**CIRCUIT COURT OF JACKSON COUNTY, MISSOURI**

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| **JEFFREY STALEY and JESSICA THOMPSON,** individually and on behalf of all others similarly situated,<br>Plaintiffs,<br>v.<br>**EYECARE PARTNERS, LLC,**<br>Defendant. | Case No. 2616-CV29473 |

# NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

*THIS IS A COURT-AUTHORIZED NOTICE. IT IS NOT A NOTICE OF A LAWSUIT AGAINST YOU OR A SOLICITATION FROM A LAWYER.*

If your Private Information was potentially accessed in the Data Incident that EyeCare Partners, LLC ("EyeCare" or "Defendant") experienced between December 3, 2024, and January 28, 2025, you may be eligible for benefits.

PLEASE READ THIS NOTICE CAREFULLY. YOUR RIGHTS MAY BE AFFECTED.

| **YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT** | |
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| **SUBMIT A VALID CLAIM BY JANUARY 26, 2027** | Submitting a valid Claim Form is the only way to receive a cash payment — reimbursement of documented out-of-pocket losses (up to $3,000), or a $50 Alternative Cash Payment. You do NOT need to submit a Claim Form to receive Medical Monitoring. |
| **DO NOTHING** | Receive no Cash Payment and give up your right to sue EyeCare over the claims resolved in this Settlement. You still received a Medical Monitoring activation code with your Notice. |
| **SUBMIT A WRITTEN EXCLUSION REQUEST BY FEBRUARY 22, 2027** | Submit a written notice of your intent to be excluded. You will receive no benefits, but you will keep your legal claims against EyeCare and the other Released Persons. |
| **FILE AN OBJECTION BY FEBRUARY 22, 2027** | Write to the Court about why you do not like the Settlement. You must remain in the Settlement Class to object. |
| **GO TO A HEARING ON MARCH 23, 2027** | Ask to speak in Court about the fairness of the Settlement. |

## Further Information about this Notice and the Lawsuit

### 1. Why did I receive a Notice?

You received a Notice to inform you of a proposed Settlement in *Staley, et al. v. EyeCare Partners, LLC*, Case No. 2616-CV29473, pending in the Circuit Court of Jackson County, Missouri. The Court authorized that Notice be sent to Settlement Class Members to explain the proposed Settlement and the legal rights and options you have in connection with it.

## 2. What is the Lawsuit about?

The Lawsuit arises from a Data Incident EyeCare experienced between December 3, 2024, and January 28, 2025, in which an unauthorized actor gained access to EyeCare's network and may have accessed files containing sensitive personal information (the "Data Incident"). EyeCare discovered the Data Incident on or about January 28, 2025, and began sending notices to potentially affected individuals on February 3, 2026. EyeCare denies the legal claims and any wrongdoing or liability in connection with the allegations in the Lawsuit.

## 3. Why is the Lawsuit a class action?

In a class action, one or more representative plaintiffs sue on behalf of all others who are alleged to have similar claims. Together these people are the "Class," and each is a "Class Member." Here, the Plaintiffs who represent the Settlement Class are Jeffrey Staley and Jessica Thompson ("Class Representatives"). The company being sued is EyeCare Partners, LLC.

## 4. Why is there a Settlement?

The Class Representatives, through their attorneys (known as "Class Counsel"), investigated the facts and law relating to the issues in the Lawsuit. Plaintiffs and Class Counsel believe the Settlement is fair, reasonable, and adequate and will provide substantial benefits to the Settlement Class. The Court has not decided whether Plaintiffs' claims or EyeCare's defenses have merit. By settling, both sides avoid the cost and risk of trial, and people who submit valid, timely claims will receive benefits. The Settlement does not mean EyeCare did anything wrong.

## Terms of the Proposed Settlement

## 5. Who is in the Settlement Class?

The Settlement Class includes all individuals who received direct notice that their Private Information may have been compromised as a result of the Data Incident. The Settlement Class specifically excludes: (i) all persons who are directors and officers of Defendant; (ii) governmental entities; and (iii) the Judge assigned to the Action, that Judge's immediate family, and Court staff.

## 6. What are the Settlement benefits?

Settlement Class Members are eligible for the following Settlement benefits:

**Documented Out-of-Pocket Losses.** Reimbursement of actual, documented, unreimbursed out-of-pocket losses fairly traceable to the Data Incident, incurred between the date of the Data Incident and the end of the Claim Form Deadline, up to a maximum of $3,000.00 per Settlement Class Member. Eligible out-of-pocket losses include costs for fraud or identity protection, professional fees, credit repair services, and other out-of-pocket costs or expenditures that you actually incurred and that were not already reimbursed. Documentation is required for each out-of-pocket loss.

**Alternative Cash Payment.** In the alternative to Documented Out-of-Pocket Losses, Settlement Class Members may elect to receive a flat $50.00 Cash Payment. No documentation is required. A Class Member who elects the Alternative Cash Payment may also claim Medical Monitoring.

