The persons who filed this lawsuit are called the “Plaintiffs” and/or “Class Representatives” and the company sued, Florida Health Sciences Center, Inc. d/b/a Tampa General Hospital, is called the “Defendant.”

2. What is this lawsuit about?

Plaintiffs filed this lawsuit against Defendant. Plaintiffs allege that on or around May 31, 2023, Defendant detected unusual activity in its computer systems and ultimately determined that an unauthorized third party gained access to Defendant’s network between May 12, 2023, and May 30, 2023. Defendant’s investigation confirmed the Data Security Incident included approximately 2.1 million individuals’ Personally Identifiable Information (“PII”) and Protected Health Information (“PHI”) (collectively, “Private Information”), including names, addresses, telephone numbers, dates of birth, Social Security numbers, health insurance information, medical record numbers, patient account numbers, dates of service, and/or limited treatment information used by Defendant for its business operations.

Plaintiffs brought this lawsuit against Defendant alleging claims for negligence, negligence *per se*, breach of implied contract, unjust enrichment, and violation of the Florida Deceptive and Unfair Trade Practices Act, Fla. Stat. §§ 501.204 *et seq.*

Defendant denies these allegations and denies any wrongdoing or liability. The Court has not decided who is right. Instead, Plaintiffs and Defendant have agreed to a settlement to avoid the risk, cost, and time of further litigation.

3. Why is the lawsuit a class action?

In a class action, one or more people (called plaintiff(s) or class representative(s)) sue on behalf of all people who have similar legal claims. Together, all these people are called a “class” or “class members.” If the plaintiffs and defendant reach a settlement, the court resolves the issues for all class members via the settlement, except for those class members who timely opt out (exclude themselves) from the settlement.

The proposed Class Representatives in this lawsuit are Plaintiffs Angelica DiPierro, Stacey Graham, Deborah Ivey, Edward James, Sr., Keon Critchlow, and Aubrey Rassel.

4. Why is there a Settlement?

Plaintiffs and Defendant do not agree about the legal claims made in the lawsuit. The lawsuit has not gone to trial, and the Court has not decided in favor of Plaintiffs or Defendant. Instead, Plaintiffs and Defendant have agreed to settle the lawsuit. The Class Representatives believe the Settlement is best for all individuals in the Settlement Class because of the benefits available to the Settlement Class and the risks and uncertainty associated with continuing the lawsuit.

Questions? Go to www.FloridaHealthSettlement.com or call 1-877-817-1030

WHO IS INCLUDED IN THE SETTLEMENT?

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

You are part of the Settlement Class if you were sent notification from Defendant that your Private Information was potentially compromised as a result of the Data Security Incident that occurred between May 12, 2023, and May 30, 2023, and was discovered by Defendant on or about May 31, 2023.

6. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Settlement Class are (a) all persons who are governing board members of Defendant; (b) governmental entities; and (c) the Court, 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 www.FloridaHealthSettlement.com or call the Settlement Administrator's toll-free telephone number at 1-877-817-1030.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

8. What does the Settlement provide?

If you are a Settlement Class Member and you timely submit a Valid Claim, you may be eligible for the following benefits subject to *pro rata* adjustment:

Cash Payment A:

Compensation for Ordinary Losses: All Settlement Class Members who submit a Valid Claim are eligible for up to a total of \$1,500.00 per person for unreimbursed ordinary losses that are fairly traceable to the Data Security Incident. You must submit documentation supporting your Claim for ordinary losses, which may include receipts or other documentation that show the costs incurred. "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 product offered as part of the notice letter previously provided by Defendant or otherwise. Ordinary losses may include the following:

- **Out-of-pocket expenses incurred** as a result of the Data Security Incident, including bank fees, long distance phone charges, cell phone charges (only if charged by the minute), data charges (only if charged based on the amount of data used), postage, or gasoline for local travel; and
- **Fees for credit reports, credit monitoring, or other identity theft insurance product** purchased between May 12, 2023, the date of the Data Security Incident, and **January 12, 2025**, the deadline to file a Claim Form.

Compensation for Extraordinary Losses: Compensation for extraordinary losses, up to a total of \$7,500.00, per Settlement Class Member, if the extraordinary loss is:

Questions? Go to www.FloridaHealthSettlement.com or call 1-877-817-1030

- An actual, documented and unreimbursed monetary loss;
- More likely than not caused by the Data Security Incident;
- Occurred on or after May 12, 2023, and before the Claim Form Deadline;
- Not one of the listed ordinary loss categories, and you made reasonable efforts to avoid, or seek reimbursement for, the loss, including, but not limited to, exhaustion of all available credit monitoring insurance and identity theft insurance.

Compensation for Lost Time: Settlement Class Members with time spent remedying issues related to the Data Security Incident may receive reimbursement of \$25.00 per hour up to 4 hours (for a total of \$100.00) with an attestation (a legal term meaning signing a formal document) including a brief description of the action(s) taken in response to the Data Security Incident. Claims made for lost time may be combined with reimbursement for ordinary losses up to a combined total of \$1,500.00.

