

Notice of Proposed Class Action Settlement

Eugene Mitchell v. Gandara Mental Health Center, Inc., Civil Action No. 2479CV00652

The Court in the Commonwealth of Massachusetts, Hampden County authorized this Notice.

- A proposed Settlement has been reached with the defendant Gandara Mental Health Center, Inc. (“GMHC” or “Defendant”) arising out of the unauthorized third-party access to Defendant’s network that was detected by Defendant on or around June 20, 2024 (the “Data Security Incident”).
- The Settlement Class includes all individuals residing in Massachusetts whose Private Information was compromised in the Data Security Incident discovered by Defendant in June 2024.
- Under the Settlement, GMHC has agreed to provide certain benefits to Settlement Class Members who submit valid and timely claims. In addition, GMHC has agreed to implement appropriate security measures to mitigate risks to the Defendant’s information security, and has agreed to pay for the costs of Notice and Administrative Expenses; Service Award Payments for the Settlement Class Representatives; and Attorneys’ Fee Award and Costs.
- Your legal rights will be affected whether you act or do not act. You should read this entire Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
FILE A CLAIM FORM DEADLINE: JULY 23, 2026	Submitting a Claim Form is the only way that you can receive any of the Settlement benefits. If you submit a Claim Form, you will give up the right to sue Defendant and certain other Released Parties (as defined in the Settlement Agreement) in a separate lawsuit about the legal claims this Settlement resolves.
OBJECT TO OR COMMENT ON THE SETTLEMENT DEADLINE: JULY 23, 2026	You may object to the Settlement by writing to the Court and informing it why you do not think the Settlement should be approved. You will still be bound by the Settlement if it is approved. If you object, you may also file a Claim Form to receive Settlement benefits.
GO TO THE FINAL APPROVAL HEARING AUGUST 25, 2026	You may attend the Final Approval Hearing where the Court may hear arguments concerning approval of the Settlement. If you wish to speak at the Final Approval Hearing, you must make a request to do so in your written objection or comment. You are <u>not</u> required to attend the Final Approval Hearing.
DO NOTHING	If you do nothing, you will not receive any of the Settlement benefits and you will give up your rights to sue Defendant and other Released Parties for the claims this Settlement resolves.

- 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. No Settlement benefits will be provided unless the Court approves the Settlement, and it becomes final.

Questions? Visit WWW.GANDARASETTLEMENT.COM or call toll-free 1-866-426-4230.

BASIC INFORMATION

1. Why did I get this Notice?

The Court authorized this Notice because you have the right to know about the proposed Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant final approval of 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 receive those benefits.

The case is known as *Eugene Mitchell v. Gandara Mental Health Center, Inc.*, Civil Action No. 2479CV00652, in the Commonwealth of Massachusetts, Hampden County (the “Action”). The individuals who filed this lawsuit, Eugene Mitchell, Wanda Delrio and Raffaele Santaniello, are called the “Plaintiffs” or “Settlement Class Representatives” and the entity that was sued, Gandara Mental Health Center, Inc., is called the “Defendant” or “GMHC.”

2. What is this lawsuit about?

On or around June 20, 2024, Defendant discovered that third-party cybercriminals had gained unauthorized access to its systems (the “Data Security Incident”). An investigation determined that certain Personally Identifiable Information (“PII”) and Protected Health Information (“PHI”) (collectively, “Private Information”), which may have included Plaintiffs and Settlement Class Members’ Private Information, was acquired without authorization.

On January 29, 2025, Plaintiffs Eugene Mitchell, Wanda Delrio, and Raffaele Santaniello filed a Class Action Complaint against the Defendant in the Commonwealth of Massachusetts, Hampden County asserting claims arising out of the Data Security Incident. Defendant denies the allegations and all liability with respect to any and all facts and claims alleged in the Action, that the putative class representatives and the proposed class which it purports to represent, have suffered any damage(s), and/or that the Action satisfies the requirements to be tried as a class action under the Massachusetts Rule of Civil Procedure.

3. Why is this a class action?

In a class action, one or more people called the “Plaintiffs”, or “Settlement Class Representatives” sue on behalf of all people who have similar claims. Together, all of these people are called a “Settlement Class” or “Settlement Class Members.” One court resolves the issues for the Settlement Class.

4. Why is there a Settlement?

The Plaintiffs and Defendant disagree over the legal claims alleged in the Action. The Action has not gone to trial, and the Court has not decided in favor of the Plaintiffs or Defendant (collectively referred to as the “Parties”). Instead, the Parties have agreed to settle the Action and agree that the Settlement Agreement offers significant benefits to all Settlement Class Members, and that the Settlement is fair, reasonable, adequate, and in the best interest of the Settlement Class.

WHO IS INCLUDED IN THE SETTLEMENT?

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

The Settlement Class includes all individuals residing in Massachusetts whose Private Information was compromised in the Data Security Incident discovered by Defendant in June 2024.

