District Court for Itasca County, Minnesota

Schaefer v. Bigfork
Case No. 31-CV-25-840

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

IF YOUR PRIVATE INFORMATION WAS COMPROMISED IN THE NOVEMBER 2024 BIGFORK VALLEY HOSPITAL, DATA SECURITY INCIDENT, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS, AND ENTITLE YOU TO BENEFITS AND A CASH PAYMENT.

Please read this Notice carefully and completely.

- A Settlement has been reached with Bigfork Valley Hospital ("Bigfork Valley" or "Defendant") in a class action lawsuit. This case is about the targeted cyberattack on Bigfork Valley's computer systems that occurred in November 2024 (the "Data Security Incident"). Certain files that contained private information were accessed or acquired without authorization. These files may have contained personal information such as names; dates of birth; Social Security numbers; financial account numbers; and driver's license or state identification numbers.
- The lawsuit is called *Schaefer v. Bigfork*, Case No. 31-CV-25-840. It is pending in the District Court for Itasca County, Minnesota (the "Litigation").
- Bigfork Valley denies that it did anything wrong, and the Court has not decided who is right.
- The parties have agreed to settle the lawsuit (the "Settlement") to avoid the costs and risks, disruptions, and uncertainties of continuing the Litigation.
- Bigfork Valley's records indicate that you are a Class Member and potentially entitled to benefits under the Settlement. You may have received a previous notice directly from Bigfork Valley.
- Your rights may be affected whether you act or don't act. ***Please read this Notice carefully and completely.***

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	The only way to receive benefits or payments from this Settlement is by submitting a valid and timely Claim Form. The fastest way to submit your Claim Form is online at www.BigforkValleyDataSettlement.com. If you prefer, you can download the Claim Form from the Settlement Website and mail it to the Settlement Administrator. You may also call or email the Settlement Administrator to receive a paper copy of the Claim Form.	**February 1, 2027**
OPT OUT OF THE SETTLEMENT	You can choose to opt out of the Settlement and receive no benefit or payment. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims resolved by this Settlement. You can hire your own lawyer at your own expense.	**January 1, 2027**
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not opt out of the Settlement, you may object to it by writing to the Court about why you don't like the Settlement. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you may also file a claim for Settlement benefits.	**January 1, 2027**
DO NOTHING	Unless you opt out of the Settlement, you are automatically part of the Settlement. If you do nothing, you will not receive benefits or payments from this Settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims resolved by this Settlement.	No Deadline

- These rights and options—**and the deadlines to exercise them—**are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement.

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Basic Information

1. Why was this Notice issued?

The District Court for Itasca County, Minnesota, authorized this Notice. You have a right to know about the proposed Settlement of this class action lawsuit, and about all of your options, before the Court decides whether to grant final approval of the Settlement. This Notice explains the lawsuit, your legal rights, what benefits are available, and who can receive them.

The lawsuit is called *Schaefer v. Bigfork*, Case No. 31-CV-25-840. It is pending in the District Court for Itasca County, Minnesota. The people that filed this lawsuit are called the "Plaintiffs" (or "Class Representatives") and the company they sued, Bigfork Valley Hospital, is called the "Defendant."

2. What is this lawsuit about?

This lawsuit alleges that during the November 2024 targeted cyberattack on Bigfork Valley's computer systems, certain files that contained private information were accessed. These files may have contained personal information such as names; dates of birth; Social Security numbers; financial account numbers; and driver's license or state identification numbers.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals are called the "Plaintiffs" or "Class Representatives." Together, the people included in the class action are called a "Class" or "Class Members." One court resolves the lawsuit for all Class Members, except for those who opt out from the settlement. In this Settlement, the Class Representatives are Terrance Schaefer and Jeffery Wahlfors. Everyone included in this Action are the Class Members.

4. Why is there a Settlement?

The Court did not decide whether the Plaintiffs or the Defendant are right. Both sides have agreed to a Settlement to avoid the costs and risks of a trial, and to allow the Class Members to receive benefits from the Settlement. The Plaintiffs and their attorneys think the Settlement is best for all Class Members.

Who is in the Settlement?

5. Who is included in the Settlement?

The court has defined the Class this way: "All individuals residing in the United States whose PII/PHI was compromised in the Data Security Incident of Bigfork Valley Hospital's network in November 2024 who were identified and sent notice advising of the Data Security Incident."

6. Are there exceptions to being included?

Yes. Excluded from the Class are: (i) Defendant, (ii) any Judge who adjudicates this case, including its staff, and (iii) any Settlement Class Member who validly and timely submits a Request for Exclusion.

If you are not sure whether you are a Class Member, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@BigforkValleyDataSettlement.com
- Call toll free, 24/7: (833) 285-3413
- By mail:

Bigfork Valley Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also view the Settlement Agreement at www.BigforkValleyDataSettlement.com.

The Settlement Benefits

7. What does the Settlement provide?

All Settlement Class Members are eligible to enroll in **Credit Monitoring Services** and one or more of the **cash payment** options. These benefits are described in more detail below.