OR

Cash Payment B: Instead of selecting Cash Payment A, a Settlement Class Member may elect to receive Cash Payment B, which is a one-time payment of \$125.00.

AND

Credit Monitoring: In addition to selecting a Cash Payment, Settlement Class Members may also elect to receive one year of free Credit Monitoring with three bureaus: Experian, Equifax, and TransUnion.

Pro Rata Adjustment: Settlement Class Member Cash Payments may be subject to a *pro rata* (a legal term meaning equal share) increase from the Settlement Fund in the event the amount of Valid Claims is insufficient to exhaust the entire Settlement Fund. Similarly, in the event the amount of Valid Claims exhausts the amount of the Settlement Fund, the amount of the Cash Payments may be reduced *pro rata* accordingly. For purposes of calculating the *pro rata* increase or decrease, the Settlement Administrator must distribute the funds in the Settlement Fund first for payment of Credit Monitoring and then for Cash Payments. Any *pro rata* increases or decreases to Cash Payments will be on an equal percentage basis. In the unexpected event the value of Credit Monitoring on its own exhausts the amount of the Settlement Fund, the length of the Credit Monitoring provided will be reduced as necessary to bring the cost within the Settlement Fund.

9. What am I giving up to receive Settlement benefits or stay in the Settlement Class?

Unless you opt out of the Settlement, you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, all Court orders 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, including Defendant, about the legal issues in this lawsuit that are released by this Settlement. The specific rights you are giving up are called “Released Claims.”

10. What are the Released Claims?

The Settlement Agreement in Section XIII describes the Released Claims and the Release, in necessary legal terminology, so please read this section carefully. The Settlement Agreement is available at www.FloridaHealthSettlement.com or in the public Court records on file in this lawsuit. 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 15 for free, or you can talk to your own lawyer at your own expense.

Questions? Go to www.FloridaHealthSettlement.com or call 1-877-817-1030

HOW TO GET BENEFITS FROM THE SETTLEMENT

11. How do I make a Claim for Settlement benefits?

To receive any of the benefits described in Question 8, you must submit a Valid Claim, **postmarked** or submitted online by **January 12, 2025**. Claim Forms may be submitted online at www.FloridaHealthSettlement.com or printed from the Settlement Website and mailed to the Settlement Administrator at the address on the Claim Form. The quickest way to submit a Claim is online. Claim Forms are also available by calling 1-877-817-1030 or by writing to:

Florida Health Settlement Administrator
PO Box 2417
Portland, OR 97208-2417

Claim Forms must be submitted online or by mail postmarked by January 12, 2025.

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

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 calling 1-877-817-1030 or by writing to:

Florida Health Settlement Administrator
PO Box 2417
Portland, OR 97208-2417

13. When will I receive my Settlement benefits?

If you submit a timely and Valid Claim, payment will be made to you by the Settlement Administrator after the Settlement is approved by the Court and becomes final.

It may take time for the Settlement to be approved and become final. Please be patient and check www.FloridaHealthSettlement.com for updates.

14. How will I receive my payment?

If you submit a timely and Valid Claim for payment, and if your Claim and the Settlement are finally approved, an email will be sent to the email address you provided on the Claim Form, prompting you to elect your method of payment. Several electronic payment options will be available, or you can elect a check. Please ensure you have provided a current and complete email address. If you do not provide a current and valid email address, if you do not open your email, or if your electronic payment does not go through due to wrong or incomplete information, the Settlement Administrator will attempt to send you a check relying on your physical address submitted on your Claim Form.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in this case?

Yes, the Court has appointed Jeff Ostrow and Kristen Lake Cardoso of Kopelowitz Ostrow P.A. as Class Counsel lawyers 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.

Questions? Go to www.FloridaHealthSettlement.com or call 1-877-817-1030

16. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award attorneys' fees of up to 33.33% of the \$6.8 million Settlement Fund, plus reimbursement of costs. The Court may award less than the amounts requested. If awarded by the Court, the Settlement Administrator will pay attorneys' fees and costs out of the Settlement Fund.

Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards will be made available on the Settlement Website at www.FloridaHealthSettlement.com before the deadline for you to object to or opt out of the Settlement.

OPTING OUT OF THE SETTLEMENT

If you are a Settlement Class Member and want to keep any right you may have to sue or continue to sue the Released Parties on your own based on the legal claims raised in this lawsuit or released by the Released Claims, then you must take steps to get out of the Settlement. This is called opting out of the Settlement.

17. How do I opt out of the Settlement?

To opt out of the Settlement, you must timely mail written notice of a request to opt out. The written notice must be:

- (1) Signed by you as a Settlement Class member;
- (2) Include your name, address, telephone number and email address (if any); and
- (3) Include a statement indicating your request to be excluded from the Settlement Class.

The opt out request must be **mailed** to the Settlement Administrator at the following address, and be **postmarked by December 28, 2024**:

Florida Health Settlement Administrator
Exclusions
PO Box 2417
Portland, OR 97208-2417

You cannot opt out by telephone or by email.

