

COURT-ORDERED LEGAL NOTICE
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

If you are an Acute Care Hospital that treated patients diagnosed with opioid use disorder and/or other opioid-related conditions, you may receive a payment from \$651 million in class action settlements.

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

If you are included, your legal rights will be affected whether you act or don't act. Please read this notice carefully.

Four proposed settlements ("Settlements"), totaling \$651 million with four Defendant groups have been reached in a class action lawsuit. The lawsuit alleges that to sell as many prescription opioids as possible, manufacturers misrepresented the risks and safety of prescription opioid use, distributors did not properly monitor, stop, or report suspicious orders, and pharmacies filled opioid prescriptions that were not written for legitimate medical purposes. It further alleges that as a result, acute care hospitals must now spend additional money and resources to treat opioid-dependent patients and patients with opioid-related conditions that they would not have had to treat otherwise. Defendants deny that they did anything wrong. The Court has not decided who is right.

Under the Settlements, the Settling Defendants agreed to pay money to resolve the claims against them. The Settlements do not resolve claims against Defendants who did not agree to settle, and the lawsuit against these non-settling defendants will continue.

Generally, you are included if you are an acute care hospital in the United States that (a) treated patients diagnosed with opioid use disorder and/or other opioid-related conditions from January 1, 2009, through October 30, 2024, and (b) are not owned or operated by a federal, state, county, parish, city, or other municipal government.

The full text of the Settlements is available at www.acutecarehospitalsettlement.com. In the event of any inconsistency between this notice and the terms of the Settlements, the Settlements' terms control.

This notice is not intended to be an expression of any opinion by the Court with respect to the truth of the allegations in the Action or the merits of the claims or defenses asserted. This notice is solely to advise you of proposed Settlements in this Action and your rights in connection with the Settlements.

YOUR LEGAL RIGHTS AND OPTIONS

SUBMIT A CLAIM	<p>You must submit a Registration Form and may submit a Claim Form to file a claim for a payment from these Settlements.</p> <p>The deadline to submit these forms is March 4, 2025.</p>
OBJECT	<p>You may write to the Court about why you do not like the Settlements. The objection deadline is January 6, 2025.</p> <p>Additionally, you may ask to go to the Fairness Hearing and speak in Court about the fairness of the Settlements.</p> <p>If you object to the Settlements, you are still a Class Member and you must file a claim to receive a payment.</p>
OPT OUT	<p>You may write to the Settlement Administrator and exclude yourself (or “opt out”) from one or more of the Settlements. Exclusion allows you to file your own lawsuit against the Settling Defendants about the claims in this case. You will not receive any payment and will not be bound by the releases contained in the Settlements from which you exclude yourself. The opt out deadline is January 6, 2025.</p>
DO NOTHING	<p>If you do nothing, you will not receive any payment. You will be bound by the releases in the Settlements and will not be able to sue the Settling Defendants about the claims in this lawsuit.</p>

These rights and options are explained in this notice. If you do not act by the deadline for an option, you will lose your right to exercise that option. The Court overseeing this case still has to decide whether to approve the Settlements. You may receive a payment if the Court approves the Settlements and the period to appeal has expired and/or all appeals have been resolved. Please be patient.