**Medical Monitoring.** Without submitting a Claim Form, all Settlement Class Members receive an activation code for one (1) year of free CyEx Medical Monitoring. The activation code is located on the Notice sent to you. To enroll, go to **https://privacyshield.cyex.com/enrollment/Atticus** or call 1-800-485-1017, and follow the instructions using your activation code. More information is available on the Settlement Website at **www.EyeCarePartnersSettlement.com**. This benefit is in addition to any payment under the options above.

**Medicare/Medicaid Reporting.** If you are a Medicare beneficiary who sought treatment for emotional distress related to the Data Incident and will receive more than $750.00 under this Settlement, you must provide additional information (your name, gender, date of birth, and Social Security number or Medicare Beneficiary Number) on your Claim Form to be eligible for payment, so the Settlement Administrator can report to the Centers for Medicare & Medicaid Services (CMS).

### 7. What claims are Settlement Class Members giving up under the Settlement?

Settlement Class Members who do not timely exclude themselves ("Opt-Out") will be bound by the Settlement Agreement and any final judgment, and will give up their right to sue EyeCare and the other Released Persons for the claims resolved by the Settlement. The claims being released ("Released Claims") and the persons and entities being released ("Released Persons") are defined in the Settlement Agreement, which can be viewed at www.EyeCarePartnersSettlement.com.

## Your Options as a Settlement Class Member

### 8. If I am a Settlement Class Member, what options do I have?

If you wish to be eligible for compensation, you must complete and submit a Claim Form online or by mail, postmarked by **January 26, 2027**. If you do not want to give up your right to sue, you must Opt-Out by **February 22, 2027** (see Question 13). If you object to the Settlement, you must remain in the Settlement Class and submit a written objection by **February 22, 2027** (see Question 16). You must still submit a Claim Form to receive benefits.

### 9. What happens if I do nothing?

If you do nothing, you will receive no compensation from this Settlement. Unless you exclude yourself, once the Settlement is granted final approval and judgment is entered, you will be bound by the judgment and will never be able to start, continue with, or be part of any other lawsuit against EyeCare or the other Released Persons relating to the claims released by the Settlement.

### 10. How do I submit a claim?

You may complete a Claim Form online at **www.EyeCarePartnersSettlement.com**. You may also download a paper Claim Form from the website or call the Claims Administrator to have one mailed to you. Completed paper Claim Forms, with any required supporting documentation, may be submitted online, by email to EyeCarePartnersSettlement@atticusadmin.com, or by mail to:

EyeCare Data Incident Settlement
c/o Atticus Administration
PO Box 64053
St. Paul, MN 55164

### 11. Who decides my Settlement claim and how?

The Claims Administrator will determine whether a Claim Form is complete and valid and includes all required documentation. The Claims Administrator may request additional information. If your Claim Form is incomplete, you will have until the Claim Form Deadline, or 15 days from the date Notice of the Deficiency is sent to you, whichever is later, to cure the defect before the claim is rejected. A documented-loss claim without acceptable documentation may be converted to the $50.00 Alternative Cash Payment.

### 12. How do I exclude myself from the Settlement?

To Opt-Out, you must individually sign and submit a written Request for Exclusion that clearly states your intent to be excluded from the Settlement Class. Mass or Class opt-outs are not permitted. Your request must be postmarked no later than February 22, 2027 and mailed to the Settlement Administrator at:

EyeCare Data Incident Settlement
c/o Atticus Administration
PO Box 64053
St. Paul, MN 55164

**13. If I exclude myself, can I receive a benefit from this Settlement?**

No. If you exclude yourself, you will not be entitled to any benefits and you will not be bound by the terms of the Settlement.

**14. If I don't opt out, can I sue the Released Persons for the Data Incident later?**

No. Unless you exclude yourself, you give up any right to sue the Released Persons for the claims this Settlement resolves. You must timely exclude yourself to start or be part of any other lawsuit relating to the claims in this case.

**15. How do I object to the Settlement?**

If you are a Settlement Class Member and do not exclude yourself, you may object to the Settlement. You must submit a timely written objection, postmarked no later than **February 22, 2027**, that states: (i) the objector's full name, address, telephone number, and email address (if any); (ii) the case name and case number; (iii) information identifying the objector as a Settlement Class Member, including proof that the objector is a member of the Settlement Class (e.g., a copy of the original notice of the Data Incident or a statement explaining why the objector believes he or she is a Settlement Class Member); (iv) a written statement of all grounds for the objection, accompanied by any legal support for the objection the objector believes applicable; (v) the identity of all counsel representing the objector in connection with the objection; (vi) a statement whether the objector and/or his or her counsel will personally appear at the Final Fairness Hearing; and (vii) the objector's signature or the signature of the objector's duly authorized attorney or other duly authorized representative.

To be timely, your written objection must be filed with the Clerk of the Circuit Court of Jackson County, Missouri, 7008 E 31st St S, Kansas City, MO 64129, and mailed, with a postmark date no later than **February 22, 2027,** to Class Counsel and Defendant's Counsel at the addresses below, and to the Settlement Administrator at EyeCare Data Incident Settlement, c/o Atticus Administration, PO Box 64053, St. Paul, MN 55164.

