

**EXHIBIT B**

**Long Form Notice**

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT**

**Guerrero, et al. v. Merritt Healthcare Holdings, LLC, Case No. 3:23-cv-00389 (D. Conn.)**

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**You may be eligible for cash payment from  
Merritt Healthcare Holdings, LLC, d/b/a/ Merritt Healthcare Advisors,  
but you need to act.**

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**A court authorized this Notice.**

This is not spam, an advertisement, or a lawyer solicitation.

This is a court-authorized Notice of a proposed settlement in a class action lawsuit, *Guerrero, et al. v. Merritt Healthcare Holdings, LLC, Case No. 3:23-cv-00389*, currently pending in the District Court for the District of Connecticut. The proposed settlement would resolve a lawsuit that alleges that Merritt Healthcare Holdings, LLC d/b/a Merritt Healthcare Advisors (“Merritt”) was negligent and breached contractual and statutory duties in connection with a data security incident that Merritt discovered on November 30, 2022, and occurred between July 30, 2022 and August 25, 2022. Merritt contests these claims and denies that it did anything wrong. This Notice explains the nature of the class action lawsuit, the terms of the settlement, and your legal rights and obligations.

You have legal rights and options that you may act on before the Court decides whether to approve the proposed settlement. Because your rights will be affected by this settlement, it is extremely important that you read this Notice carefully. To read the precise terms and conditions of the settlement, you can access a copy of the Settlement Agreement on the website at [www.merrittprivacysettlement.com](http://www.merrittprivacysettlement.com). You may also contact the Settlement Administrator via email at [info@merrittprivacysettlement.com](mailto:info@merrittprivacysettlement.com).

<b>Summary of Your Legal Rights and Options in This Settlement</b>		<b>Deadline</b>
<b>Submit a Claim</b>	The only way to be eligible to receive a Claimant Award from this Settlement is by submitting a timely and valid Claim Form. The Claim Form must be submitted no later than <b>August 12, 2024</b> .	<b>August 12, 2024</b>
<b>Opt Out of the Settlement</b>	You can choose to opt out of the Settlement and receive no 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 elect your own legal counsel at your own expense.	<b>August 12, 2024</b>

<b>Object to the Settlement and/or Attend a Hearing</b>	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 a Claimant Award.	<b>August 12, 2024</b>
<b>Do Nothing</b>	Unless you opt out of the settlement, you are automatically part of the Settlement. If you do nothing, you will not get a payment 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

**What Is This Lawsuit About?** In a class action, one or more people, called Class Representatives, sue on behalf of people who have similar claims. All of the people with similar claims are class members. One court resolves the issues for all class members, except those who exclude themselves from the class.

This lawsuit began when Plaintiffs Jessica Guerrero, Jeffrey Matthews and Joseph Castillo filed a consolidated putative class action complaint against Merritt. In the lawsuit, Plaintiffs allege that Merritt was negligent and violated contractual and statutory damages when a third party obtained unauthorized access to personal and private identifying and medical information stored by Merritt. Merritt denies any liability or wrongdoing of any kind associated with the claims in this lawsuit.

This is just a summary of the allegations. The complaint in the lawsuit is posted at [www.merrittprivacysettlement.com](http://www.merrittprivacysettlement.com) and contains all of the allegations.

**Why Is There A Settlement?** To resolve this matter without the expense, delay, and uncertainties of litigation, the parties reached a settlement. The proposed settlement would require Merritt to pay money to the Settlement Class, and pay settlement administration costs, attorneys' fees and costs of Class Counsel, and Service Payments to the Class Representatives, as may be approved by the Court. The settlement is not an admission of wrongdoing by Merritt and does not imply that there has been, or would be, any finding that Merritt violated the law.

**Am I a Class Member?** You are a member of the Settlement Class if you are a resident of the United States whose information was accessed in the data security incident, and you received notice of the data security incident from Merritt.

**Who Represents Me?** The Court has appointed a team of lawyers as Class Counsel.

Laura Grace Van Note COLE & VAN NOTE 555 12th Street, Suite 2100 Oakland, California 94607	Kevin Laukaitis of LAUKAITIS LAW LLC 954 Avenida Ponce De Leon Suite 205, #10518 San Juan, PR 00907
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Class Counsel will petition to be paid legal fees and to be reimbursed for their reasonable expenses from the Settlement Fund. You do not need to hire your own lawyer, but you may choose to do so at your own expense.

**What Are the Settlement Benefits?** Merritt has agreed to establish a Settlement Fund, by depositing with the Settlement Administrator US \$1,525,000.00 in cash.

The Settlement Fund will be used to pay attorneys' fees and costs, Service Payments for the Class Representatives, and Settlement administration costs. After deducting amounts for attorneys' fees and costs, Service Payments for the Class Representatives, and Settlement administration costs, the remaining amount ("**Net Settlement Amount**") will be used to pay timely valid claims.

Settlement Class members who submit a valid claim will be reimbursed for Out of pocket expenses or a *pro rata* cash payment.

After payment of the above awards, if any money remains from the Net Settlement Amount, that money will be distributed first to reimburse Settlement Class members with documented out-of-pocket losses, and subsequently *pro rata* among all Settlement Class members who timely submitted a valid and approved Claim Form up to \$500 per capita, or if too little money remains to make such a payment, the money will be donated to an appropriate charity.

