

# NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

*A court authorized this notice. You are not being sued. This is not a solicitation from a lawyer.*

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## **If you are a pharmacy in the U.S. and its territories who paid for e-prescriptions routed through the Surescripts network during the period of September 21, 2010 through July 18, 2025, you could be eligible for a payment from a Class Action Settlement.**

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- This is a class action lawsuit in which Plaintiffs have alleged, among other things, that defendants Surescripts, LLC, Allscripts Healthcare Solutions, Inc., and previously settled defendant RelayHealth entered into a contract, combination, or conspiracy in restraint of trade, the purpose and effect of which was to suppress competition and to charge supracompetitive prices to the Settlement Class during the Class Period, in violation of Sections 1 and 2 of the Sherman Act, 15 U.S.C. §§ 1 and 2 and state antitrust laws.
- Plaintiffs have reached a Settlement with Defendants Surescripts and Allscripts for \$39,750,000. The Parties desire to fully and finally settle all actual and potential Claims by Plaintiffs against Surescripts and Allscripts (“Settling Defendants”) arising from or relating to the Action, the factual allegations underlying the Action, and avoid the costs and risks of protracted litigation and trial.
- The Court previously approved a settlement with Defendant RelayHealth on February 22, 2022, for \$10,000,000.
- Settling Defendants have denied and continue to deny each and all of the claims and contentions alleged in the Action, or that could have been alleged in the Action, and have moved for summary judgment on Plaintiffs’ claims, and would assert numerous defenses to Plaintiffs’ claims if required to do so.
- For purposes of this Settlement, the Settlement Class includes: All pharmacies in the United States and its territories who paid for e-prescriptions routed through the Surescripts network during the period September 21, 2010 through July 18, 2025. Excluded from the Settlement Class are Defendants and any of their owners, officers, directors, management, employees, subsidiaries, affiliates, legal representatives, heirs, or assigns; any entity in which any Defendant has a financial interest; any entity which has a financial interest in Surescripts; all governmental entities; any judicial officer presiding over this action and the members of his or her immediate family and judicial staff; and any other Defendant or Co-Conspirator identified in this action.
- The Settlement offers cash payments to Settlement Class Members who file valid, timely Claims.
- A portion of the Settlement’s proceeds will be used by the Settlement Administrator to distribute notice and administer the Settlement, including the claims process and distributing funds to eligible claimants. As described below, Plaintiffs will also apply for an award of attorneys’ fees, reimbursement of litigation costs and expenses, and service awards to be paid from the Settlement’s proceeds, subject to Court approval.

- The remainder of the Settlement’s proceeds, plus proceeds from the RelayHealth settlement (less administration costs) will be available for distribution to Settlement Class Members who file valid and timely claims. The Class Period for this Settlement is September 21, 2010 through July 18, 2025. The Class Period for the prior RelayHealth settlement was different: September 21, 2010 through April 19, 2021. If you already submitted a claim in connection with the prior RelayHealth settlement, you have the option of submitting additional information for the period April 20, 2021 through July 18, 2025.
- Visit [www.surescriptsantitrustlitigation.com](http://www.surescriptsantitrustlitigation.com) for more information about this Settlement. You can also opt out of, object to, or comment on the Settlement at this time.
- Please read this notice carefully. Your legal rights will be affected, and you have a choice to make now.

| SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | DEADLINE                 |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>FILE A CLAIM FORM</b>                             | Filing a claim form is the only way to receive your share of the Settlement Fund(s). <u>If you already submitted a claim in connection with the prior RelayHealth settlement, you do not have to submit another claim</u> , but rather you have the option of submitting additional information for the period April 20, 2021 through July 18, 2025. If you did not previously submit a claim for the RelayHealth settlement, you must submit a claim now to share in the Settlement Fund(s).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>November 28, 2025</b> |
| <b>DO NOTHING AND REMAIN IN THE SETTLEMENT CLASS</b> | You do not need to take any action at this time to remain a member of the Settlement Class. Your interests will be represented by the Settlement Class Representatives and Settlement Class Counsel listed below. As a member of the Settlement Class, you will be bound by any judgment dismissing with prejudice the claims against Settling Defendants, and you will not be able to file or maintain your own lawsuit against Settling Defendants regarding the subject of this lawsuit. By remaining in a Settlement Class, you are eligible to receive a share of the settlement amount for the Surescripts and Allscripts settlement. <u>If you previously filed a claim for the Relay Health settlement, you do not have to file a claim again but may submit more data if you wish.</u> However, if you haven’t filed a claim in connection with the Relay Health settlement and you wish to receive your share of the Settlement, you must file a claim on or before <b>November 28, 2025</b> . |                          |
| <b>EXCLUDE YOURSELF</b>                              | Excluding yourself from the Settlement means you will get no payment. This is the only option that allows you to keep your right to assert any claims against Settling Defendants for claims related to this case.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>November 28, 2025</b> |
| <b>OBJECT AND/OR ATTEND A HEARING</b>                | If you wish to object to the Settlement, or anything else referenced in this Notice, you must file a written objection. You may also request to be heard at the Fairness Hearing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>November 28, 2025</b> |