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| Leanna A. Loginov<br>Shamis & Gentile, P.A.<br>14 NE 1st Ave, Suite 705<br>Miami, FL 33132<br>lloginov@shamisgentile.com<br><br>Grayson Wells<br>Stranch, Jennings & Garvey, PLLC<br>223 Rosa L. Parks Avenue, Suite 200<br>Nashville, TN 37203<br>gwells@stranchlaw.com<br><br>Maureen M. Brady<br>McShane & Brady, LLC<br>4006 Central Street<br>Kansas City, MO 64111<br>mbrady@mcshanebradylaw.com | Starr T. Drum<br>Xeris E. Gregory<br>Polsinelli PC<br>2000 Southbridge Parkway, Suite 301<br>Birmingham, AL 35209<br>sdrum@polsinelli.com<br>xgregory@polsinelli.com |

If you file a proper objection, the Court will consider your views and decide whether to approve or reject the Settlement. Failure to file a timely and adequate objection in accordance with these requirements waives the right to object or to be heard at the Final Fairness Hearing, and the objector shall be forever barred from making any objection to the Settlement.

## Court Approval of the Settlement

### 16. How, when, and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Fairness Hearing on **March 23, 2027** at **8:30 a.m.** at the Circuit Court of Jackson County, Missouri, **308 West Kansas, Independence, Missouri 64050**, to decide whether to approve the Settlement. The Court will consider whether the Settlement is fair, reasonable, and adequate, will consider any timely objections, and may consider Proposed Class Counsel's request for attorneys' fees and costs and Service Awards. The Court may reschedule the hearing without further notice, so please check **www.EyeCarePartnersSettlement.com** for updates.

### 17. Do I have to attend the Final Fairness Hearing?

No. You do not need to attend. Proposed Class Counsel will represent the interests of the Settlement Class. If you object and wish to appear, you may do so if your written objection was properly submitted. You or your own lawyer may attend at your own expense but are not required to do so.

### 18. Can I attend the Final Fairness Hearing?

Yes. You may attend the Final Fairness Hearing if you wish, but you are not required to. If you wish to speak at the hearing without having filed an objection, you may ask to do so, subject to the Court's discretion.

### 19. What happens if the Court approves the Settlement, and when will I be paid?

If the Court approves the Settlement, there may still be appeals. If an appeal is taken, the Settlement could be delayed or disapproved on appeal, and we do not know how long this process may take. If the Settlement becomes final, payment of valid claims—whether by mailed check or electronic distribution—will be made within seventy-five (75) days of the Effective Date, or within thirty (30) days after the claim is approved, whichever is later. Settlement checks will be void ninety (90) days after issuance. If your check becomes void, you may request reissuance until one hundred eighty (180) days after the Effective Date; if you do not, your right to receive monetary relief will be extinguished.

### 20. What happens if the Court does not approve the Settlement?

If the Court does not approve the Settlement, there will be no Settlement benefits, and the Litigation will proceed as if no Settlement had been attempted.

## Lawyers for the Settlement Class and EyeCare Partners, LLC

### 21. Who represents the Settlement Class?

The Settlement Class is represented by:

Leanna A. Loginov
Shamis & Gentile, P.A.
14 NE 1st Ave, Suite 705
Miami, FL 33132
lloginov@shamisgentile.com

Grayson Wells
Stranch, Jennings & Garvey, PLLC
223 Rosa L. Parks Avenue, Suite 200
Nashville, TN 37203
gwells@stranchlaw.com

Maureen M. Brady
McShane & Brady, LLC
4006 Central Street
Kansas City, MO 64111
mbrady@mcshanebradylaw.com

Settlement Class Members will not be charged for Proposed Class Counsel's services. You may hire your own attorney at your own expense to advise you, represent you in making an objection, or appear at the Final Fairness Hearing, if you choose.

### 22. How will the lawyers for the Settlement Class be paid?

Proposed Class Counsel will ask the Court to approve attorneys' fees and costs in an amount not to exceed $150,000.00, and Service Awards of up to $2,000.00 each to the Class Representatives. EyeCare will pay these amounts, as well as all Notice and administration costs, separately from and in addition to the benefits available to the Settlement Class, subject to Court approval.

### 23. Who represents EyeCare?

EyeCare is represented by:

Starr T. Drum
Xeris E. Gregory
Polsinelli PC
2000 Southbridge Parkway, Suite 301
Birmingham, AL 35209
sdrum@polsinelli.com
xgregory@polsinelli.com

## For Further Information

### 24. What if I want further information or have questions?

For additional information, please visit **www.EyeCarePartnersSettlement.com**. You may also contact the Claims Administrator by mail, email, or phone:

EyeCare Data Incident Settlement
c/o Atticus Administration
PO Box 64053
St. Paul, MN 55164
**EyeCarePartnersSettlement@atticusadmin.com**

Toll-free: 1-800-403-0951

**PLEASE DO NOT CONTACT THE COURT OR EYECARE'S COUNSEL FOR INFORMATION REGARDING THIS SETTLEMENT.**