Merritt has also agreed to certain enhancements to its data security.

**How Do I Get a Payment?** You must submit a completed Claim Form no later than **August 12, 2024**. You may submit a Claim Form online at [www.merrittprivacysettlement.com](http://www.merrittprivacysettlement.com).

**How Do I Exclude Myself from the Settlement?** If you want to exclude yourself from the Settlement Class, sometimes referred to as "opting out," you will not be eligible to recover any benefits as a result of this settlement and you will not receive a payment or have any rights under the Settlement Agreement. However, you would keep the right to sue Merritt at your own expense about the legal issues raised in this lawsuit. You may exclude yourself from the settlement by mailing a written notice to the Settlement Administrator, postmarked on or before **August 12, 2024**. Your exclusion request letter must:

- Be in writing;
- State your current address;
- Contain the statement "I request that I be excluded from the Settlement Class in the case of *Guerrero v. Merritt Healthcare Holdings*;
- Be signed by you; and
- Be mailed to the Merritt Privacy Settlement Administrator, **PO Box 231, Valparaiso IN 46384**, postmarked on or before **August 12, 2024**.

**How Do I Object to the Settlement?**

You can ask the Court to deny approval by filing an objection. You can't ask the Court to order a different settlement; the Court can only approve or reject the Settlement. If the Court denies

approval, no Settlement payments will be sent out, and the lawsuit will continue. If that is what you want to happen, you should object.

If you are a member of the Settlement Class and you do not exclude yourself from the Settlement, you can object to the Settlement. To do so, you must file your written objection with the Court no later than **August 12, 2024**, and mail a copy to Class Counsel and Merritt’s Counsel at the addresses listed below. Your written objection may include any supporting documentation you wish the Court to consider.

If your objection is submitted and overruled by the Court at the Final Approval hearing, you will remain fully bound by the terms of the Settlement Agreement and the Final Approval Order.

Mailing addresses for Class Counsel and Merritt’s Counsel are as follows:

<b>CLASS COUNSEL:</b>  Kevin Laukaitis LAUKAITIS LAW LLC 954 Avenida Ponce De Leon Suite 205, #10518 San Juan, PR 00907  Laura Grace Van Note COLE & VAN NOTE 555 12th Street, Suite 2100 Oakland, California 94607 (510) 891-9800	<b>MERRITT’S COUNSEL:</b>  Christopher Seusing Wood Smith Henning Berman 685 3rd Avenue Ste 18th Floor New York, NY 10017 USA 475-755-7040
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**What Is the Difference Between Objecting and Asking to be Excluded?**

Objecting means telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you stay in the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement. If you exclude yourself, you have no basis to object to the Settlement because it no longer affects you.

**What Am I Agreeing to by Remaining in the Settlement Class?**

Unless you exclude yourself, you will be part of the Settlement Class and you will be bound by the release of claims in the Settlement. This means that if the Settlement is approved, you cannot sue, continue to sue, or be part of any lawsuit against Merritt or the other Released Parties asserting a “Released Claim,” as defined below. It also means that the Court’s Order approving the settlement and the judgment in this case will apply to you and legally bind you.

“Released Claims” means any and all actual, potential, filed, unfiled, known or unknown, fixed or contingent, claimed or unclaimed, suspected or unsuspected, claims, demands, liabilities, rights, causes of action, damages, punitive, exemplary or multiplied damages, expenses, costs, attorneys’ fees and/or obligations, whether in law or in equity, accrued or unaccrued, direct, individual or representative, of every nature and description whatsoever, whether based on federal, state, local,

statutory or common law or any other law, against the Released Parties, or any of them, arising out of, or relating to, actual or alleged facts, transactions, events, matters, occurrences, acts, disclosures, statements, representations, omissions or failures to act in connection with the data security incident, and including all claims that were brought or could have been brought in the Action, belonging to any and all Settlement Class members, including but not limited to any state law or common law claims that they may have or had.

**“Released Parties”** means Merritt and its past, present, and future, direct and indirect heirs, assigns, associates, corporations, investors, owners, parents, subsidiaries, affiliates, divisions, officers, directors, shareholders, agents, employees, attorneys, insurers, reinsurers, benefit plans, predecessors, successors, managers, administrators, executors and trustees.

**When Will the Court Decide Whether to Approve the Settlement?** The Court will hold a Final Approval Hearing on **October 15, 2024, at 10:00 A.M. in Courtroom 3, U.S. District Court, Abraham Ribicoff Building, 450 Main Street, Hartford, CT 06103**. At that hearing, the Court will determine the overall fairness of the settlement, hear objections, and decide whether to approve the requested attorneys’ fees and expenses, Service Payments for the Class Representatives, and settlement administration costs. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check [www.merrittprivacysettlement.com](http://www.merrittprivacysettlement.com) and the Court’s docket for updates.

**How Do I Get More Information?** For more information, go to [www.merrittprivacysettlement.com](http://www.merrittprivacysettlement.com). You may also write to the Settlement Administrator via mail to PO Box 231, Valparaiso, IN 46384, or via email at [info@merrittprivacysettlement.com](mailto:info@merrittprivacysettlement.com).