

# Notice of Medical Center Barbour Data Incident Class Action Settlement

If your personal information was potentially accessible in a Data Incident that affected Medical Center Barbour on or around October 29, 2023, you could get a payment from a class action Settlement.

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

**Please read this Notice carefully and completely. Your legal rights are affected whether you act or don't act.**

## **THIS NOTICE MAY AFFECT YOUR RIGHTS. PLEASE READ IT CAREFULLY.**

- A Settlement has been proposed in a class action lawsuit against MCBH, LLC d/b/a Medical Center Barbour (“MCBH”), Blue Management Services, LLC d/b/a Alliant Management Services (“Alliant”), and The Health Care Authority of the City of Eufaula (“HCA”) (“Defendants”). The Settlement resolves claims brought by individuals impacted by the data security incident suffered by MCBH on or around October 29, 2023, wherein cybercriminals were able to access MCBH’s data and potentially access the personal information of MCBH’s current and former patients and employees (the “Data Incident”). This information included both highly sensitive personally identifiable information (“PII”) and private health information (“PHI”), and included full names, Social Security numbers, driver’s license or state identification information, passport numbers, dates of birth, addresses, medical information, biometric information, and health insurance information (referred to herein as “Private Information”).
- You may be eligible to claim reimbursement for documented out-of-pocket losses (maximum payment of up to \$5,000) from the proposed Settlement. To receive a payment, you must complete and submit a Claim Form.
- Instead of (and not in addition to) the documented out-of-pocket losses, you may elect to receive an alternative cash payment of \$50.00, the total of which will depend upon the number of valid claims for credit monitoring, documented out-of-pocket losses, and cash payments that are filed.
- You may also be eligible to claim two years of credit monitoring services.

| Summary of Your Legal Rights and Options                |                                                                                                                                                                                                                                       | Deadline                                       |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| <b>SUBMIT A CLAIM FORM</b>                              | The only way to get a payment and/or credit monitoring.                                                                                                                                                                               | Online or Postmarked by <b>January 2, 2026</b> |
| <b>EXCLUDE YOURSELF BY OPTING OUT</b>                   | Get no payment. Keep your right to file your own individual lawsuit against MCBH for the same claims resolved by this Settlement.                                                                                                     | Postmarked by <b>January 2, 2026</b>           |
| <b>OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING</b> | Tell the Court the reasons why you do not believe the Settlement should be approved. You can also ask to speak to the Court at the hearing on April 9, 2026, about the fairness of the Settlement, with or without your own attorney. | Received by <b>January 2, 2026</b>             |
| <b>DO NOTHING</b>                                       | Get no payment or credit monitoring and be bound by the terms of the 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. Payments will be made if the Court approves the Settlement after any appeals are resolved.

## BASIC INFORMATION

### 1. Why did I get this notice?

You received this notice because you have been identified as a person whose information may have been accessed or exposed during the Data Incident, and you may have previously received a notice mailed in or around August 2024 that your information may have been impacted in the Data Incident. Three individuals brought proposed class action lawsuits against Defendants concerning the Data Incident. Defendants denied the allegations and denied that they would be found liable should this case proceed to trial. The parties have now reached a proposed Settlement of the lawsuits.

A Court authorized this notice because you have a right to know about your rights under the proposed class action Settlement before the Court decides whether to grant final approval to the Settlement. If the Court approves the Settlement, a Settlement Administrator appointed by the Court will provide the benefits and make the payments that the Settlement allows, and the pending legal claims against Defendants will be released and dismissed.

This notice explains the lawsuit, the Settlement, your rights, what benefits are available, who is eligible for them, and how to get them. The case is *Calton, et al. v. Medical Center Barbour, et al.*, Case No. 69-CV-2025-900014.00, currently pending in the Eufaula Division of the Circuit Court of Barbour County, Alabama.

