Joe Yanchunis, et al. v.
Pediatric Otolaryngology Head & Neck Surgery Associates, P.A.
Hillsborough County, Florida Circuit Court Case No. 25-CA-009039

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

IF YOUR PRIVATE INFORMATION WAS COMPROMISED IN THE FEBRUARY 2025 PEDIATRIC OTOLARYNGOLOGY HEAD & NECK SURGERY ASSOCIATES, P.A. DATA INCIDENT, A PROPOSED CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS AND ENTITLE YOU TO BENEFITS AND A CASH PAYMENT.

A court has authorized this notice. This is not a solicitation from a lawyer.
You are not being sued.
Please read this Notice carefully and completely.

- A Settlement has been reached with Pediatric Otolaryngology Head & Neck Surgery Associates, P.A. ("POHNS" or "Defendant") in a class action lawsuit. This case is about the targeted cyberattack on POHNS' computer systems that occurred in February 2025 (the "Data Incident"). Certain files that contained private information were accessed. These files may have contained personal information such as addresses; phone numbers; email addresses; Social Security numbers; driver's license/state ID numbers; financial account information; taxpayer ID numbers; digital signatures; dates of birth; medical diagnosis/treatment information; prescription information; dates of service; patient ID numbers; provider names; medical record numbers; Medicare/Medicaid numbers; health insurance information; health insurance claim numbers; health insurance policy numbers; and/or treatment cost information.
- The lawsuit is called *Joe Yanchunis, et al. v. Pediatric Otolaryngology Head & Neck Surgery Associates, P.A.*, Case No. 25-CA-009039. It is pending in the Circuit Court for Hillsborough County, Florida ("Action").
- This Notice is not an expression of any opinion by the Court as to the merits of the claims or defenses asserted by either side. POHNS has denied and continues to deny any and all liability, wrongdoing, or fault of any kind. The Court has not ruled on whether POHNS did anything wrong.
- The parties have agreed to settle the lawsuit ("Settlement") to avoid the costs and risks, disruptions, and uncertainties of continuing the Action.
- POHNS' records indicate that you are a Settlement Class Member, and may be entitled to benefits under the Settlement.

- Your rights are affected whether you act or do not 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.POHNSSettlement.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.	**January 27, 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 27, 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 27, 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 Circuit Court for Hillsborough County, Florida, 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 *Joe Yanchunis, et al. v. Pediatric Otolaryngology Head & Neck Surgery Associates, P.A.*, Case No. 25-CA-009039. It is pending in the Circuit Court for Hillsborough County, Florida. The people that filed this lawsuit are called the "Plaintiffs" (or "Class Representatives") and the company they sued, Pediatric Otolaryngology Head & Neck Surgery Associates, P.A., is called the "Defendant."

2. What is this lawsuit about?

This lawsuit alleges that during the February 2025 targeted cyberattack on POHNS' computer systems, certain files that contained private information were accessed. These files may have contained personal information such as addresses; phone numbers; email addresses; Social Security numbers; driver's license/state ID numbers; financial account information; taxpayer ID numbers; digital signatures; dates of birth; medical diagnosis/treatment information; prescription information; dates of service; patient ID numbers; provider names; medical record numbers; Medicare/Medicaid numbers; health insurance information; health insurance claim numbers; health insurance policy numbers; and/or treatment cost information.

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." The Court has not certified a Class for purposes of ongoing litigation but instead for the limited purpose of Settlement. For settlement purposes, one court may resolve the lawsuit for all Settlement Class Members, except for those who opt out from the settlement. In this Settlement, the Settlement Class Representatives are Joe Yanchunis; Danna Moffi, on behalf of her minor child A.M.; Penny

Hardy, individually and on behalf of her minor child L.B.; Matthew Sokolowski, on behalf of his minor child M.S.; Robin O'Brien, on behalf of her minor children M.L.J. and E.E.J.; and Patricia Williams, individually and on behalf of her minor child D.W. Everyone included in this Action are the Class Members for Settlement purposes only.

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 Settlement Class (herein "Class" or "Settlement Class") this way: "All living individuals residing in the United States whose Private Information was accessed and/or acquired by an unauthorized person as a result of the Data Incident, including all who were sent a notice of the Data Incident."

6. Are there exceptions to being included?

Yes. Excluded from the Class are: (a) all persons who are directors, officers, and agents of Defendant; (b) governmental entities; and (c) the Judge assigned to the Action, that Judge's immediate family, and Court staff.

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@POHNSSettlement.com
- Call toll free, 24/7: (844) 496-1289
- By mail:

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

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

The Settlement Benefits

7. What does the Settlement provide?

All Settlement Class Members are eligible to enroll in **Medical Data Monitoring** or **Minor Subclass Monitoring** and to claim **one** of the two **Cash Payment** options. These benefits are described in more detail below.

MEDICAL DATA MONITORING/MINOR SUBCLASS MONITORING. All Class Members are eligible to enroll in one year of CyEx's Medical Shield Complete or three years of CyEx's Minor Defense Pro. Enrollment codes

have been sent to all Class Members by postcard. If you no longer have your enrollment code, please contact the Settlement Administrator.

