

If your Private Information was included in the Data Incident involving PostMeds, Inc. dba TruePill between August 30, 2023 and September 1, 2023, you may be entitled to benefits from a Settlement.

A federal court has authorized this Notice. This is not a solicitation from a lawyer.

- A \$7.5 million settlement has been reached in a class action lawsuit against PostMeds, Inc. d/b/a TruePill (“Defendant” or “PostMeds”) arising out of a data security incident occurring between August 30, 2023 and September 1, 2023, (the “Data Incident”). The personally identifiable information and protected health information (together, “Private Information”) of the Settlement Class Members was potentially compromised in the Data Incident. The Private Information includes Settlement Class Members’ full names, contact information, demographic information, dates of birth, Social Security numbers, diagnosis information, treatment information, prescription information, medical record numbers, provider names, dates of service, and health insurance information that the Defendant collected and maintained.
- You are a “Settlement Class Member” if you are a United States resident who was sent notice that your Private Information was potentially compromised as a result of the Data Incident experienced by PostMeds. You may have been sent notice regarding the Data Incident on or about October 30, 2023.
- Settlement Class Members may be able to receive the following Settlement benefits:
 - **Compensation for Out-of-Pocket Losses:** You may submit a timely and valid Claim Form and provide supporting documentation showing that you spent money or incurred losses as a result of the Data Incident for reimbursement up to \$4,000.00 per person.

In addition to compensation for Out-of-Pocket Losses, you may select one of the following:

- **Cash Fund Payment:** You may submit a timely and valid Claim Form for a pro rata (a legal term meaning equal share) cash payment, regardless of whether you submit a Claim Form for Out-of-Pocket Losses.
- **Data Protection and Monitoring Services:** Instead of a Cash Fund Payment, you may submit a timely and valid Claim Form for one year of data protection and monitoring services consisting of Financial Shield Complete and Medical Shield Complete from Cyex.

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 benefits is to submit a Claim Form.	Submitted or Postmarked on or before May 12, 2025.
EXCLUDE YOURSELF	Get no Settlement benefits. Keep your right to file your own lawsuit against Defendant about the legal claims in this case.	Postmarked on or before April 12, 2025.
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 on or before April 12, 2025.
DO NOTHING	Get no Settlement benefits. Give up your legal rights.	

- 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 and the requested attorneys’ Fee Award and Expenses. No Settlement benefits will be provided unless the Court approves the Settlement, and it becomes final.

Questions? Go to www.TruePillSettlement.com or call 1-888-792-3614

BASIC INFORMATION

1) Why is this Notice being provided?

A federal court authorized this Notice because you have the right to know about the Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant final approval to 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 Haywood S. Gilliam, Jr. of the United States District Court for the Northern District of California is overseeing this class action. The case is known as *In Re: PostMeds, Inc., Data Breach Litigation*, Case No. 4:23-cv-05710 (the “lawsuit”). The individuals who filed this lawsuit are called the “Plaintiffs” and/or “Class Representatives” and the company sued, PostMeds, Inc. d/b/a TruePill, is called the “Defendant.”

2) What is this lawsuit about?

Plaintiffs filed this lawsuit against Defendant, individually, and on behalf of the Settlement Class, whose personally identifying information and protected health information, including full names, contact information, demographic information, dates of birth, Social Security numbers, diagnosis information, treatment information, prescription information, medical record numbers, provider names, dates of service, and health insurance information (“Private Information”)—the Defendant collected and maintained. The Private Information was potentially compromised as a result of the Data Incident experienced by the Defendant.

Plaintiffs allege that between August 30, 2023, and September 1, 2023, as a result of the Data Incident, there was an unauthorized disclosure of confidential Private Information. Plaintiffs brought this lawsuit against the Defendant.

Defendant denies the legal claims and denies any wrongdoing or liability. No court or other judicial entity has made any judgment or other determination of any wrongdoing by Defendant, or that any law has been violated. Instead, Plaintiffs and Defendant have agreed to a settlement to avoid the risk, cost, and time of continuing the lawsuit.

3) Why is the lawsuit a class action?

In a class action, one or more people (called class representatives) sue on behalf of all people who have similar legal claims. Together, all these people are called a class or class members. One court resolves the issues for all class members, except for those class members who timely exclude themselves (opt out) from the class.