6. Are there exceptions to individuals who are included in the Settlement Class?

Yes, Excluded from the Settlement Class are (i) Defendant, its officers and directors; (ii) any judges assigned to this case and their staff and family; and (iii) any other person found by a court of competent jurisdiction to be guilty under criminal

law of initiating, causing, aiding or abetting the criminal activity occurrence of the Data Security Incident or who pleads *nolo contendere* to any such charge.

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.gandarasettlement.com, or call toll-free 1-866-426-4230. You may also email the Settlement Administrator at info@gandarasettlement.com.

THE SETTLEMENT CLASS MEMBER BENEFITS

8. What does the Settlement provide?

The Settlement will provide Settlement Class Members with the opportunity to make a claim for compensation for Ordinary Losses, Extraordinary Losses, and/or Lost Time. Alternatively, Settlement Class Members may elect to receive an Alternative Cash Payment in the amount of \$60.00. In addition to the cash benefit options, Settlement Class Members can elect to receive Credit Monitoring Services.

Credit Monitoring Services. Settlement Class Members are eligible to enroll for free in three (3) years of CYEX's Medical Shield Complete product through 1 credit bureau, which includes \$1 million in identity theft protection insurance.

Ordinary Losses (up to a total of \$500.00) for documented out-of-pocket losses incurred or spent between June 20, 2024, and July 23, 2026:

- Out-of-pocket expenses incurred as a result of the Data Security Incident, including unreimbursed bank fees, long-distance phone, and cell phone charges (only if charged by the minute), data charges (only if charged based on the amount of data used), postage or gasoline for local travel;
- Fees for credit reports, credit monitoring or other identity theft insurance products purchased as a result of the Data Security Incident.
- **Reimbursement of Lost Time.** Settlement Class Members may receive reimbursement of attested lost time up to four (4) hours at \$25.00 per hour. Settlement Class Members can receive reimbursement of Lost Time with an attestation that the time spent was reasonably related to mitigating the effects of the Data Security Incident.

Extraordinary Losses (up to a total of \$5,000.00) for monetary losses that meet the following conditions:

- The loss is an actual, documented, and unreimbursed monetary loss caused by (A) misuse of the Settlement Class Member's Private Information or (B) fraud associated with the Settlement Class Member's Private Information;
- The loss was more likely than not caused by the Data Security Incident;
- The loss occurred between June 20, 2024, and July 23, 2026;
- The loss is not already covered by the Ordinary Loss or Lost Time categories and the Settlement Class Member made reasonable efforts to avoid, or seek reimbursement for, the loss, including but not limited to exhaustion of all of the Settlement Class Member's credit monitoring insurance and identity theft insurance.

Alternative Cash Payment. As an alternative to Claims for Out-of-Pocket Losses, Extraordinary Losses or Losses due to Lost Time, Class Members may elect to receive a one-time cash payment of \$60.00. Settlement Class Members who elect to receive an Alternative Cash Payment are still eligible to receive Credit Monitoring Services.

Aggregate Cap on Defendant's Liability. The total amount payable by Defendant under the Settlement for Ordinary Out of Pocket Losses, Extraordinary Losses, Compensation for Lost Time and Alternative Cash Payments, shall not exceed \$900,000.00 ("Aggregate Cap"). In the event that the total value of Approved Claims for Ordinary Out of Pocket Losses, Extraordinary Losses, Compensation for Lost Time and Alternative Cash Payment exceeds the Aggregate Cap, each Settlement Class Member's individual award shall be reduced *pro rata* so that the total payments do not exceed the Aggregate Cap.

Questions? Visit WWW.GANDARASETTLEMENT.COM or call toll-free 1-866-426-4230.

9. Are there other Settlement benefits?

Defendant has implemented, and will continue to maintain, appropriate security measures. Upon request, Defendant will provide Plaintiffs' counsel with information regarding these measures and will bear the associated costs.

10. What am I giving up in order to receive a Settlement benefit or stay in the Settlement Class?

If the Settlement is approved and becomes final, all of the Court's orders 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 Defendant and the other Released Parties about the legal issues in this Action, resolved by this Settlement, and released by the Settlement Agreement. The specific rights you are giving up are called Released Claims (*see* next question).

11. What are the Released Claims?

Released Claims includes any and all claims, liabilities, rights, demands, suits, actions, causes of action, obligations, damages, penalties, costs, attorneys' fees, losses, and remedies of every kind or description, whether known or unknown (including Unknown Claims), existing or potential, suspected or unsuspected, asserted or unasserted, liquidated or unliquidated, legal, statutory, or equitable, that relate to or arise from the Data Security Incident, the facts alleged in the Complaint or subsequent operative complaint, Defendant's information security policies and practices, or Defendant's maintenance or storage of Private Information, regardless of whether such claims arise under federal, state and/or local law, statute, ordinance, regulation, common law, or other source of law.

More information about the Released Claims and Released Parties is provided in the Settlement Agreement, which is available at www.gandarasettlement.com.

HOW TO GET SETTLEMENT BENEFITS—SUBMITTING A CLAIM FORM

12. How do I make a claim for Settlement Benefits?

Visit www.gandarasettlement.com to submit your claim online or to download a full Claim Form to complete and return it by mail. Claim Forms must be submitted online by **July 23, 2026**. Claim Forms submitted by mail must be postmarked no later than **July 23, 2026**.