TABLE OF CONTENTS

BASIC INFORMATION	4
1. WHAT IS THIS LAWSUIT ABOUT?.....	4
2. WHO ARE THE SETTLING DEFENDANTS?.....	4
3. WHO ARE THE NON-SETTLING DEFENDANTS?.....	4
4. WHAT IS A CLASS ACTION?	4
5. WHY ARE THERE SETTLEMENTS?	5
6. WHY IS THE LAWSUIT CONTINUING IF THERE ARE SETTLEMENTS?.....	5
7. ARE YOU PART OF THE SETTLEMENTS?	5
8. WHAT IF YOU ARE STILL NOT SURE IF YOU ARE INCLUDED?	5
THE SETTLEMENTS	5
9. WHAT DO THE SETTLEMENTS PROVIDE?.....	5
SETTLEMENT PAYMENTS	6
10. HOW MUCH WILL YOU RECEIVE FROM THE SETTLEMENTS?	6
11. HOW CAN YOU GET A PAYMENT FROM THE SETTLEMENT FUNDS?	7
12. IF YOU RECEIVED A PAYMENT IN PREVIOUS BANKRUPTCY CASES, DO YOU NEED TO PROVIDE CLAIMS DATA WITH YOUR CLAIM FORM?	7
13. WHEN WILL YOU GET A PAYMENT?.....	7
14. WHAT HAPPENS IF THERE ARE FUNDS REMAINING AFTER DISTRIBUTION?	7
15. WHAT WILL YOU GIVE UP IN EXCHANGE FOR THE SETTLEMENTS?	7
THE LAWYERS REPRESENTING THE CLASS	8
16. DO YOU HAVE A LAWYER IN THIS CASE?.....	8
17. HOW WILL THE LAWYERS BE PAID?	8
18. HOW TO OBJECT TO THE SETTLEMENTS.....	9
19. HOW TO OPT OUT OF THE SETTLEMENTS.....	11
20. IF YOU EXCLUDE YOURSELF, CAN YOU STILL GET A PAYMENT?.....	11
21. IF YOU DON'T EXCLUDE YOURSELF, CAN YOU SUE THE SETTLING DEFENDANTS FOR THE SAME THING LATER?	11
22. WHAT IS THE DIFFERENCE BETWEEN OBJECTING AND ASKING TO BE EXCLUDED?	11
FAIRNESS HEARING	12
23. WHEN IS THE FAIRNESS HEARING?	12
24. DO YOU HAVE TO ATTEND THE HEARING?	12
25. MAY YOU SPEAK AT THE HEARING?.....	12
GETTING MORE INFORMATION	12
26. HOW DO YOU GET MORE INFORMATION?	12

BASIC INFORMATION

1. WHAT IS THIS LAWSUIT ABOUT?

This lawsuit is a class action known as *San Miguel Hospital Corp., d/b/a Alta Vista Regional Hospital v. Johnson & Johnson*, No. 1:23-cv-00903 (the “Lawsuit” or “Action”). Judge Kea Riggs of the United States District Court for the District of New Mexico is overseeing the lawsuit. The people or entities who sued are called the “Plaintiffs,” and the companies they sued are called the “Defendants.”

The lawsuit alleges that to sell as many prescription opioids as possible, manufacturers misrepresented the risks and safety of prescription opioid use, distributors did not properly monitor, stop, or report suspicious orders, and pharmacies filled opioid prescriptions that were not written for legitimate medical purposes. It further alleges that as a result, hospitals now must spend additional money and resources to treat opioid-dependent patients and patients with opioid-related conditions that they would not have had to treat otherwise. Defendants deny that they did anything wrong.

No court, jury, or other authority has decided whether Defendants did anything wrong.

Settlements have now been reached with four Defendant groups.

2. WHO ARE THE SETTLING DEFENDANTS?

There are four proposed Settlements with different groups of Defendants:

The Distributor Class Action Settlement is with Defendants, Cencora, Inc. (f/k/a AmerisourceBergen Drug Corporation) (“Cencora”), Cardinal Health, Inc. (“Cardinal”), and McKesson Corporation (“McKesson”) (collectively, the “Settling Distributors”).

The Janssen Class Action Settlement is with Defendants, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (collectively, “Janssen”).

The Teva Class Action Settlement is with Teva Pharmaceuticals Industries, Ltd., Teva Pharmaceuticals USA, Inc., Cephalon, Inc., Actavis Pharma, Inc., Actavis LLC, Watson Laboratories, Inc. and Anda, Inc. (collectively, “Teva”).

The Allergan Class Action Settlement is with Allergan Finance, LLC (f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc.); Allergan Sales, LLC; and Allergan USA, Inc. (collectively, “Allergan”).

3. WHO ARE THE NON-SETTLING DEFENDANTS?

The non-settling defendants are Indivior, Inc. (f/k/a Reckitt Benckiser Pharmaceuticals, Inc.); Hikma Pharmaceuticals, Inc. (f/k/a West- Ward Pharmaceuticals, Inc.); Henry Schein, Inc.; Walgreen Co.; Walgreen Eastern Co., Inc.; CVS Orlando FL Distribution, L.L.C.; CVS Pharmacy, Inc.; CVS Rx Services, Inc.; The Kroger Co.; Safeway, Inc.; Albertson’s LLC; Albertsons Companies, Inc.; HBC Service Company; Giant Eagle, Inc.; Publix Super Markets, Inc.; and Walmart Inc. (f/k/a Wal-Mart Stores, Inc).