### 2. What is this lawsuit about?

This matter is a proposed class action (the “Action”) arising from a data security incident suffered by MCBH on or about October 29, 2023, wherein cybercriminals were able to access MCBH’s data systems and potentially access information belonging to MCBH’s current and former patients and employees. The lawsuit asserts claims against Defendants for negligence, negligence *per se*, breach of express and implied contract, breach of fiduciary duty, breach of confidence, unjust enrichment, and invasion of privacy.

Defendants deny any allegation of wrongdoing and deny that Plaintiffs would prevail or be entitled to any relief should this matter proceed to be litigated.

### 3. What is a class action?

In a class action, one or more people called the “Representative Plaintiffs” sue on behalf of themselves and other people who they allege have similar claims. This group of people is called the “Settlement Class,” and the people in the Settlement Class are called “Settlement Class Members.” One court resolves the issues for all Settlement Class Members, except for people who exclude themselves from the class. The persons who sued here—Lucy Calton, Teretha Spann, and Chaka Ford—are called the Representative Plaintiffs. The entities they sued—MCBH, Alliant and HCA—are called the Defendants.

### 4. Why is there a Settlement?

The Court did not decide in favor of Plaintiffs or Defendants. Instead, both sides agreed to a Settlement, which avoids the costs, risks, and delay of a trial, and permits Settlement Class Members to obtain the Settlement benefits without delay. The Representative Plaintiffs and Class Counsel think the Settlement is in the best interest of the Settlement Class.

## WHO IS IN THE SETTLEMENT?

### 5. Who is in the Settlement?

The Settlement Class is defined as: “all individuals whose PII/PHI was potentially implicated in the Data Incident, including those to whom MCBH sent a notice of the Data Incident.” There are approximately 61,014 Class Members, all of whom are current or former MCBH patients and employees.

### 6. Are there exceptions to being included?

The following are not included in the Settlement Class: Defendants and their parents, subsidiaries, affiliates, officers and directors, and any entity in which Defendants have a controlling interest; all members of the Settlement Class who timely and validly request exclusion from the Settlement Class; any and all federal, state, or local governments, including but not limited to their departments, agencies, divisions, bureaus, boards, sections, groups, counsels and/or subdivisions; the attorneys representing the Parties in the Action; all judges assigned to evaluate the fairness of the Settlement, as well as their court staff and immediate family members; and any Person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding, or abetting the Data Incident or who pleads *nolo contendere* to any such charge.

### 7. What should I do if I am not sure whether I am included?

If you are not sure whether you are included in the Settlement Class, you can ask for free help by emailing the Settlement Administrator at [mcbdatasettlement@cptgroup.com](mailto:mcbdatasettlement@cptgroup.com) or you can visit [www.mcbdatasettlement.com](http://www.mcbdatasettlement.com) for more information.

## THE SETTLEMENT BENEFITS

### 8. What does the Settlement Provide?

Under the Settlement, Settlement Class Members can claim a number of benefits. Settlement Class Members may file a claim for one or more of the following settlement benefits.

**Expense Reimbursement:** All Settlement Class Members who submit a Valid Claim are eligible to receive reimbursement for documented out-of-pocket losses caused by the Data Incident, if not already reimbursed through any other source, not to exceed \$5,000.00 per Settlement Class Member.

Additionally, all Settlement Class Members who submit a Valid Claim for Expense Reimbursement may submit a claim to recover time spent related to the Data Incident, at a rate of \$25.00 per hour for up to three (3) hours (*i.e.*, up to \$75.00). Any reimbursement for lost time related to the Data Incident is included within, and subject to the \$5,000.00 cap on Expense Reimbursement.

The maximum amount of the Expense Reimbursement, \$5,000.00 will be increased or decreased on a *pro rata* basis depending upon the number of Valid Claims and the amount of funds available for the payments.

**Alternative Cash Payment:** As an alternative to filing a claim for an Expense Reimbursement Payment, Settlement Class Members can elect to make a claim for a \$50.00 Alternative Cash Payment. To receive this benefit, Settlement Class Members must submit a Valid Claim, but no other documentation is required to make a claim. The amount of the Alternative Cash Payment will be decreased on a *pro rata* basis, depending upon the number of valid claims filed and the amount of funds available for these payments.

