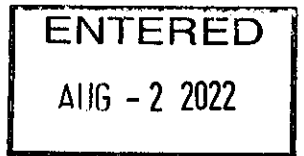


**COURT OF COMMON PLEAS  
HAMILTON COUNTY, OHIO**



**IN RE: SOUTHERN OHIO HEALTH  
SYSTEMS DATA BREACH**

Case No. A2101886

**JUDGE JENNIFER BRANCH**



D135636761

**ORDER GRANTING PRELIMINARY APPROVAL**

WHEREAS, the Court has been advised that the parties to this action have agreed, subject to Court approval, to a settlement and to issue notice to the Class of the settlement, all as set forth in the Settlement Agreement and Release (“Settlement Agreement”), which has been filed with the Court:

NOW, THEREFORE, based upon the Settlement Agreement and all of the files, records, and proceedings herein, and it appearing to the Court upon preliminary examination that the Settlement Agreement and the terms of the settlement appear fair, reasonable, and adequate, and that a hearing should be held after notice to the Class of the proposed settlement to finally determine if the Court should grant Final Approval to the Settlement Agreement.

IT IS HEREBY ORDERED THAT:

1. The following Class is hereby preliminarily certified, for settlement purposes only, as follows:

The 369,736 individuals identified on the TriHealth, Inc. Settlement Class List and the 50,697 individuals identified on the Adena Health System Settlement Class List whose certain personal information may have been involved in the Data Breach. Excluded from the Settlement Class are: (1) the Judge presiding

over this Action, and members of her direct family; (2) the Defendants, their subsidiaries, parent companies, successors, predecessors, and any entity in which the Defendants or their parents have a controlling interest and their current or former officers, directors, and employees; and (3) Settlement Class Members who submit a valid Request for Exclusion prior to the Opt-Out Deadline

2. The Court finds that the Settlement Class satisfies the requirements of numerosity, commonality, typicality, and adequacy pursuant to Ohio R. Civ. P. 23(A), and the predominance and superiority requirements of Ohio R. Civ. P. 23(B)(3).

3. Plaintiffs James Jones, Derishia Smith and Tommie Shearer are preliminarily appointed representatives of the Settlement Class (“Class Representatives”), and the following attorneys for Plaintiffs are preliminarily appointed as counsel for the Settlement Class (“Class Counsel”):

Joseph M. Lyon (0076050)  
The Lyon Firm, LLC  
2754 Erie Avenue  
Cincinnati, OH 45208

Jeffrey S. Goldenberg  
Goldenberg Schneider, L.P.A.  
4445 Lake Forest Drive, Suite 490  
Cincinnati, OH 45242

Brian D. Flick  
DannLaw  
15000 Madison Avenue  
Lakewood, OH 44107

4. The Settlement Agreement and the settlement contained therein are preliminarily approved as fair, reasonable, and adequate. The settlement is sufficient to justify issuing notice of the settlement to the Class

5. The notices attached as Exhibits to the Settlement Agreement and attached hereto as Exhibit 1 (the “notices” referred to throughout this order) to be mailed and/or emailed directly

to each member of the Settlement Class constitute the best notice practicable under the unique circumstances of this case and constitute sufficient notice to all potential members of the Settlement Class, and satisfy all due process and Rule 23 requirements.

6. The Settlement Administrator shall cause notices to issue as provided for in the Settlement Agreement. The Settlement Administrator shall also establish a website and post the Settlement Agreement and the notices on the website and permit claims to be filed electronically on the website. The cost of notice and related settlement administration shall be paid as provided for in the Settlement Agreement.

7. A hearing (the "Final Approval Hearing") shall be held on November 17, 2022, at 3p.m. as set forth in the notices, to determine whether the proposed settlement is fair, reasonable, and adequate, and should be approved. The Final Approval Hearing described in this paragraph may be postponed, adjourned, or continued by journalized order of the Court without further notice to the Class. After the Final Approval Hearing, the Court may enter a Final Approval Order and Dismissal with Prejudice in accordance with the Settlement Agreement that will adjudicate the rights of all members of the Settlement Class.