The Class Representatives in this lawsuit are Plaintiffs Richard Reed, Frankie Garcia, Michael Siegel, Linda Johnson, David MacDonald, Lasedrick Toles, John Rossi, Michael Thomas, Marissa Porter, Angela Morgan, Benjamin Fisher, Brittany Hallman, Russell Autry, Jacob Benjamin, Victoria Phillips, Christopher Williams, David Saucedo, James Lowery, and Hal Evans.

4) Why is there a Settlement?

Plaintiffs and Defendant do not agree about the legal claims made in this 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, Defendant, and their lawyers believe the Settlement is best for all Settlement Class Members because of the benefits available to Settlement Class Members and the risks and uncertainty associated with continuing the lawsuit.

Questions? Go to www.TruePillSettlement.com or call 1-888-792-3614

WHO IS INCLUDED IN THE SETTLEMENT?

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

You are a Settlement Class Member if you are a United States resident who was sent notice that your Private Information was potentially compromised as a result of the Data Incident experienced by PostMeds, Inc. d/b/a TruePill. You may have been sent notice regarding the Data Incident on or about October 30, 2023.

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

Yes. Excluded from the Settlement Class are: (1) the judge presiding over the Litigation, and members of their direct family, (2) Defendant, its subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendant or Defendant's parent companies have a controlling interest and their current or former officers and directors, and (3) Settlement Class Members who submit a valid Request for Exclusion prior to the Opt-Out Deadline.

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.TruePillSettlement.com or call the Settlement Administrator's toll-free number at 1-888-792-3614.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

8) What does the Settlement provide?

If you are a Settlement Class Member and you file a submit a timely and valid Claim Form, you may be eligible for the following Settlement benefits:

Compensation for Out-of-Pocket Losses: You may submit a timely and valid Claim Form and provide documentation showing documented, out-of-pocket expenses incurred as a result of the Data Incident up to \$4,000 per Settlement Class Member.

Examples of out-of-pocket losses incurred as a result of the Data Incident include, without limitation, unreimbursed losses relating to fraud or identity theft; professional fees including attorneys' fees, accountants' fees, and fees for credit repair services; costs associated with freezing or unfreezing credit with any credit reporting agency; credit monitoring costs that were incurred on or after the Data Incident through the date of the Claim Form submission; and miscellaneous expenses such as notary, fax, postage, copying, mileage, and long-distance telephone charges.

You must submit documentation supporting the out-of-pocket loss. This can include receipts or other documentation that document the costs incurred but does not include documentation that is "self-prepared" by you. "Self-prepared" documents such as handwritten receipts are, by themselves, insufficient to receive reimbursement, but can be considered to add clarity or support to other submitted documentation.

In addition to compensation for Out-of-Pocket Losses, you may select one of the following:

Cash Fund Payment: You may submit a timely and valid Claim Form for a cash payment, regardless of whether you submit a Claim Form for Out-of-Pocket Losses. The pro rata (a legal term meaning equal share) cash payments will evenly distribute the net amount of the Settlement Fund to each Settlement Class Member who submits a timely and valid Claim Form, after payment of the Fee Award and Expenses, Service Awards,

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administration and notice costs, Notice and Administration Expenses, the costs of data protection and monitoring services, and payment of valid claims for reimbursement of Out-of-Pocket Losses.

Data Protection and Monitoring Services: Instead of a Cash Fund Payment, you may submit a timely and valid Claim Form for one year of data protection and monitoring services consisting of Financial Shield Complete and Medical Shield Complete from Cyex.

Financial Shield Complete provides proactive protection from financial fraud by monitoring a broad array of assets and transactions for uncommon or suspicious activity. Features of this product include one-bureau credit monitoring, \$1,000,000 in financial fraud insurance, dark web monitoring, and victim assistance in the event of identity theft.

Medical Shield Complete monitors medical and healthcare data to determine whether consumers' private medical information is at risk or has been exposed to medical fraud. Alerts are sent in real-time when suspicious activity is detected so that action can be taken before it's too late. In the event of fraud, a dedicated case manager will assist in recovering the personal information. This services comes with a \$1,000,000 insurance policy covers eligible losses due to medical identity theft, including the theft of a healthcare insurance plan ID, and health savings accounts, with no deductible.