Settlement Class Members can also request a Claim Form by calling toll-free 1-866-426-4230 or by writing to the Settlement Administrator.

Mail: Gandara Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

Email: info@gandarasettlement.com

13. Where do I send my completed Claim Form?

Completed Claim Forms, along with supporting documentation may be mailed to the Gandara Settlement Administrator at: 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. Remember, Claim Forms submitted by mail must be postmarked no later than **July 23, 2026**.

14. What happens if my contact information changes after I submit a claim?

If you need to update your contact information after you submit a Claim Form, you may notify the Settlement Administrator of any changes by writing to the Settlement Administrator via mail or email. Please include your Notice ID number with any written requests to assist the Settlement Administrator in identifying you.

15. When and how will I receive the Settlement Benefits?

If you submit a Valid Claim for Credit Monitoring Services, the Settlement Administrator will send you an email with instructions on how to activate those services after the Settlement is approved and becomes Final.

Questions? Visit WWW.GANDARASETTLEMENT.COM or call toll-free 1-866-426-4230.

Settlement payments will be issued by the Settlement Administrator after the Settlement is approved and becomes Final. Payments will be issued via the payment selection made on the Claim Form. It is your responsibility to inform the Settlement Administrator of any updates to your payment information after the submission of your Claim Form.

The Settlement approval process may take time and there may be appeals that must be resolved before any Settlement benefits can be issued. Please be patient and check www.gandarasettlement.com for updates.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

Yes, the Court has appointed Kenneth Grunfeld of **Kopelowitz Ostrow P.A.** (954-525-4100), Raina C. Borrelli of **Strauss Borrelli PLLC** (872-263-1100), and Leigh Montgomery of **EKSM, LLP** (888-350-3931), 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 Action.

17. How will Settlement Class Counsel be paid?

Settlement Class Counsel will request an award of attorneys' fees and litigation costs not to exceed Two Hundred Twelve Thousand Dollars and Zero Cents (\$212,000.00), subject to Court approval. Settlement Class Counsel will also file a motion seeking a service award payment for the Class Representatives in recognition of their contributions to this Action. Settlement Class Counsel will request a service award not to exceed Two Thousand Five Hundred Dollars and Zero Cents (\$2,500.00) for each Class Representative, subject to Court approval. The amounts approved by the Court are included in the Aggregate Cap.

OBJECT TO OR COMMENT ON THE SETTLEMENT

18. How do I tell the Court that I do not like the Settlement?

Settlement Class Members who wish to object to the Settlement must file their written objection with the Court no later than **July 23, 2026**.

The written objection **must include** (i) the name of the proceedings; (ii) the Settlement Class Member's full name, current mailing address, and telephone number; (iii) a statement that states with specificity the grounds for the objection; (iv) a statement as to whether the objection applies only to the objector, to a specific subset of the Settlement Class, or to the entire Settlement Class; and (v) the signature of the Settlement Class Member or the Settlement Class Member's attorney.

Any Settlement Class Member who does not file a timely and adequate objection in accordance with these instructions waives the right to object or to be heard at the Final Approval Hearing and shall be forever barred from making any objection to the Settlement and shall be bound by the terms of the Agreement and by all proceedings, orders, and judgments in the Action. This is the exclusive means for any challenge to the Settlement Agreement.

For an objection to be considered, it must be filed with the Court no later than **July 23, 2026**.

Court
Springfield District Court 50 State Street Springfield, MA 01103

THE FINAL APPROVAL HEARING

19. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing on **August 25, 2026, at 2:00 P.M. ET** in **Courtroom 4**, located at **50 State Street, Springfield, MA 01103**.

The date and time of the Final Approval Hearing is subject to change without further notice to the Settlement Class, so please check www.gandarasettlement.com for updates.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and will decide whether to approve the Settlement, Settlement Class Counsel's application for attorneys' fees and litigation costs, and Service Award Payments for the Settlement Class Representatives. If there are objections, the Court will consider them. The Court will also listen to people who have asked to speak at the hearing.

20. Do I have to come 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 submit a timely and complete objection, the Court will consider it, and you do not have to come to Court to talk about it.

21. May I speak at the Final Approval Hearing?

Yes. If you wish to attend and speak at the Final Approval Hearing, you must indicate this in your written objection (*see* Question 18). Your objection must state that it is your intention to appear at the Final Approval Hearing and must identify any witnesses you may call to testify or exhibits you intend to introduce into evidence at the Final Approval Hearing. If you plan to have your attorney speak for you at the Final Approval Hearing, your objection must also include your attorney's name, address, and phone number.

IF YOU DO NOTHING

22. 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. You will also give up certain rights, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendant or any of the other Released Parties about the legal issues in this Action and released by the Settlement Agreement.

GETTING MORE INFORMATION

23. How do I get more information?

This Notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement available at www.gandarasettlement.com. You may also contact the Settlement Administrator by mail or email:

Mail: Gandara Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

Email: info@gandarasettlement.com

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

Questions? Visit www.gandarasettlement.com or call toll-free 1-866-426-4230.