

If your Private Information was compromised during the Data Incident involving M&D Capital Premier Billing, LLC and Island Ambulatory Surgery Center, LLC, discovered on or about July 8, 2023, you may be entitled to Settlement Class Member Benefits from a Settlement.

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

- A \$1 million settlement has been reached in a class action lawsuit against M&D Capital Premier Billing, LLC (“M&D”) and Island Ambulatory Surgery Center, LLC (“IASG”) (together, “Defendants”) involving a Data Incident discovered on or about July 8, 2023, regarding the unauthorized acquisition of Settlement Class Members’ Private Information. The Private Information involved includes some combination of Settlement Class Members’ names, addresses, medical billing and insurance information, certain medical information such as diagnosis, medication and treatments, and demographic information such as dates of birth, financial information, and Social Security numbers.
- The Settlement Class includes: all individuals whose Private Information was compromised during the Data Incident.
- If you are a member of the Settlement Class, you can submit a Claim Form for the following Settlement Class Member Benefits:

Cash Payment A – Documented Losses: You may submit a Claim Form and provide reasonable documentation for losses related to the Data Incident for up to \$5,000 per Settlement Class Member; **OR**

Cash Payment B – Flat Cash: Instead of Cash Payment A, without providing documentation, you may submit a Claim Form to receive a flat cash estimated payment of \$75; **AND**

Medical Monitoring: In addition to Cash Payment A (Documented Losses) **or** Cash Payment B (Flat Cash), you may also submit a Claim Form to receive two years of free Medical Monitoring.

Your Cash Payment may be subject to a pro rata (a legal term meaning equal share) adjustment depending upon the total value of the Valid Claims submitted.

This Notice may affect your rights. Please read it carefully.

YOUR LEGAL RIGHTS & OPTIONS		DEADLINE
Submit a Claim Form	The only way to get Settlement Class Member Benefits is to submit a timely and valid Claim Form.	Submitted or Postmarked by: January 27, 2026
Exclude Yourself	Get no Settlement Class Member Benefits. Keep your right to file your own lawsuit against the Released Parties about the legal Released Claims that are released by the Settlement in this lawsuit.	Postmarked by: December 13, 2025
Object to the Settlement	Stay in the Settlement, but tell the Court why you do not agree with the Settlement. You will still be bound by the Settlement if the Court approves it.	Filed by: December 13, 2025
Do Nothing	Get no Settlement Class Member Benefits. Give up your legal rights.	

- These rights and options—and the deadlines to exercise them—are explained in this Notice.
- The Court must decide whether to approve the Settlement, attorneys’ fees, costs, and Service Awards. No Settlement Class Member Benefits will be provided unless the Court approves the Settlement.

Questions? Go to www.MDDataSettlement.com or call 1-888-828-3919.

BASIC INFORMATION

1. Why is this Notice being provided?

A court authorized this Notice because you have the right to know about the Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant final approval to the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what Settlement Class Member Benefits are available, who is eligible for the Settlement Class Member Benefits, and how to get them.

The Supreme Court of New York Queens County is overseeing this class action. The lawsuit is known as *Jacqueline Skolnick, et al. v. M&D Capital Premier Billing, LLC and Island Ambulatory Surgery Center LLC*, Index No. 706879 (the “lawsuit”). The individuals who filed this lawsuit are called the “Plaintiffs” and/or “Class Representatives,” and the companies sued, M&D Capital Premier Billing, LLC and Island Ambulatory Surgery Center, LLC, are called the “Defendants.”

2. What is this lawsuit about?

The Plaintiffs filed this lawsuit against Defendants on behalf of Settlement Class Members involving a Data Incident discovered on or about July 8, 2023, regarding the unauthorized acquisition of Settlement Class Members’ Private Information. Notice was provided on or about March 18, 2024, regarding the Data Incident. The Private Information involved includes some combination of Settlement Class Members’ names, addresses, medical billing and insurance information, certain medical information such as diagnosis, medication and treatments, and demographic information such as dates of birth, financial information, and Social Security numbers.

Plaintiffs allege claims for negligence, breach of implied contract, and unjust enrichment.

Defendants deny the legal claims and deny any wrongdoing or liability. The Court has not made any determination of any wrongdoing by Defendants, or that any law has been violated. Instead, the Plaintiffs and Defendants have agreed to a settlement to avoid the risk, cost, and time of continuing the lawsuit.