- These rights and options—and the deadlines to exercise them—are explained in this notice.
- The Court in charge of this case must still decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement and after any appeals are resolved.

## WHAT THIS NOTICE CONTAINS

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## BASIC INFORMATION

### 1. Why did I receive a Notice?

A Court authorized this notice because Settlement Class Members described in Question 5 of this notice have the right to know about this \$39,750,000 Settlement. If you qualify, you could be eligible to receive a payment. **To know if you qualify, see the answer to Question 5.**

The people who sued are called the Plaintiffs. Surescripts, LLC and Allscripts Healthcare Solutions, Inc. are the Settling Defendant. Allscripts changed its name to Veradigm LLC in 2023.

### 2. What is this lawsuit about?

The lawsuit alleges, among other things, that Defendants Surescripts, Allscripts, and previously settled defendant RelayHealth entered into a contract, combination, or conspiracy in restraint of trade, the purpose and effect of which was to suppress competition and to charge supra-competitive prices to the Settlement Class during the Class Period, in violation of Sections 1 and 2 of the Sherman Act, 15 U.S.C. §§ 1 and 2, and state antitrust laws. Surescripts and Allscripts, the Settling Defendants, deny Plaintiffs’ allegations. The Court has not decided who is right.

Important information about the case will be posted on the website, [www.surescriptsantitrustlitigation.com](http://www.surescriptsantitrustlitigation.com), as it becomes available. Please check the website to be kept informed about any future developments.

### 3. What is a class action?

In a class action, the Plaintiffs act as “class representatives” and sue on behalf of themselves and other people who have similar claims. This group of people is called the “class,” and the people in the class are called “class members.” One court resolves the issues for all class members, except for people who exclude themselves from the class. Judge John J. Tharp Jr. of the United States District Court for the Northern District of Illinois is presiding over this case. The case is *In re Surescripts Antitrust Litigation*, No. 1:19-cv-06627.

### 4. Why is there a Settlement of this lawsuit?

The Court did not decide in favor of Plaintiffs or Settling Defendants. Instead, both sides agreed to a Settlement. That way, they avoid the costs and risks of a trial, and class members get compensation. The class representatives and their attorneys think the settlement is best for everyone affected.

## WHO IS IN THE SETTLEMENT

### 5. Who is in the Settlement?

To get money from the settlement, you have to be a class member. You may be a member of the Settlement Class and eligible to file a claim, object, or exclude yourself from this Settlement if you are a pharmacy in the United States and its territories who paid for e-prescriptions routed through the Surescripts network during the period September 21, 2010 through July 18, 2025.

Excluded from the Settlement Class are Defendants and any of their owners, officers, directors, management, employees, subsidiaries, affiliates, legal representatives, heirs, or assigns; any entity in which any Defendant has a financial interest; any entity which has a financial interest in Surescripts; all governmental entities; any judicial officer presiding over this action and the members of his or her immediate family and judicial staff; and any other Defendant or Co-Conspirator identified in this action.

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

If you are not sure whether you are included in the class, you can ask for free help by calling the Settlement Administrator at (844)-974-4844 or email [Info@SurescriptsAntitrustLitigation.com](mailto:Info@SurescriptsAntitrustLitigation.com) for more information.

## THE SETTLEMENT BENEFITS

### 7. What does the Settlement provide?

Settling Defendants will pay \$39,750,000.00 into a Settlement Fund. After deductions for attorneys’ fees, litigation costs and expenses, service awards, and notice and claims administration costs (*see* Question 14), the Fund will be distributed to class members who submit valid and timely claims.