Settlement Class Members selecting data protection and monitoring services will receive an activation code for both of these services. The activation codes will be sent after the Court finally approves the Settlement.

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

Unless you exclude yourself (opt out), you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, all Court orders and any judgments 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 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?

Paragraph VIII of the Settlement Agreement describes the Released Claims and the Release, in necessary legal terminology, so please read these sections carefully. The Settlement Agreement is available at www.TruePillSettlement.com. For questions regarding the Release or Released Claims and what the language in the Settlement Agreement means, you can also contact Settlement Class Counsel listed in Question 14 for free, or you can talk to your own lawyer at your own expense.

HOW TO GET BENEFITS FROM THE SETTLEMENT

11) How do I submit a Claim Form for Settlement benefits?

You must submit a timely and valid Claim Form to receive any of the Settlement benefits described in Question 8. Your Claim Form must be submitted online at www.TruePillSettlement.com, by **May 12, 2025**, or mailed to the Settlement Administrator **postmarked** by **May 12, 2025**. Claim Forms are also available on the Settlement Website or by calling 1-888-792-3614 or by writing to:

PostMeds Data Breach Litigation
Settlement Administrator
PO Box 6606
Portland, OR 97228-6606

Questions? Go to www.TruePillSettlement.com or call 1-888-792-3614

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

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 at:

PostMeds Data Breach Litigation
Settlement Administrator
PO Box 6606
Portland, OR 97228-6606
1-888-792-3614

13) When will I receive my Settlement benefits?

If you file a timely and valid Claim Form, Settlement benefits will be provided 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.TruePillSettlement.com for updates.

THE LAWYERS REPRESENTING YOU

14) Do I have a lawyer in this case?

Yes, the Court has appointed Gary M. Klinger of the law firm Milberg Coleman Bryson Phillips Grossman LLC and James J. Pizzirusso of the law firm Hausfeld LLP as Settlement Class Counsel 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 Settlement Class Counsel to represent you in this lawsuit.

15) How will Settlement Class Counsel be paid?

Settlement Class Counsel will file a motion asking the Court to award attorneys' fees up to \$2,500,000, and costs incurred, to be paid from the \$7.5 million Settlement Fund. Settlement Class Counsel will also ask the Court to approve Service Awards of up to \$1,500 for each Class Representative for participating in this lawsuit and for their efforts in achieving the Settlement. If awarded by the Court, the attorneys' fees and costs, and the Service Awards will be paid from the Settlement Fund. The Court may award less than these amounts.

Settlement Class Counsel's application for attorneys' fees, expenses, and the Service Awards will be made available on the Settlement Website at www.TruePillSettlement.com before the deadline for you to object to the Settlement.

OPTING OUT FROM 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 excluding yourself from—or “opting out” of—the Settlement.

Questions? Go to www.TruePillSettlement.com or call 1-888-792-3614

16) How do I opt out of the Settlement?

To exclude yourself from the Settlement, you must mail a written request for exclusion (“Request for Exclusion”), which includes the following:

- 1) Your name, address and telephone number;
- 2) Your personal physical signature;
- 3) The case name: *In Re: PostMeds, Inc., Data Breach Litigation*; and
- 4) The words “Request for Exclusion” or a comparable statement that you want to be excluded from the Settlement.

The Request for Exclusion must be **mailed** to the Settlement Administrator at the following address, and be **postmarked** by **April 12, 2025**:

PostMeds Data Breach Litigation
Settlement Administrator
PO Box 6606
Portland, OR 97228-6606

You cannot opt out (exclude yourself) by telephone or by email.

17) 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 benefits, but you will not be bound by the Settlement or any judgment in this lawsuit. You can only get Settlement benefits if you stay in the Settlement and submit a time and valid Claim Form.

18) 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 any of the Released Parties for the legal claims this Settlement resolves and Releases relating to the Data Incident. You must opt out of this lawsuit to start or continue with your own lawsuit or be part of any other lawsuit against the Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

OBJECTING TO THE SETTLEMENT

19) How do I tell the Court that I do not like the Settlement?

You can ask the Court to deny approval of the Settlement by filing an objection. You cannot ask the Court to order a different settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no Settlement benefits will be sent out, and the lawsuit will continue. If that is what you want to happen, you should object.