4. WHAT IS A CLASS ACTION?

In a class action, one or more people or entities called “named plaintiffs” or “Class Representatives” sue(s) on behalf of people and entities with similar claims. Together, these people and entities are called a “Class” or “Class Members.” One court resolves the issues for all Class Members, except for those who exclude themselves from the Class. A full list of the Class Representatives in this case is available in the Settlement Agreements which can be accessed at www.acutecarehospitalsettlement.com.

5. WHY ARE THERE SETTLEMENTS?

Neither the Court nor a jury has decided in favor of Plaintiffs or the Settling Defendants. Instead, both sides have agreed to settle. If the Court approves the Settlements, the parties will avoid the costs, delay, and uncertainty of continuing the lawsuit, and Class Members receive the benefits described in this notice. Settlements do not mean that any law was broken or that the Settling Defendants did anything wrong. The parties believe that the Settlements are best for the Class.

6. WHY IS THE LAWSUIT CONTINUING IF THERE ARE SETTLEMENTS?

Settlements were reached with only some of the Defendants. The lawsuit will continue against the non-settling defendants. Additional money may become available in the future as a result of a trial or future settlements. Alternatively, this case may be decided in favor of the non-settling defendants and no additional money may become available. There is no guarantee as to what will happen.

7. ARE YOU PART OF THE SETTLEMENTS?

You are part of the Class and in the Settlements if you fall into one or more of the three following categories:

- (1) You are an Acute Care Hospital in the United States that treated patients diagnosed with opioid use disorder and/or other opioid-related conditions at any time from January 1, 2009, through October 30, 2024 and you are not owned or operated by a federal, state, county, parish, city, or other municipal government. To be considered an Acute Care Hospital under the Settlements, you must (a) provide medical care and other related services for surgery, acute medical conditions or injuries for a period of treatment time that is, on average, less than 25 days; and (b) either (i) appear as either active or inactive in the American Hospital Directory® as a “short term acute care” hospital or a “critical access” hospital or (ii) have an emergency department that is subject to the Emergency Medical Treatment and Labor Act (“EMTALA”);
- (2) You are an entity specifically identified in Exhibit A to the Settlement Agreements; and/or
- (3) You are a named plaintiff in the actions listed on Exhibit B to the Settlement Agreements.

Even if you are part of the Class, you may be excluded from participating in one or more settlements if your claims against a Settling Defendant were released in an earlier settlement.

The Settlement Agreements are available at www.acutecarehospitalsettlement.com.

8. WHAT IF YOU ARE STILL NOT SURE IF YOU ARE INCLUDED?

If you are not sure whether you are included or have any other questions about the Settlements, visit the website, www.acutecarehospitalsettlement.com, call the toll-free number, 1-877-354-3788. You may also send questions to the Notice and Claims Administrators at info@acutecarehospitalsettlement.com or at Acute Care Hospital Settlement, c/o A.B. Data, Ltd., P.O. Box 173034, Milwaukee, WI 53217.

THE SETTLEMENTS

9. WHAT DO THE SETTLEMENTS PROVIDE?

If the Settlements are approved by the Court and become final, the Settling Defendants will pay money to settle the lawsuit in exchange for releases of claims against them.

The Distributor Class Action Settlement Defendants will pay a total of \$390,000,000 in one lump sum.

The Janssen Class Action Settlement Defendants will pay a total of \$110,000,000 in one lump sum.

The Teva Class Action Settlement Defendants will pay a total of \$126,000,000 over eighteen years, with an immediate payment of \$15,000,000 and subsequent annual payments made on a schedule set forth in the Teva Class Action Settlement Agreement. In addition, over the next seven years, Teva will make \$49,000,000 worth of Naloxone Hydrochloride Nasal Spray kits available, free of charge, for Class Members who register for the Naloxone Kit Program.

The Allergan Class Action Settlement Defendants will pay a total of \$25,000,000 over three years, with an immediate payment of \$8,333,333 and two subsequent annual payments in the same amount.

These Settlement Funds (the Settlement Amounts plus interest) will be used to pay money to qualifying Class Members, attorney's fees and expenses, notice and administration costs, claims administration costs and expenses, taxes and tax expenses, and Service Awards to the Class Representatives.