18. If I opt out can I still get anything from the Settlement?

No. If you opt out, you will not be entitled to receive any Settlement Class Member Benefits, but you will not be bound by any judgment in this case. You can only get Settlement Class Member Benefits if you stay in the Settlement and submit a Valid Claim.

19. If I do not opt out, can I sue Defendant for the same thing later?

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

Questions? Go to www.FloridaHealthSettlement.com or call 1-877-817-1030

OBJECTING TO THE SETTLEMENT

20. 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 do not agree with all or any part of the Settlement and/or Class Counsel's Application for Attorneys' Fees and Costs.

To object, you must file a timely, written objection stating that you object in *DiPierro v. Florida Health Sciences Center, Inc. d/b/a Tampa General Hospital*, Case No. 23-CA-013984 (Fla. 13th Jud. Cir. Ct., Hillsborough Cty.). If your objection is submitted by mail, it must be **postmarked by December 28, 2024**.

The objection must also include all the following information:

- (1) Your full name, mailing address, telephone number, and email address (if any);
- (2) A written statement of all grounds for the objection, accompanied by any legal support for the objection known to you or your lawyer;
- (3) The number of times you have objected to a class action settlement within the five years preceding the date that you filed the objection, the caption of each case in which you have made such objection, and a copy of any orders related to or ruling upon your prior objections that were issued by trial and appellate courts in each listed case;
- (4) The identity of all lawyers (if any) representing you, including any former or current lawyer(s) 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 and/or your lawyer's law firm has objected to a class action settlement within the five years preceding the date of the filed objection, the caption of each case in which the lawyer or the firm has made such objection and a copy of any orders related to or ruling upon the 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 the objector's lawyer and/or lawyer's law firm have objected to a class action settlement within the preceding five years;
- (6) Any and all agreements that relate to the objection or the process of objecting—whether written or oral—between you 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 as to whether you intend to personally appear and/or testify at the Final Approval Hearing; and
- (10) Your signature (a lawyer's signature is not sufficient).

To be timely, written notice of an objection in the appropriate form must be filed with the Court by **December 28, 2024**, with copies to the following addresses:

COURT	CLASS COUNSEL	DEFENDANT'S COUNSEL	SETTLEMENT ADMINISTRATOR
Clerk of Court Hillsborough County Circuit Court Edgecomb Courthouse 800 E. Twiggs Street Tampa, FL 33602	Jeff Ostrow Kopelowitz Ostrow P.A. 1 West Las Olas Blvd., Ste. 500 Fort Lauderdale, FL 33301	Casie D. Collignon Baker & Hostetler LLP 1801 California Street, Ste. 4400 Denver, CO 80202	Florida Health Settlement Administrator Objections PO Box 2417 Portland, OR 97208-2417

Questions? Go to www.FloridaHealthSettlement.com or call 1-877-817-1030

Any Settlement Class Member who fails to comply with the requirements for objecting detailed above will waive and forfeit any and all rights they may have to appear separately and/or to object to the Settlement Agreement and will be bound by all the terms of the Settlement Agreement and by all proceedings, orders, and judgments in the lawsuit.

21. What is the difference between objecting and asking to opt out?

Objecting is simply telling the Court you do not like something about the Settlement or 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

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

The Court will hold a Final Approval Hearing on **January 27, 2025, at 1:30 p.m.** before the Honorable Melissa M. Polo at the Edgecomb Courthouse, 800 E. Twiggs Street, Tampa, Florida, 33602, Courtroom #504 or via Zoom or by phone. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement, Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards.

If there are objections, the Court will consider them. The Court will also listen to people who have asked to speak at the hearing.

Note: The date and time of the Final Approval Hearing are subject to change. The Court may also decide to hold the hearing via Zoom or by phone. Any change will be posted at www.FloridaHealthSettlement.com.

23. Do I have to attend 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 send an objection, you do not have to attend the Final Approval Hearing to speak about it. As long as you file or mail your written objection on time, the Court will consider it.

24. May I speak at the Final Approval Hearing?

Yes, as long as you do not opt out, 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 Final Approval Hearing, you must follow all of the procedures for objecting to the Settlement listed in Section 20 above—and specifically include a statement whether you and your lawyer will appear at the Final Approval Hearing.

Questions? Go to www.FloridaHealthSettlement.com or call 1-877-817-1030

IF YOU DO NOTHING

25. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will not receive any Settlement benefits, and you will give up rights explained in the “Opting Out of 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, including Defendant, about the legal issues in this lawsuit that are released by the Settlement Agreement relating to the Data Security Incident.

GETTING MORE INFORMATION

26. How do I get more information?

This notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at www.FloridaHealthSettlement.com, by calling 1-877-817-1030 or by writing to:

Florida Health Settlement Administrator
PO Box 2417
Portland, OR 97208-2417

**PLEASE DO NOT TELEPHONE THE COURT OR THE
COURT’S CLERK OFFICE REGARDING THIS NOTICE.**

Questions? Go to www.FloridaHealthSettlement.com or call 1-877-817-1030