These comprehensive services come with $1 million of medical identity theft insurance, and include 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

Cash Payment A – Documented Losses. If you incurred actual, documented out-of-pocket losses due to the Data Incident, you can get back up to **$2,000.00**. The losses must have occurred between February 19, 2025, and January 27, 2027.

This benefit covers out-of-pocket expenses like:

- losses because of identity theft or fraud
- 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 bank statements or 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.

Cash Payment B – Alternate Cash. *Instead of Cash Payment A*, you may claim a one-time *pro rata* cash payment. This payment is expected to be **$25.00** but may be smaller depending on the total claims filed.

You do not have to provide any proof or explanation to claim this payment.

There is an aggregate cap of $200,000.00 on cash payments. This means that if the total value of 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, atwww.POHNSSettlement.com.

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

- Email: info@POHNSSettlement.com
- Call toll free, 24/7: (844) 496-1289
- By mail:

POHNS Data Incident Settlement
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P.O. Box 25226
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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 POHNS about the issues that this Settlement covers. The "Releases" section of the Settlement Agreement (Section XI) describes the legal claims that you give up if you remain in the Class. The Settlement Agreement is available at www.POHNSSettlement.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.POHNSSettlement.com. If you prefer, you can download a printable Claim Form from the website and mail it to the Settlement Administrator at:

POHNS Data 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, (844) 496-1289, by email info@POHNSSettlement.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 January 27, 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 January 27, 2027.

11. When will the Settlement benefits be issued?

The Court will hold a final approval hearing on **February 11, 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 Mariya Weekes of Milberg PLLC and Kristen Lake Cardoso of Kopelowitz Ostrow, P.A. 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 $325,000.00 as reasonable attorneys' fees and reimbursement of litigation costs. This amount will be paid by POHNS.

Class Counsel will also ask for Service Award payments of $1,000.00 for each of the Class Representatives. Service Award payments will also be paid by POHNS.

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 POHNS 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 27, 2027**.

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

(1) the name of the Action: *Joe Yanchunis, et al. v. Pediatric Otolaryngology Head & Neck Surgery Associates, P.A.*, Case No. 25-CA-009039, pending in the Circuit Court for Hillsborough County, Florida;

(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:

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

Your Request for Exclusion must be submitted, postmarked, or emailed by **January 27, 2027**.

Commenting on or Objecting to the Settlement

16. How do I tell the Court if I 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 Action: *Joe Yanchunis, et al. v. Pediatric Otolaryngology Head & Neck Surgery Associates, P.A.*, Case No. 25-CA-009039, pending in the Circuit Court for Hillsborough County, Florida;

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

(3) all grounds for the objection, accompanied by any legal support for the objection known to the objector or objector's counsel;

(4) the number of times the objector has objected to a class action settlement within the 5 years preceding the date that the objector files the objection, the caption of each case in which the objector has made such objection, and a copy of any orders related to or ruling upon the objector's prior objections that were issued by the trial and appellate courts in each listed case;

(5) the identity of all counsel who represent the objector, including any former or current counsel 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;

(6) the number of times in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the five years preceding the date of the filed objection, the caption of each case in which counsel or the firm has made such objection and a copy of any orders related to or ruling upon counsel's or the counsel's law firm's prior objections that were issued by the trial and appellate courts in each listed case in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the preceding five years;

(7) whether the objector and/or objector's counsel 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) whether the objector used the assistance of AI to draft the objection;

(10) a statement confirming whether the objector intends to personally appear and/or testify at the Final Approval Hearing; and

(11) your signature (if you have hired your own lawyer, their signature is not sufficient).

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 27, 2027**. You must also send a copy of the objection to the Settlement Administrator, Class Counsel, and counsel for Defendants.

Clerk of the Court	Settlement Administrator
Clerk of the Court 419 N. Pierce St. Tampa, FL 33602	POHNS Data Incident Settlement c/o Settlement Administrator P.O. Box 25226 Santa Ana, CA 92799-9958

Class Counsel	Counsel for Defendants
Mariya Weekes **MILBERG PLLC** 333 SE 2nd Avenue, Suite 2000 Miami, FL 33131 Kristen Lake Cardoso **KOPELOWITZ OSTROW, P.A.** One West Olas Boulevard, Suite 500 Fort Lauderdale, FL 33301	H. Nellie Fitzpatrick **KLA Legal LLP** 325 Sentry Parkway Building 5 West, Ste. 200 Blue Bell, PA 19422

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 **February 11, 2027, at 1:45 P.M., Eastern Time**, in the Circuit Court for Hillsborough County, Florida, via Zoom: https://zoom.us/j/7196320493.

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.POHNSSettlement.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.POHNSSettlement.com.

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

- Email: info@POHNSSettlement.com
- Call toll free, 24/7: (844) 496-1289
- By mail:

POHNS Data 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, 419 N. Pierce St., Tampa, FL 33602.

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