More details are in the Settlement Agreement, available at [www.surescriptsantitrustlitigation.com](http://www.surescriptsantitrustlitigation.com).

## 8. How much money can I get from the Settlement and what is the distribution plan?

The amount of your payment will be determined by the Plan of Distribution, if it is approved, or by such other plan of distribution that is approved by the Court.

The Plan of Distribution provides for a *pro rata* allocation of the Net Settlement Fund to eligible claimants, with each claimant's award calculated based on their proportionate share of the total number of e-prescriptions routed through the Surescripts network by all eligible claimants during the Class Period (September 21, 2010 – July 18, 2025).

For information on how to make a claim, see Question 10 and [www.surescriptsantitrustlitigation.com](http://www.surescriptsantitrustlitigation.com).

## 9. What am I giving up if I stay in the class?

Unless you exclude yourself with an opt-out request (*see* Question 15), you cannot sue, continue to sue, or be part of any other lawsuit against Settling Defendants relating to the issues in this case. The “Released Claims” in the Settlement Agreement describes the legal claims that you give up if you remain in the Settlement. The Settlement Agreement can be viewed at [www.surescriptsantitrustlitigation.com](http://www.surescriptsantitrustlitigation.com).

# HOW TO GET A PAYMENT—MAKING A CLAIM

## 10. How can I get a payment?

If you are a pharmacy in the United States and its territories who paid for e-prescriptions routed through the Surescripts network during the settlement class period, you can file a claim at [www.surescriptsantitrustlitigation.com](http://www.surescriptsantitrustlitigation.com), or return the claim form to the Settlement Administrator at the address set forth below in Question 25 on or before **November 28, 2025**. If you already submitted a claim in connection with the prior settlement with RelayHealth, you do not have to submit another claim. However, you have the option of supplementing your RelayHealth claim by submitting additional information for the period April 20, 2021 through July 18, 2025. All claims will be calculated proportionally based on paid prescriptions for distributions from the combined Net Settlement Fund from both settlements, regardless of whether they were filed before the January 6, 2022 claims deadline for the RelayHealth settlement or the November 28, 2025 final claims deadline for this settlement with Surescripts and Allscripts.

## 11. When will I get my payment?

At this time, it is not known precisely how much each eligible claimant will receive nor when payments will be made. The Court will hold a hearing on December 18, 2025 at 10:00 AM Central Time to decide whether to approve the Settlement. If the Court approves the Settlement, there still may be appeals of that decision. It is hard to estimate how long it might take for any appeals to be resolved.

Updates regarding the Settlement and when payments will be made will be posted on the Settlement website, [www.surescriptsantitrustlitigation.com](http://www.surescriptsantitrustlitigation.com).

## THE LAWYERS REPRESENTING YOU

### 12. Do I have a lawyer in the case?

Yes. The Court appointed the law firms of Wexler Boley & Elgersma LLP, Scott+Scott Attorneys at Law LLP, Wagstaff & Cartmell LLP, Gustafson Gluek PLLC, Kaplan Fox & Kilsheimer LLP, Lockridge Grindal Nauen PLLP, Spector, Roseman & Kodroff PC, and DiCello Levitt LLP to represent you and the other class members. These firms are called Settlement Class Counsel. You will not be charged for their services.

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

You do not need to hire your own lawyer because Settlement Class Counsel is working on your behalf. If you want your own lawyer, you may hire one, but you will be responsible for any payment for that lawyer's services. For example, you can ask your own lawyer to appear in Court for you if you want someone other than Settlement Class Counsel to speak for you. You may also appear for yourself without a lawyer.

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

You do not have to pay Settlement Class Counsel. Settlement Class Counsel, who have not been paid for their services since this case began in 2019, will seek an award of attorneys' fees out of the Settlement Fund, as well as reimbursement for litigation costs and expenses that they advanced in pursuing the claims. The fees will compensate Settlement Class Counsel for investigating the facts, litigating the case, and negotiating and administering the Settlement. Settlement Class Counsel's attorneys' fee request will not exceed one third of the Settlement Fund (after deducting Court-approved administrative costs and any service awards granted by the Court) (plus interest). Additionally, Settlement Class Counsel will also seek reimbursement of their out-of-pocket litigation expenses to be paid out of the Settlement Fund of up to \$3,500,000 (plus interest).