**IF YOU SELECT THE ALTERNATIVE CASH PAYMENT, YOU MAY NOT CLAIM THE EXPENSE REIMBURSEMENT PAYMENT.**

**Credit Monitoring Services:** In addition to the other benefits listed above, all Settlement Class Members can enroll in two years of credit monitoring services. Settlement Class Members claiming this option will be given the opportunity to sign up once Settlement being finally approved.

**9. What am I giving up if I stay in the Class?**

If you are a Settlement Class Member and you do not exclude yourself from the Settlement, you will give up your right to sue, continue to sue, or be part of any other lawsuit against Defendants or other Released Persons concerning the claims released by this Settlement. The Settlement Agreement describes the legal claims that you give up if you remain in the Settlement Class. The entire Settlement Agreement can be viewed at [www.mcbdatasettlement.com](http://www.mcbdatasettlement.com).

**HOW TO GET A PAYMENT – MAKING A CLAIM**

**10. How can I get a payment?**

You must complete and submit a Claim Form by **January 2, 2026**. Claim Forms may be submitted online at [www.mcbdatasettlement.com](http://www.mcbdatasettlement.com) or mailed to the address on the Claim Form. Be sure to read the Claim Form instructions carefully, include all required information, and add your signature.

The Settlement Administrator will review your claim to determine the validity and amount of your payment.

**11. How much will my payment be?**

The amount of your payment will depend on the approved amount of your claim and the total value of all approved claims. If you are claiming Expense Reimbursement under the Settlement, you must attest to the loss and any out-of-pocket expenses, their amount, and submit documentation demonstrating the loss. Documents submitted may include credit card or bank statements, emails, invoices, receipts, or telephone records, including photographs of these documents. Personal statements, declarations, or other “self-prepared” documents are not considered reasonable documentation, but may be used to provide clarification, context, or support for other documentation.

**12. When will I get my payment?**

The Court will hold a hearing on April 9, 2026, at 8:30 a.m. CT to decide whether to approve the Settlement. Payments will be made after the Settlement is approved and becomes final (meaning there is no appeal from the order approving the Settlement). Updates regarding the Settlement will be posted on the Settlement Website, [www.mcbdatasettlement.com](http://www.mcbdatasettlement.com).

**THE LAWYERS REPRESENTING YOU**

**13. Do I have a lawyer in this case?**

The law firms of DeGaris Law LLC, Srourian Law Firm, P.C., and Cafferty Clobes Meriwether & Sprengel LLP represent the Settlement Class. These lawyers are called Class Counsel. You will not be charged for their services.

#### 14. Should I get my own lawyer?

If you want your own lawyer, you may hire one, but you will be responsible for any payment for that lawyer's services.

#### 15. How will the lawyers be paid?

The attorneys representing the Class have not yet received any payment for their legal services or any reimbursement of the costs or out-of-pocket expenses they have incurred. Class Counsel plans to ask the Court to award attorneys' fees and costs and expenses not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00).

The Settlement Class is represented by three named individuals—Lucy Calton, Teretha Spann, and Chaka Ford (the “Representative Plaintiffs”). In addition to the benefits that the Representative Plaintiffs will receive as a member of the Settlement Class—and subject to the approval of the Court—Class Counsel will ask the Court to award a \$1,500 Service Award to each of the Settlement Representative Plaintiffs for the efforts they have expended on behalf of the Settlement Class.

The Court will determine whether to approve the amount of fees and costs and expenses requested by Class Counsel and the proposed Service Awards to the Representative Plaintiffs.

### EXCLUDING YOURSELF FROM THE SETTLEMENT

#### 16. How do I get out of the Settlement?

If you are a Settlement Class Member and you do not want the benefits from the Settlement, and you want to keep your right, if any, to sue Defendants on your own about the legal issues in this Action, then you must take steps to get out of the Settlement. This is called excluding yourself from—or “opting out” of—the Settlement Class.