More information and the specific released claims are defined in the Settlement Agreements, available at www.acutecarehospitalsettlement.com.

SETTLEMENT PAYMENTS

10. HOW MUCH WILL YOU RECEIVE FROM THE SETTLEMENTS?

You can get a payment from the Settlement Funds if you submit a valid claim. You can choose between two options.

- **OPTION 1:** You can fill out and submit a Registration Form and choose the “Quick Pay” option. If you select this option and your claim is valid, you do not have to fill out a Claim Form or provide claims data. If you are eligible for all four Settlements and all four Settlements become effective, you will get a \$5,000 payment. By selecting this option, you agree to be bound by all four proposed Settlements.

OR

- **OPTION 2:** You can fill out and submit a Registration Form, Business Associate and Confidentiality Agreement, and Claim Form with the required supporting documents, information, and claims data. The amount of your total payment will depend on the number of claimants, the amount, types of costs, and where you treated patients with opioid use disorder; the amount of charges that were not reimbursed; the units of morphine milligram equivalents shipped to your service area, pro-rated opioid use disorder rates per state, opioid overdose deaths in your service area, operational impact, the percentage of opioid related patients you had out of your total patients, and how actively you've participated (if at all) in litigation against an opioid manufacturer and/or Settling Defendant. If you select this option, submit a valid claim, and agree to be bound by each Settlement you are eligible to receive funds from, you will get a payment no less than what you would receive under the “Quick Pay” option.

Also, one non-profit, qualifying Class Member may be awarded up to \$3,000,000 to maintain its formal abatement plan and opioid use disorder treatment program. A separate notice will be sent about how to apply for these funds.

Payments will be made based on a Plan of Allocation approved by the Court. Under the Plan of Allocation, if one or more Settlements does not become effective or if a Class Member is ineligible for one or more Settlements by reason of a prior release, then the \$5,000 “Quick Pay” amount will be reduced proportionally. The proportion of the reduction is determined by comparing the up-front cash contributed by the Settlement(s) at issue with the total up-front contributions of the four Settlements. The proposed Plan of Allocation is available at www.acutecarehospitalsettlement.com. The Court may approve or modify the proposed Plan of Allocation without additional notice.

11. HOW CAN YOU GET A PAYMENT FROM THE SETTLEMENT FUNDS?

To make a claim for a payment from the Settlement Funds, you must fill out a Registration Form and submit it via email to info@acutecarehospitalsettlement.com no later than **March 4, 2025**.

If you choose the “Quick Pay” option, you do not need to fill out a Claim Form or provide claims data.

If you do not choose the “Quick Pay” option, the Notice and Claims Administrator will send you a link to a secure file transfer protocol (“SFTP”) where you must fill out and submit a Business Associate and Confidentiality Agreement and Claim Form with any applicable supporting documents, information, and claims data no later than **March 4, 2025**.

The Registration and Claim Forms include more detailed instructions. Forms are available at www.acutecarehospitalsettlement.com.

If you do not submit a timely claim with the required information and documents, you will not receive a payment from the Settlement Funds. Unless you timely excluded yourself from the Settlements, you will still be bound by the Settlements, the Judgments, and the releases contained in them.

12. IF YOU RECEIVED A PAYMENT IN PREVIOUS BANKRUPTCY CASES, DO YOU NEED TO PROVIDE CLAIMS DATA WITH YOUR CLAIM FORM?

No.

If you want to make a claim for a payment from the Settlement Funds, you must complete a Registration Form. If you choose the “Quick Pay” option, you do not need to provide claims data with your claim. If you do not choose the “Quick Pay” option, you must fill out and submit a Registration Form, Business Associate and Confidentiality Agreement, and Claim Form.

If you previously filed a claim and received a payment from the Chapter 11 cases *Mallinckrodt plc*, No. 20-12522 in the U. S. Bankruptcy Court for the District of Delaware or *Endo*, No. 22-22549, in the U.S. Bankruptcy Court for the Southern District of New York, you do not need to provide your claims data or the related information again with your Claim Form.

13. WHEN WILL YOU GET A PAYMENT?

Distributions will be made to qualifying Class Members after the Court has finally approved the Settlements, all claims have been processed, and any appeals are resolved.