Plaintiffs will also ask the Court to approve service award payments out of the Settlement Fund of \$25,000 from the Surescripts and Allscripts Settlement to each of the Plaintiffs, and \$10,000 to each Plaintiff from the previously approved settlement with RelayHealth for a total of \$280,000. The eight Plaintiffs are Corner Pharmacy, Summers Pharmacy, Logan Primary Pharmacy, Bartow Pharmacy Medical Supply, Concord Pharmacy, Whitman Pharmacy, Kennebunk Village Pharmacy, Inc, and 731 Pharmacy Corp. d/b/a Ivan Pharmacy. During this litigation each class representative sat for a deposition, produced documents, and actively participated in the litigation.

The costs of providing this notice and administering the Settlement, including the claims process and distributing funds to eligible claimants, are being paid from the Settlement Fund.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want benefits from the Settlement and you want to keep your right, if any, to sue the Settling Defendants on your own about the legal issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself from—or "opting out" of—the class.

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

You may opt out of the Settlement by **November 28, 2025** by sending a letter that includes the following to the address below:

- Your name, address, and telephone number;
- Proof of membership in the Settlement Class, including any documentation evidencing you directly paid for e-prescriptions routed through the Surescripts network during the Class Period;
- A statement that you want to be excluded from the Settlement Class; and
- Your signature if you are an individual, or if you are an entity, a signature from the authorized representative of the entity along with a statement of that person's position or authority by which he or she has the power to exclude the entity from the Settlement Class.

Surescripts Antitrust Litigation  
Attn: Exclusion Requests  
P.O. Box 58220  
Philadelphia, PA 19102

Settlement Class Members shall not be permitted to exclude other Settlement Class Members. Moreover, group or class-wide exclusions shall not be permitted. A request for exclusion must be submitted by each Settlement Class Member on an individual basis, and any request for exclusion by a purported authorized agent or representative of a Class Member must include proof of the representative's legal authority and authorization to act and request exclusion on behalf of each Class Member they seek to opt out.

If you exclude yourself from the Settlement Class, you will not receive any benefits of the Settlement, you will not be legally bound by anything that happens in the lawsuit, and you may be able to sue (or continue to sue) Settling Defendants in the future about the legal issues in this case.

Mailed opt-out requests must be postmarked no later than **November 28, 2025**.

A request for exclusion that does not include all of the foregoing information, that does not contain the proper signature, that is sent to an address other than the one designated above, or that is not sent within the time specified shall be invalid and the individual or entity filing such an invalid request shall be a Settlement Class Member and shall be bound by the Settlement, if approved.

## 16. If I don't opt out, can I sue Defendants for the same thing later?

No. Unless you opt out, you give up the right to sue Settling Defendants for the claims the Settlement resolves. You must exclude yourself from the class if you want to try to pursue your own lawsuit.

## 17. 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 under the Settlement; you will not receive any payment as part of the Settlement; you will not be able to object to the Settlement; you will not be bound by any further orders or judgments in this case; and you will keep the right, if any, to sue Settling Defendants on the claims alleged in the case by filing or continuing your own lawsuit at your own expense.

## OBJECTING TO THE SETTLEMENT

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

If you're a class member and do not opt out of the Settlement, you can ask the Court to deny approval of the Settlement by filing an objection. You can't ask the Court to order a larger settlement; the Court can only approve or deny the Settlement. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue against Settling Defendants. If that is what you want to happen, you must object. You may also object to the requests for attorneys' fees, litigation costs and expenses, and service awards.

Your objection must be in writing. You may also appear at 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.

To object, you must file a document with the Court saying that you object to the proposed Settlement in *In Re: Surescripts Antitrust Litigation.*, Civil Action No. 1:19-cv-06627. Be sure to include:

- Your name, address, email address, and the identity of and contact information for any attorney representing you;
- Whether you plan to appear, either in person or through counsel, at the Fairness Hearing;
- Proof of membership in the Settlement Class, including any documentation evidencing you directly paid for e-prescriptions routed through the Surescripts network during the Class Period;
- The specific reasons you object, along with any supporting materials or documents in support of the objection;
- Whether your objection applies only to yourself, to a subset of the Settlement Class, or to the Settlement Class as a whole;
- A list of all class action settlements to which you and/or your counsel have previously objected; and
- Your signature.