If you are a Settlement Class Member, you can tell the Court you do not agree with all or any part of the Settlement.

To object, you must timely mail your objection as provided below **postmarked** by **April 12, 2025**, stating you object to the Settlement Administrator in *In Re: PostMeds, Inc., Data Breach Litigation*. Case No. 4:23-cv-05710.

To file an objection, you cannot exclude yourself from the Settlement Class. Your objection must include all of the following information:

Questions? Go to www.TruePillSettlement.com or call 1-888-792-3614

- (1) The case name: *In Re: PostMeds, Inc., Data Breach Litigation*,
- (2) Your full name, current mailing address, email address, and telephone number,
- (3) A statement of the specific grounds for the objection, as well as any documents supporting the objection (if any),
- (4) The identity of any lawyers representing you (if any),
- (5) A statement regarding whether you or your lawyer (if any) intends to appear at the Final Approval Hearing,
- (6) A statement identifying all class action settlements objected to by you in the previous five (5) years, and
- (7) The signature of you or your lawyer (if any).

Your objection must be mailed to the Settlement Administrator at the following address, **postmarked by April 12, 2025**:

PostMeds Data Breach Litigation
Settlement Administrator
PO Box 6606
Portland, OR 97228-6606

Any objection to the proposed settlement must be in writing. If you file a timely written objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney.

Any Settlement Class Member who fails to comply with the requirements for objecting detailed above will waive and forfeit any and all rights he or she 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.

20) What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court you do not like something about the Settlement or requested attorneys' fees and expenses. 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

21) When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing on **June 12, 2025, at 2:00 p.m.** before the Honorable Haywood S. Gilliam, Jr. at the United States District Court for the Northern District of California, Oakland Courthouse, Courtroom 2 - 4th Floor, 1301 Clay Street, Oakland, CA 94612. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement, Settlement Class Counsel's application for attorneys' fees, costs and expenses, and the Service Award to Plaintiffs.

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 without further notice to the Settlement Class. The Court may also decide to hold the hearing via video conference or by telephone. You should check the Settlement Website (www.TruePillSettlement.com) or the Court's Public Access to Court Electronic Records (PACER) system to confirm the date of the Final Approval Hearing has not changed. Instructions on how to access the Court's PACER site are included in Question 25, below.

Questions? Go to www.TruePillSettlement.com or call 1-888-792-3614

22) Do I have to attend to the Final Approval Hearing?

No. Settlement 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 timely mail your written objection, the Court will consider it.

23) May I speak at the Final Approval Hearing?

Yes, as long as you do not exclude yourself (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 Settlement Class Counsel to speak for you at the hearing, you must follow all of the procedures for objecting to the Settlement listed in Section 19 above—and specifically include a statement whether you and your counsel will appear at the Final Approval Hearing.

IF YOU DO NOTHING

24) 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 from 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 about the legal issues in this lawsuit that are released by the Settlement Agreement relating to the Data Incident.

GETTING MORE INFORMATION

25) How do I get more information?

This Notice summarizes the Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at www.TruePillSettlement.com, by calling 1-888-792-3614 or by writing to:

PostMeds Data Breach Litigation
Settlement Administrator
PO Box 6606
Portland, OR 97228-6606

You may also contact Class Counsel at the following addresses, and request information about the precise terms of the Settlement:

Gary M. Klinger
MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN PLLC
227 W. Monroe Street, Suite 2100
Chicago, IL 60606
(866) 252-0878
gklinger@milberg.com

And

James J. Pizzirusso
HAUSFELD LLP
888 16TH St., NW
Washington, DC 20006
(202)-540-7200
jpizzirusso@hausfeld.com

Questions? Go to www.TruePillSettlement.com or call 1-888-792-3614

You may also access the Court docket in this case, for a fee, through the Court's Public Access to Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>. To learn about PACER and register for a PACER account, go to <https://www.Pacer.gov/>. Once you have a PACER account, you can access and retrieve documents from the Court's docket for the Action at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

You can also access and retrieve documents from the Court's docket by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, Oakland Courthouse, Courtroom 2 - 4th Floor, 1301 Clay Street, Oakland, CA 94612, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

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

Questions? Go to www.TruePillSettlement.com or call 1-888-792-3614