CREDIT MONITORING SERVICES. All Settlement Class Members have been sent enrollment codes to enroll in three years of CyEx Medical Shield Complete. If you no longer have your enrollment code, please contact the settlement administrator. This comprehensive service comes with $1 million of medical identity theft insurance, and includes monitoring for:

- healthcare insurance ID exposure
- Medical Record Number (MRN) exposure
- unauthorized Health Savings Account (HSA) spending

If anything, suspicious happens, you will be able to talk to a fraud resolution agent to help fix any problems.

CASH PAYMENT OPTIONS

Claims for Ordinary Documented Losses. If you incurred actual, documented out-of-pocket expenses due to the Data Security Incident, you can get back up to **$500.00**. The losses must have occurred between November 4, 2024, and February 1, 2027.

This benefit covers out-of-pocket expenses like:

- fees for credit reports, credit monitoring, or freezing and unfreezing your credit
- cost to replace your IDs
- postage to contact banks by mail

You need to send proof, like receipts, to show how much you spent or lost. You can also send notes or papers you made yourself to explain or support other proof, but those notes or papers alone are not enough to make a valid claim. Your proof or notes should show that your expenses were because of the Data Incident.

You cannot claim a payment for expenses that have already been reimbursed by a third party.

Claims for Extraordinary Documented Losses. If you lost money because of identity theft or fraud, you can get back up to **$2,000.00**.

You will need to show that:

- the theft or fraud was probably caused by the Data Security Incident
- the losses are not already covered by **Ordinary Documented Losses**
- you tried to prevent the loss or get your money back, such as by using insurance you already have

The losses must have occurred between November 4, 2024, and February 1, 2027.

You need to send proof, like receipts, to show how much you spent or lost. You can also send notes or papers you made yourself to explain or support other proof, but those notes or papers alone are not enough to make a valid claim. Your proof or notes should show that your expenses were because of the Data Incident.

You cannot claim a payment for expenses that have already been reimbursed by a third party.

Claims for Reimbursement of Lost Time. Class Members who spent at least an hour responding to the Data Security Incident may claim up to four hours, at $20.00 per hour, for a maximum of **$80.00**.

You must have spent the time on tasks related to the Data Security Incident. Some examples include things like:

- changing your passwords
- investigating suspicious activity in your accounts
- researching the Data Security Incident

You must attest to how you spent this time by checking a box. Any time you claim will count towards the $500.00 cap under Ordinary Documented Losses.

There is an aggregate cap of $200,000.00 on the cash payments. This means that if the total value of cash payments claimed is over $200,000.00, everyone's payments will be reduced pro rata so that they add up to $200,000.00.

A full description of how this works is available in Settlement Agreement, at www.BigforkValleyDataSettlement.com.

If you have questions about these benefits, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@BigforkValleyDataSettlement.com
- Call toll free, 24/7: (833) 285-3413

- By mail:

Bigfork Valley Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

8. What claims am I releasing if I stay in the Class?

If you stay in the class, you won't be able to be part of any other lawsuit against Bigfork Valley about the issues that this Settlement covers. The "Releases" section of the Settlement Agreement (Section IX) describes the legal claims that you give up if you remain in the Class. The Settlement Agreement is available at www.BigforkValleyDataSettlement.com.

Submitting a Claim Form for a Settlement Payment

9. How do I submit a claim for a Settlement benefit?

The fastest way to submit your Claim Form is online at www.BigforkValleyDataSettlement.com. If you prefer, you can download a printable Claim Form from the website and mail it to the Settlement Administrator at:

Bigfork Valley Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You may also contact the Settlement Administrator to request a Claim Form by telephone, toll free, (833) 285-3413, by email info@BigforkValleyDataSettlement.com, or by U.S. mail at the address above.

10. Are there any important Settlement payment deadlines?

If you are submitting a Claim Form online, you must do so by **February 1, 2027**. If you are submitting a claim by U.S. mail, the completed and signed Claim Form, including supporting documentation, must be postmarked no later than **February 1, 2027**.

11. When will the Settlement benefits be issued?

The Court will hold a final approval hearing on **March 1, 2027**, (***see* Question 18)**. If the Court approves the Settlement, there may be appeals. We do not know if appeals will be filed, or how long it will take to resolve them if they are filed.

Settlement payments will be distributed if the Court grants final approval, and after any appeals are resolved.

The Lawyers Representing You

12. Do I have a lawyer in the case?

Yes, the Court has appointed attorneys Brittany Resch of Strauss Borrelli PLLC and Elizabeth Orrick of Chestnut Cambronne, to represent you and other Class Members ("Class Counsel").

13. Should I get my own lawyer?

You will not be charged for Class Counsel's services. If you want your own lawyer, you may hire one at your expense.

14. How will Class Counsel be paid?

Class Counsel will ask the court to approve $100,000.00 as reasonable attorneys' fees and reimbursement of litigation costs. This amount will be paid by Bigfork Valley.