You may opt out of the Settlement Class by **January 2, 2026**. To opt out, you must send a letter via U.S. mail to the address below. You should include the name of the Action, *Calton, et al. v. Medical Center Barbour, et al.*, Case No. 69-CV-2025-900014.00; your full name, address, telephone number, original signature (or the original signature of a person authorized by law to act on your behalf, along with evidence of appointment of such person acting on your behalf); and the words “Requests for Exclusion” at the top of the document or a clear statement that you want to opt out of the settlement.

You must mail your opt-out request via U.S. Mail, postmarked no later than January 2, 2026 to:

*Calton, et al. v. Medical Center Barbour, et al.*  
c/o CPT Group, Inc.  
PO Box 19504  
Irvine, CA 92623

If you fail to include the required information, your request will be deemed invalid and you will remain a Settlement Class Member and be bound by the Settlement, including all releases.

### **17. If I am a Settlement Class Member and don't opt out, can I sue the Defendants for the same thing later?**

You must opt out of the Settlement to keep your right, if any, to sue Defendants or other released parties for any of the claims resolved by the Settlement.

### **18. What happens if I opt out?**

If you opt out of the Settlement, you will not have any rights as a member of the Settlement Class. You will not receive a payment or credit monitoring as part of the Settlement. You will not be bound by the Settlement, releases, or by any further orders or judgments in this case. You will keep the right, if any, to sue on the claims alleged in the Action at your own expense.

In addition, if you opt out of the Settlement you cannot object to this Settlement because the Settlement no longer affects you. If you object to the Settlement and request to exclude yourself, your objection will be voided, and you will be deemed to have excluded yourself.

## **OBJECTING TO THE SETTLEMENT**

### **19. How do I tell the Court if I don't like the Settlement?**

If you are a Settlement Class Member and you do not opt out of the Settlement, you can object to the Settlement if you do not think it is fair, reasonable, or adequate. You can give reasons why you think the Court should not approve it. You cannot ask the Court to change or order a different settlement; the Court can only approve or deny this Settlement. If the Court denies approval, no settlement payments will be sent out and the Action will continue. If that is what you want to happen, you must object.

You may object to any part of the proposed Settlement in writing. You may also appear at the Final Approval Hearing (also called the Fairness Hearing), either in person or through your own attorney. If you appear through your own attorney, you are responsible for paying that attorney.

All notices of an intent to object to the Class Settlement Agreement must be written and should include all of the following: (i) the objector's full name, address, and telephone number; (ii) the case name and docket number—*Calton, et al. v. Medical Center Barbour, et al.*, Case No. 69-CV-2025-900014.00; (iii) a written statement of all grounds for the objection, accompanied by any legal support for the objection the objector believes applicable; (iv) the identity of any and all counsel representing the objector in connection with the objection; (v) a statement whether the objector and/or his or her counsel will appear at the Final Fairness Hearing; (vi) the objector's signature or the signature of the objector's duly authorized attorney or other duly authorized representative (if any) representing him or her in connection with the objection; (vii) proof that the Settlement Class Member is a member of the Settlement Class (*e.g.*, copy of settlement notice); (viii) copies of any documents that the Settlement Class member wishes to submit in support of his/her position; and (ix) a list, including case name, court, and docket number, of all other cases in which the objector and/or the objector's counsel has filed an objection to any proposed class action settlement in the past three (3) years.

Completed objections must also be submitted via U.S. Mail or Email to the Settlement Administrator at the following address.