8. Any member of the Settlement Class who does not elect to be excluded from the Settlement Class and who objects to approval of the proposed settlement may appear and be heard at the Final Approval Hearing provided that the class member (as well as the objection) complies with the requirements and due dates set forth in the notices and Settlement Agreement.

9. Timely objections to the settlement shall be heard, and any papers or briefs submitted in support of said objections shall be considered by the Court, only if, on or before November 7, 2022, said objector(s) shall file with the Clerk of Court their written objections, together with supporting papers stating specifically the factual basis and legal grounds of the

objections in compliance with the requirements and due dates set forth in the notices and Settlement Agreement. No person shall be entitled to be heard, and no objection shall be considered, unless these requirements are satisfied.

10. Any member of the Settlement Class who does not make objection to the settlement in the manner provided in the Settlement Agreement and notices shall be deemed to have waived any such objection by appeal, collateral attack, or otherwise.

11. Any Settlement Class Member who desires to be excluded from the Settlement Class must serve on the Settlement Administrator, at the address indicated in the class notices, a written request to opt-out of this settlement. To be effective, each opt-out request must comply with the requirements provided in the Settlement Agreement and notices.

12. All persons who properly submit requests for exclusion from the Settlement Class shall not be Settlement Class Members and shall have no rights with respect to the settlement and no interest in any proceeds of the settlement. All Settlement Class Members who do not serve a request for exclusion from the Settlement Class, in compliance with the requirements and due dates explained in the Settlement Agreement and notices, shall be bound by the judgment to be issued by this Court if final approval is granted.

13. All discovery, other than that provided in the Settlement Agreement and other pretrial proceedings in this action are stayed and suspended until further order of this Court, except such things as may be necessary to implement the Settlement Agreement and this Order. In addition, Plaintiffs and Class Counsel are enjoined from further prosecuting the claims until further order of this Court.

14. If the proposed settlement as provided in the Settlement Agreement is not approved by the Court, or for any reason the parties fail to obtain a Final Approval Order and

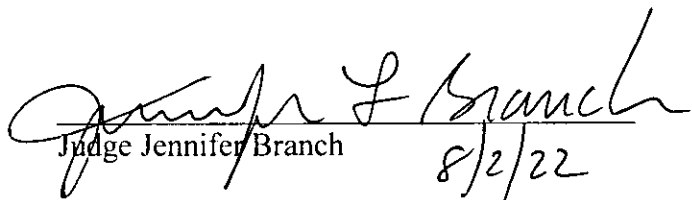
Dismissal with Prejudice as contemplated by the Settlement Agreement, or the Settlement Agreement is terminated under its terms, then the Settlement Agreement and all orders entered in connection therewith shall become null and void and of no further force and effect, and shall not be used or referred to for any purposes whatsoever. In such event, the Settlement Agreement and all negotiations and proceedings relating thereto shall be withdrawn without prejudice to the rights of any and all parties thereof, who shall be restored to their respective positions immediately prior thereto, and this Order and related filings shall have no further force and effect whatsoever, whether evidentiary or otherwise.

15. Class Counsel's application for an award of attorneys' fees, expenses, and service awards shall be filed with the Court no later than October 7, 2022.

Dates for performance:

- (a) Notices to be mailed and/or emailed by September 22, 2022.
- (b) Any objections to settlement to be filed by November 7, 2022.
- (c) Claims to be postmarked or submitted electronically by December 21, 2022.
- (d) Response to Objections to be filed by November 11, 2022.
- (e) All members of the Class who desire to opt-out must submit requests for exclusion by November 7, 2022.
- (f) Final Approval Hearing to be held on November 17, 2022, at 3 p.m.

It is so ordered this 2<sup>nd</sup> day of August, 2022

  
Judge Jennifer Branch 8/2/22