14. WHAT HAPPENS IF THERE ARE FUNDS REMAINING AFTER DISTRIBUTION?

If there are any Settlement Funds remaining after all claims are processed, the funds will be distributed based on the Plan of Allocation or to an organization approved by the Court. No remaining funds will be returned to the Settling Defendants.

15. WHAT WILL YOU GIVE UP IN EXCHANGE FOR THE SETTLEMENTS?

Unless you timely exclude yourself from the Settlements, you can’t sue or be part of any other lawsuit against the Settling Defendants about the claims in this case. Class Members will be bound by all Court orders and decisions.

More information about the releases, or claims that you give up, may be found in the Settlement Agreements, available at www.acutecarehospitalsettlement.com.

THE LAWYERS REPRESENTING THE CLASS

16. DO YOU HAVE A LAWYER IN THIS CASE?

The Court appointed the following attorneys to represent you and the other Class Members as “Class Counsel”:

John W. Barrett Barrett Law Group, P.A. P.O. Box 927 404 Court Square North Lexington, MS 39095	Warren T. Burns Burns Charest LLP 900 Jackson Street Suite 500 Dallas, TX 75202
Robert A. Clifford Clifford Law Offices PC 120 North LaSalle Street 36th Floor Chicago, IL 60602	Steven B. Farmer Farmer, Cline & Campbell, PLLC 746 Myrtle Road Charleston, WV 25314
Charles J. LaDuca Cuneo Gilbert & LaDuca LLP 4725 Wisconsin Avenue Suite 200 Washington, D.C. 20016	Steven A. Martino Taylor Martino Rowan 455 St. Louis Street Suite 2100 Mobile, AL 36602

You will not be charged for contacting these lawyers. If you want to be represented by another lawyer, you may hire one at your own expense.

17. HOW WILL THE LAWYERS BE PAID?

Class Counsel will file a motion for an award of attorneys’ fees and expenses that will be considered at the Fairness Hearing. Class Counsel will ask to be reimbursed for litigation expenses and for attorneys’ fees of up to 1/3 of the Settlement Funds, plus interest earned on these amounts at the same rate as earned by the Settlement Funds.

If the Court grants the lawyers’ requests, these payments will be made from the Settlement Funds. You will not have to pay these lawyers out of your own pocket.

The attorneys’ fees and expenses requested will be the only payment to Class Counsel for their considerable time and effort in achieving these Settlements and their risk in undertaking this representation on a wholly contingent basis, including the expenses they advanced without any guarantee of repayment. The Court will decide the amount of fees, expenses, and/or Service Awards and may award less than the amount requested by Class Counsel.

Class Counsel’s motion for attorneys’ fees, costs and expenses, and any Class Representative Service Awards will be filed with the Court and made available on or before December 20, 2024, at www.acutecarehospitalsettlement.com.

18. HOW TO OBJECT TO THE SETTLEMENTS

If you are a Class Member, you may tell the Court what, if anything, you do not like about one or more of the Settlements, the Plan of Allocation, and/or Class Counsel's requests for attorneys' fees and expenses and Class Representative Service Awards, by filing an objection.

For your objection to be considered, you must file your objection with the Clerk of the Court by **January 6, 2025**, at the U. S. District Court for the District of New Mexico, 333 Lomas Blvd. NW, Albuquerque, NM 87102. If your written objection is not filed by that date, you will lose the ability to object to these Settlements.

You must also mail a copy of your objection to Class Counsel and counsel for the Settling Defendants, so it is received by **January 6, 2025**, at the addresses below:

Class Counsel:	
<p>John W. Barrett Barrett Law Group, P.A. P.O. Box 927 404 Court Square North Lexington, MS 39095</p> <p>Warren T. Burns Burns Charest LLP 900 Jackson Street Suite 500 Dallas, TX 75202</p> <p>Robert A. Clifford Clifford Law Offices PC 120 North LaSalle Street 36th Floor Chicago, IL 60602</p>	<p>Steven B. Farmer Farmer, Cline & Campbell, PLLC 746 Myrtle Road Charleston, WV 25314</p> <p>Charles J. LaDuca Cuneo Gilbert & LaDuca LLP 4725 Wisconsin Avenue Suite 200 Washington, D.C. 20016</p> <p>Steven A. Martino Taylor Martino Rowan 455 St. Louis Street Suite 2100 Mobile, AL 36602</p>

