

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss

SUPERIOR COURT

ROBERT WOODWARD and TIMOTHY KING, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

NORTH COTTAGE PROGRAM, INC.,

Defendant.

Case No. 2473CV00710

**JOINT DECLARATION OF COUNSEL IN SUPPORT OF PLAINTIFFS’
MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

We, Michael Appel, Leigh Montgomery, and Cassandra Miller, declare as follows:

1. We are Class Counsel for the Plaintiffs in the above-captioned case. We submit this Declaration in connection with Plaintiffs' motion for final approval of the proposed class action settlement with North Cottage Program, Inc. (“North Cottage” or “Defendant”).
2. We have personal knowledge of the facts in this declaration and could testify to them if called to do so.
3. Plaintiffs allege that third-party cybercriminals infiltrated Defendant’s computer systems and accessed the private information of Plaintiffs and Settlement Class Members on or about May 16, 2024 (the “Data Incident”). The Data Incident allegedly impacted current and former clients of Defendant.
4. The information allegedly impacted included name, address, Social Security number, date of birth, treatment plan, medication information, health insurance information, and

provider notes. On August 30, 2024, Defendant provided notice of the Data Incident to Plaintiffs and Class Members.

5. Class Counsel thoroughly investigated the Data Incident prior to filing the Complaint.

6. On September 24, 2024, Plaintiff Timothy King filed his initial complaint in Plymouth Superior Court, Case No. 2483CV00803 (the “*King* Action”). On October 10, 2024, Plaintiff Robert Woodward filed a complaint in Bristol County Superior Court, Case No. 2473CV00710 (the “*Woodward* Action”). Plaintiff Timothy King voluntarily dismissed the *King* Action without prejudice on December 10, 2024.

7. On January 14, 2025, Plaintiffs jointly filed an Amended Class Action Complaint (“Amended Complaint”) in the Woodward action adding the claims of Plaintiff Timothy King.

8. On July 25, 2025, the Parties engaged in a full-day mediation session with attorney Michael N. Ungar, a highly experienced mediator who is the Chair of the Litigation Department at the national law firm UB Greensfelder. The negotiations were hard fought, and the Parties were unable to reach an agreement during the mediation.

9. While the Parties did not reach agreement on all terms during the mediation, the session was productive and resulted in substantial progress toward resolution. The Parties thereafter continued good-faith negotiations and ultimately reached agreement on all material terms of the Settlement.

10. Prior to and during the mediation process, Plaintiffs’ counsel conducted an investigation into the facts and legal issues in this case, including review of publicly available information regarding the Data Incident, analyzing Defendant’s disclosures, and evaluating the legal claims and defenses. This investigation informed the Parties’ settlement negotiations. In the

weeks and months that followed, the Parties diligently negotiated and edited drafts of the Settlement Agreement, the Notices, a Claim Form, and other exhibits, and agreed Angeion Group, LLC would serve as Claims Administrator.

11. The Parties only reached a settlement after engaging in settlement communications and informal discovery, exchanging information about the number of breach victims, the types of information compromised in the breach, and Defendant's investigation of, and response to, the Data Incident.

12. On March 25, 2026, Plaintiffs filed their Unopposed Motion for Preliminary Approval of the Class Action Settlement.

13. On April 16, 2026, the Court held a hearing on Plaintiffs' Motion for Preliminary Approval. At the hearing, the Court indicated that it would endorse the Motion, but requested certain edits and changes to the settlement documents and exhibits before entering an order granting preliminary approval.

14. In response to the Court's guidance, the Parties amended the Settlement Agreement and again requested the Court's approval on April 27, 2026. The Court entered an Order preliminarily approving the Parties' settlement on April 30, 2026.

15. Class Counsel has experience in the prosecution of class actions, including data breach and privacy lawsuits such as this action. Class Counsel's experience was previously set forth in detail in the now-granted Motion for Preliminary Approval and supporting papers, as well as the pending motion for attorneys' fees and supporting papers.

16. Based on our experience and our knowledge regarding the factual and legal issues in this matter, and given the substantial benefits provided by the Settlement, it is our opinion that

the proposed Settlement in this matter is fair, reasonable, and adequate, is in the best interests of the Settlement Class Members, and should be finally approved by the Court.

17. Settlement Class Counsel have not received any objections to the Settlement.

We declare under penalty of perjury that the foregoing is true and correct.

Executed on September 2, 2026

Respectfully submitted,

/s/ Michael S. Appel

Michael S. Appel (BBO# 543898)

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***Attorneys for Plaintiffs and the Proposed
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