Class Counsel will also ask for Service Award payments of $2,500.00 for each of the Class Representatives. Service Award payments will also be paid by Bigfork Valley.

Excluding Yourself from the Settlement

15. How do I opt out of the Settlement?

If you do not want to be part of the Settlement, you must formally exclude yourself from the Settlement. This is called a Request for Exclusion and is sometimes also called "opting out." If you opt out, you will not receive Settlement benefits or payment. However, you will keep any rights you may have to sue Bigfork Valley on your own about the legal issues in this case.

If you exclude yourself, you are telling the Court that you do not want to be part of the Settlement. You will not be eligible to receive any Settlement benefits if you exclude yourself.

The deadline to exclude yourself from the Settlement is **January 1, 2027**.

To be valid, your Request for Exclusion must have the following information:

(1) the name of the Litigation: *Schaefer v. Bigfork*, Case No. 31-CV-25-840, pending in the District Court for Itasca County, Minnesota;

(2) your full name, mailing address, telephone number, and email address;

(3) personal signature; and

(4) the words "Request for Exclusion" or a clear and similar statement that you do not want to participate in the Settlement.

You may only exclude yourself—not any other person.

Mail your Request for Exclusion to the Settlement Administrator at:

Bigfork Valley Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

Your Request for Exclusion must be postmarked by **January 1, 2027**.

Commenting on or Objecting to the Settlement

16. How do I tell the Court if I like or do not like the Settlement?

If you are a Class Member and do not like part or all of the Settlement, you can object to it. Objecting means telling the Court your reasons for why you think the Court should not approve the Settlement. The Court will consider your views.

You cannot object if you have excluded yourself from the Settlement (***see* Question 15**)

You must provide the following information for the Court to consider your objection:

(1) the name of the Litigation: *Schaefer v. Bigfork*, Case No. 31-CV-25-840, pending in the District Court for Itasca County, Minnesota;

(2) your full name, mailing address, telephone number, and email address;

(3) a statement that states with specificity the grounds for the objection, as well as any documents supporting the objection;

(4) the identity of any attorneys representing the objector;

(5) a statement regarding whether the Settlement Class Member (or his/her attorney) intends to appear at the Final Approval Hearing;

(6) information identifying the objector as a Settlement Class Member, including proof that the objector is within the Settlement Class (e.g., copy of the Notice or copy of original notice of the Data Security Incident); and

(7) the signature of the Settlement Class Member and the Settlement Class Member's attorney, if applicable.

For your objection to be valid, it must meet each of these requirements.

To be considered by the Court, you must file your complete objection with the Clerk of Court by **January 1, 2027**. You must also send a copy of the objection to the Settlement Administrator.

Clerk of the Court	Settlement Administrator
Clerk of the Court Itasca County Courthouse 123 Fourth Street NE Grand Rapids, MN 55744	Bigfork Valley Data Security Incident Settlement c/o Settlement Administrator P.O. Box 25226 Santa Ana, CA 92799-9958

17. What is the difference between objecting and excluding?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is opting out and stating to the Court that you do not want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because the Settlement no longer affects you.

The Court's Final Approval Hearing

18. When is the Court's Final Approval Hearing?

The Court will hold a final approval on **March 1, 2027, at 2:00 P.M. Central Time**, in Room [Court Room] of the District Court for Itasca County, Minnesota, at Itasca County Courthouse, 123 Fourth Street NE, Grand Rapids, MN 55744.

At the final approval hearing, the Court will decide whether to approve the Settlement. The court will also decide how Class Counsel should be paid, and whether to award Service Award payments to the Class Representatives. The Court will also consider any objections to the Settlement.

If you are a Class Member, you or your lawyer may ask permission to speak at the hearing at your own cost (***See* Question 16**).

The date and time of this hearing may change without further notice. Please check www.BigforkValleyDataSettlement.com for updates.

19. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish, but you do not have to.

If you file an objection, you do not have to come to the Final Approval Hearing to talk about it; the Court will consider it as long as it was filed on time. You may also pay your own lawyer to attend, but you do not have to.

If I Do Nothing

20. What happens if I do nothing at all?

If you do nothing, you will not receive a benefit from this Settlement.

You will also give up the rights described in **Question 8**.

Getting More Information

21. How do I get more information?

This Notice is a summary of the proposed Settlement. The full Settlement Agreement and other related documents are available at the Settlement Website, www.BigforkValleyDataSettlement.com.

If you have additional questions, you can ask for free help any time by contacting the Settlement Administrator at:

- Email: info@BigforkValleyDataSettlement.com
- Call toll free, 24/7: (833) 285-3413
- By mail:

Bigfork Valley Data Security Incident Settlement
c/o Settlement Administrator
P.O. Box 25226
Santa Ana, CA 92799-9958

You can obtain copies of publicly filed documents by visiting the office of the Clerk of the Court, Itasca County Courthouse, 123 Fourth Street NE, Grand Rapids, MN 55744.

DO NOT CONTACT THE COURT OR CLERK OF COURT REGARDING THIS SETTLEMENT