You must mail the objection by First Class U.S. Mail or Overnight Mail, postmarked no later than **November 28, 2025**, to each of the following addresses:

| Court                                                                                                                                                                                                                     | Class Counsel                                                                                                                                      | Counsel for Settling Defendants                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Clerk of the Court<br>United States District Court<br>for the Northern District of<br>Illinois<br>Eastern Division<br>Everett McKinley Dirksen<br>United States Courthouse<br>219 South Dearborn St.<br>Chicago, IL 60604 | Kenneth A. Wexler<br>Justin N. Boley<br><b>Wexler Boley &amp; Elgersma LLP</b><br>311 South Wacker Drive,<br>Suite 5450<br>Chicago, Illinois 60606 | For Surescripts:<br><br>Jennifer L. Giordano<br><b>Latham &amp; Watkins LLP</b><br>555 Eleventh Street, NW<br>Suite 1000<br>Washington, D.C. 20004-1304<br><br>For Allscripts:<br><br>Joel R. Grosberg<br><b>McDermott Will &amp; Emery</b><br>The McDermott Building<br>500 North Capitol Street, NW<br>Washington D.C., 20001-1531 |

If your objection is not postmarked by the deadline and does not include the information listed above, it will not be valid.

In addition, any objector or counsel for an objector that desires to appear at the Fairness Hearing must file with the Court, and send to the designees of Co-Lead Counsel and Defendant's Counsel identified below, by first-class or overnight mail

and postmarked by **November 28, 2025**, a separate notice of intention to appear in *In re Surescripts Antitrust Litigation*, Case No. 1:19-cv-06627 (N.D. Ill.) that identifies by name, position, address, email address, and telephone number each person who intends to appear at the Fairness Hearing on behalf of the objector as well as the objector's signature.

#### **19. What's the difference between objecting and excluding?**

Objecting is telling the Court that you don't like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is opting out and 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 no longer affects you. You cannot both opt out and object to the Settlement.

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

#### **20. When and where will the Court decide whether to approve the Settlement?**

The Court will hold a Fairness Hearing at **10:00 AM** Central Time on **December 18, 2025** in the Everett McKinley United States Courthouse, located at 219 South Dearborn St., Chicago, IL 60604 in Courtroom 2303.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and whether to award the requested attorneys' fees, litigation costs and expenses, and service awards. If there are objections, the Court will consider them. The Court will listen to people who have asked to speak at the hearing.

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. Be sure to check the website, [www.surescriptsantitrustlitigation.com](http://www.surescriptsantitrustlitigation.com), for news of any such changes.

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

No. Settlement 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 Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

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

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must include a statement in your written objection (discussed above at Question 18) that you intend to appear at the hearing. Be sure to include your name, address, and signature as well. You cannot speak at the hearing if you exclude yourself from the class.

### **IF I DO NOTHING**

#### **23. What happens if I do nothing at all?**

If you do nothing, you will remain a member of the Settlement Class. By remaining in the Settlement Class, you are eligible to submit a claim, and if the claim is accepted, receive a share of the Settlement proceeds once it is paid out, after payment of attorneys' fees, litigation costs and expenses, service awards, and the costs of notice and claims administration. If you already submitted a claim in connection with the prior settlement with RelayHealth, you do not have to submit another claim. However, you have the option of supplementing your RelayHealth claim by submitting additional information for the period April 20, 2021 through July 18, 2025.

## GETTING MORE INFORMATION

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

Yes. This notice summarizes the proposed Settlement—more details are in the Settlement Agreement, and other important case documents. You can get a copy of these and other documents at [www.surescriptsantitrustlitigation.com](http://www.surescriptsantitrustlitigation.com).

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

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

The website [www.surescriptsantitrustlitigation.com](http://www.surescriptsantitrustlitigation.com) has important Court Documents and answers to questions about the Settlement and other information to help you determine whether you are eligible for a payment.

You can also call or write to the Settlement Administrator at:

Surescripts Antitrust Litigation  
Settlement Administrator  
1650 Arch Street, Suite 2210  
Philadelphia, PA 19103  
(844) 974-4844  
[Info@SurescriptsAntitrustLitigation.com](mailto:Info@SurescriptsAntitrustLitigation.com)