Distributor Defendants' Counsel	Janssen Defendants' Counsel
<p><i>Cencora's Counsel:</i> Michael T. Reynolds Cravath, Swaine & Moore Two Manhattan West 375 Ninth Avenue New York, NY 10001</p> <p><i>Cardinal's Counsel</i> Elaine P. Golin Wachtell, Lipton, Rosen & Katz 51 West 52nd Street New York, NY 10019</p> <p><i>McKesson's Counsel:</i> Brian Hauck Jenner & Block LLP 525 Market Street, # 2900 San Francisco, CA 94105</p>	<p>Charles C. Lifland Daniel R. Suvor O'Melveny & Myers LLP 400 S. Hope Street Los Angeles, CA 90071</p>

Teva Defendants' Counsel	Allergan Defendants' Counsel
Evan Jacobs Morgan, Lewis & Bockius LLP 2222 Market Street Philadelphia, PA 19103	Rebecca Fitzpatrick, P.C. Kirkland & Ellis LLP 333 West Wolf Point Plaza Chicago, IL 60654

Your objection must consist of a signed letter stating the Settlements that you wish to object to in *San Miguel Hospital Corp., d/b/a Alta Vista Regional Hospital v. Johnson & Johnson*, No. 1:23-cv-00903. Your written objection must include:

- The name, address, and telephone number of the objector;
- A statement that you are objecting to the proposed Settlement(s), Plan of Allocation, request for attorneys' fees and expenses, and/or request for Service Awards for the Class Representatives;
- A statement describing your objections;
- Your reasons for objecting, and any documents or supporting evidence you want to show the Court;
- A statement saying if your objection applies only to you, a part of the Class, or the entire Class;
- A list of all class actions in which you and your lawyer (if you have one) have previously objected;
- Documents showing you are a Class Member (for example, a document showing you are an Acute Care Hospital that treated patients with opioid use disorder);
- A statement of whether you (or your lawyer) intend to seek permission to appear and speak at the Fairness Hearing;
- The name of any lawyers who will seek to appear on your behalf at the Fairness Hearing;
- A statement saying you submit to the jurisdiction of the Court about your objection, request to be heard, the Settlements, and the Settlements' terms; and
- Your signature (you must personally sign the letter).

If your written objection is not filed or received by **January 6, 2025**, or does not include the required information, you will lose the ability to object to the proposed Settlement(s), Plan of Allocation, request for attorneys' fees and expenses, and request for Service Awards for the Class Representatives, unless otherwise ordered by the Court.

If you object, you will remain a Class Member, and if you want to request a payment from the Settlement Funds, you also must file a claim by the deadlines, as described above.

19. HOW TO OPT OUT OF THE SETTLEMENTS

If you do not want the benefits (or a payment) offered by the Settlements, do not want to be legally bound by the terms of the Settlement Agreements, and you want to keep your right to sue all or some of the Settling Defendants about the claims in this case, you must exclude yourself. This is also called “opting out.”

If you want to exclude yourself from one or more Settlements, you must send a written statement with the title “Opt-Out Form.” Your request must include:

- Your name, address, telephone number, and email address (if available);
- Your National Provider Identifier (if available) and CMS Certification Number (if available);
- A list of your current and former names, including any and all names under which you do or have done business since January 1, 2009;
- A statement saying which Settlements you want to be excluded from in *San Miguel Hospital Corp., d/b/a Alta Vista Regional Hospital v. Johnson & Johnson*, No. 1:23-cv-00903;
- Documents showing that you would be a Class Member if you do not opt out
- A statement that you certify, under penalty of perjury, that in accordance with 28 U.S.C. § 1746, you are legally authorized to exclude yourself from the Settlement(s); and
- Your signature.

You must mail your Opt-Out Form so it is received no later than **January 6, 2025**, at the following address:

Notice and Claims Administrator:
Acute Care Hospital Settlement EXCLUSIONS P.O. Box 173001 Milwaukee, WI 53217

You must also email your Opt-Out Form so it is received by Class Counsel and the Settling Defendants no later than **January 6, 2025**, at the following email addresses: OptOuts@acutecarehospitalsettlement.com

20. IF YOU EXCLUDE YOURSELF, CAN YOU STILL GET A PAYMENT?

No. You cannot make a claim or get a payment in any Settlements from which you timely excluded yourself.