*Calton, et al. v. Medical Center Barbour, et al.*  
c/o CPT Group, Inc.  
PO Box 19504  
Irvine, CA 92623  
[mcbdatasettlement@cptgroup.com](mailto:mcbdatasettlement@cptgroup.com)

Completed objections must also be submitted via postal mail to Class Counsel, Nickolas J. Hagman, Cafferty Clobes Meriwether & Sprengel LLP, 135 S. LaSalle Street, Suite 3210, Chicago, IL 60603; and Annesley H. DeGarius, DeGaris Law, LLC, 2 North 20th Street, Suite 1030, Birmingham, AL 35203 and counsel for MCBH and HCA, David M. Ross, Wilson Elser LLP, 1500 K Street, NW, Suite 330, Washington, DC 20005; and counsel for Alliant, Angel A. Croes, Carr Allison, 100 Vestavia Parkway, Birmingham, AL 35216. The objection must be filed with the Settlement Administrator and must be postmarked no later than **January 2, 2026**.

## **20. What's the difference between objecting and opting out?**

Objecting is telling the Court that you don't like something about the Settlement. You can object to the Settlement only if you are a Settlement Class Member and do not opt out of the Settlement. Opting out of the Settlement is telling the Court that you don't want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because it does not affect you.

## **THE COURT'S FAIRNESS HEARING**

## **21. When and where will the Court decide whether to approve the settlement?**

The Court will hold a Final Approval Hearing (also called the Fairness Hearing) on April 9, 2026, at 8:30 a.m. CT at the Barbour County Courthouse, Eufaula Division of the Circuit Court of Barbour County, Alabama, 405 East Barbour Street, Suite A119 before Judge Burt Smithart. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate; Class Counsel's application for attorneys' fees, costs, and expenses; and whether to approve Service Awards to the Representative Plaintiffs. If there are objections, the Court will consider them. The Court may choose to hear from people who have asked to speak at the hearing. At or after the hearing, the Court will decide whether to approve the Settlement. There is no deadline by which the Court must make its decision.

The Court may reschedule the Fairness Hearing or change any of the deadlines described in this notice. The date of the Fairness Hearing may change without further notice to Settlement Class Members. Be sure to check the Settlement Website, [www.mcbbdatasettlement.com](http://www.mcbbdatasettlement.com) for updates.

## **22. Do I have to come to the Fairness Hearing?**

Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish. If you send an objection, you do not have to come to the hearing to talk about it. As long as you mailed or filed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

## **23. May I speak at the hearing?**

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you should include a statement in your written objection (*see* Question 19) that you intend to appear at the hearing. Be sure to include your name, address, and signature as well. Notwithstanding the foregoing, it is in the Court's discretion to let you speak at the Fairness Hearing. You cannot speak at the hearing if you opt out from the Class.

## IF I DO NOTHING

### 24. What happens if I do nothing at all?

If you are a Settlement Class Member and do nothing, you will not get any money or credit monitoring from this Settlement, and you will not be able to sue the Defendants or other Released Persons for the claims released by the Settlement Agreement.

## GETTING MORE INFORMATION

### 25. Are more details about the Settlement available?

This notice summarizes the proposed Settlement—more details are in the Settlement Agreement and other case documents available at [www.mcbbdatasettlement.com](http://www.mcbbdatasettlement.com) or by visiting the Office of the Clerk of the Third Judicial Circuit Court of Alabama – Barbour County, 405 East Barbour Street, Suite A119, Eufaula, AL 36027, between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

### 26. How do I get more information?

Visit the Settlement Website, [www.mcbbdatasettlement.com](http://www.mcbbdatasettlement.com) where you will find more information, including the Claim Form, a copy of the Settlement Agreement, and answers to questions about the Settlement and other information to help you determine whether you are eligible for a payment.

Contact the Settlement Administrator at 1-888-453-0363 or by writing to:

*Calton, et al. v. Medical Center Barbour, et al.*  
c/o CPT Group, Inc.  
PO Box 19504  
Irvine, CA 92623  
[mcbbdatasettlement@cptgroup.com](mailto:mcbbdatasettlement@cptgroup.com)

**PLEASE DO NOT CONTACT THE COURT, THE COURT CLERK'S OFFICE, OR DEFENDANTS TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.**