21. IF YOU DON'T EXCLUDE YOURSELF, CAN YOU SUE THE SETTLING DEFENDANTS FOR THE SAME THING LATER?

No. If the Court approves the proposed Settlements, and you do not exclude yourself, you give up (or “release”) all the claims related in any way to the conduct at issue in this lawsuit as against the Settling Defendants and all Released Entities as defined in the Settlement Agreements.

22. WHAT IS THE DIFFERENCE BETWEEN OBJECTING AND ASKING TO BE EXCLUDED?

Objecting is simply telling the Court that you do not like something about the Settlements. You can object only if you do not exclude yourself from the Settlements. Excluding yourself is telling the Court that you do not want to be part of the Settlements. If you exclude yourself, you have no basis to object because the Settlements no longer affect you.

If you are a Class Member and you do nothing, you will remain in the Settlements and be bound by all orders in this lawsuit. You will also give up your rights to seek a payment from these Settlement Funds, object to the Settlements, speak at the hearing about the Settlements, or be part of another lawsuit against the Settling Defendants for any and all claims released by the Settlement Agreements. If there are future settlements or judgments, you will be sent a notice with instructions on how to receive a benefit at that time.

FAIRNESS HEARING

23. WHEN IS THE FAIRNESS HEARING?

The Court will hold a Fairness Hearing on **March 4, 2025**, at **9:00 a.m.** Mountain Time, before the Honorable Kea Riggs, at the U. S. District Court for the District of New Mexico, Pete V. Domenici Courthouse, 333 Lomas Blvd. NW, Albuquerque, NM, 87102, 540 Bonito Courtroom.

At this hearing, the Court will consider whether the Settlements and Plan of Allocation are fair, reasonable, and adequate, if the Settlements should be finally approved; if the Judgments provided under the Settlement Agreements should be entered, and other matters. The Court may also decide whether to award attorneys' fees and expenses and Service Awards to the Class Representatives. If there are objections, the Court will consider them and may listen to people who have asked to speak at the hearing. After the hearing, the Court will decide whether to approve the Settlements and the Plan of Allocation. We do not know how long these decisions will take.

The hearing may be moved to a different location or time without additional notice. For updated information about the hearing, you may check www.acutecarehospitalsettlement.com, contact Class Counsel, or access the court docket for this case as described in the "Getting More Information?" section on Page 12.

24. DO YOU HAVE TO ATTEND THE FAIRNESS HEARING?

No, you do not have to attend the Fairness Hearing. Class Counsel will answer any questions the Court may have. If you send an objection, you do not have to come to Court to talk about it. As long as you submitted your written objection on time, to the proper addresses, and it meets the requirements in this notice, the Court will consider it. But if you want to attend, you are welcome to do so at your own expense. You may also hire another lawyer to attend for you, but you will be responsible for paying that lawyer.

25. MAY YOU SPEAK AT THE HEARING?

If you object, you may ask the Court for permission to speak at the hearing. Your objection must include a request to speak, be timely submitted, and meet the other requirements in this notice, including those listed in the "Option 2 - Object to the Settlement" section on Pages 9-10.

Ultimately, the Court will decide who will be allowed to speak at the hearing.

GETTING MORE INFORMATION

26. HOW DO YOU GET MORE INFORMATION?

This notice summarizes the Settlements. The precise terms and conditions of the Settlements are detailed in the Settlement Agreements. If there are any inconsistencies between this notice and the terms of the Settlement Agreements, the Settlement Agreement terms control.

The records in this Action may be examined and copied during regular office hours, and subject to customary copying fees, at the Clerk of the United States District Court for the District of New Mexico. For a fee, all papers filed in this Action are available at www.pacer.gov.

In addition, the Settlement Agreements, this notice, the Registration and Claim Forms, Court orders, and the Plan of Allocation are available at www.acutecarehospitalsettlement.com. You may contact the Notice and Claims Administrator at 1-877-354-3788 if you have any questions about the Action or the Settlements.

Please do not write or call the Court, the Court Clerk's office, or the Settling Defendants with questions about the Settlements or the claims process.