3. Why is there a Settlement?

The Plaintiffs and Defendants do not agree about the legal claims made in this lawsuit. The lawsuit has not gone to trial, and the Court has not decided in favor of the Plaintiffs or Defendants. Instead, the Plaintiffs and Defendants have agreed to settle the lawsuit. The Class Representatives, Defendants, and their lawyers believe the Settlement is best for Settlement Class Members because of the Settlement Class Member Benefits available and the risks and uncertainty associated with continuing the lawsuit.

4. Why is this lawsuit a class action?

In a class action, one or more people (called class representatives) sue on behalf of all people who have similar legal claims. Together, all these people are called a class or class members. One court resolves the issues for all class members, except for those class members who timely exclude themselves (opt-out) from the class.

WHO IS INCLUDED IN THE SETTLEMENT?

5. How do I know if I am included in the Settlement?

You are included in the Settlement Class if you are an individual whose Private Information was compromised during the Data Incident.

6. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Settlement Class are: (a) all persons who are employees, directors, officers, and agents of Defendants, or its respective subsidiaries and affiliated companies; (b) governmental entities; and (c) the Judge assigned to the lawsuit and their immediate family, and Court staff.

Questions? Go to www.MDDataSettlement.com or call 1-888-828-3919.

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 www.MDDataSettlement.com or call 1-888-828-3919.

THE SETTLEMENT BENEFITS

8. What does this Settlement provide?

If you are a Settlement Class Member, you can submit a Claim Form for the following Settlement Class Member Benefits:

Cash Payment A – Documented Losses

You may submit a Claim Form with reasonable documentation for losses related to the Data Incident for up to \$5,000 per Settlement Class Member.

Examples of expenses incurred as a result of the Data Incident, include (without limitation) bank fees, long distance phone charges, cell phone charges (only charged by the minute), data charges (only if charged based on the amount of data used), postage, gasoline for local travel and fees for credit reports, credit monitoring, or other identity theft insurance products purchased.

Examples of reasonable documentation include (but are not limited to): telephone records, correspondence including emails, or receipts. Personal certifications, declarations, or affidavits from the Settlement Class Member do not constitute reasonable documentation but may be included to provide clarification, context, or support for other submitted reasonable documentation. You will not be reimbursed for expenses if you have been reimbursed for the same expenses by another source, including compensation provided in connection with the credit monitoring and identity theft protection product offered as part of the notification letter provided by Defendants or otherwise.

If you do not submit reasonable documentation supporting a loss, or if your Claim Form is invalid as determined by the Settlement Administrator, and you do not cure your Claim Form, your Claim Form will be denied and your Claim Form for Cash Payment A will instead be processed as if you selected Cash Payment B.

Cash Payment B – Flat Cash

Instead of selecting Cash Payment A, without providing documentation, you may submit a Claim Form to receive a flat cash estimated payment of \$75.

Medical Monitoring

In addition to Cash Payment A (Documented Losses) *or* Cash Payment B (Flat Cash), you may also submit a Claim Form to receive two years of free Medical Monitoring.

Your Cash Payment may be subject to a *pro rata* (a legal term meaning equal share) increase from the Net Settlement Fund if the amount of Valid Claims does not use the entire Net Settlement Fund, calculated after payment for Medical Monitoring has been subtracted. Alternatively, if the amount of Valid Claims exceeds the amount of the Net Settlement Fund, calculated after payment for Medical Monitoring has been subtracted, your Cash Payment may be subject to a *pro rata* reduction.

For purposes of calculating the *pro rata* increase or decrease, the Settlement Administrator must distribute the funds in the Net Settlement Fund first for payment of Medical Monitoring and then for Cash Payments. Any *pro rata* increases or decreases to Cash Payments will be on an equal percentage basis.

9. What am I giving up to receive Settlement Class Member Benefits or stay in the Settlement Class?

Unless you exclude yourself (opt out), you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, all Court orders and any judgments 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 Released Parties about the legal issues in this lawsuit that are released by this Settlement. The specific rights you are giving up are called “Released Claims.”

Questions? Go to www.MDDataSettlement.com or call 1-888-828-3919.

10. What are the Released Claims?

Section XII of the Settlement Agreement describes the Releases, Released Claims, and Released Parties, in necessary legal terminology, so please read these sections carefully. The Settlement Agreement is available at www.MDDataSettlement.com. For questions regarding the Releases, Released Claims, or Released Parties and what the language in the Settlement Agreement means, you can also contact Class Counsel listed below for free, or you can talk to your own lawyer at your own expense.

HOW TO GET BENEFITS FROM THE SETTLEMENT

11. How do I submit a Claim Form?

You must submit a timely and valid Claim Form to receive any Settlement Class Member Benefits as described above. Your Claim Form must be submitted online at www.MDDataSettlement.com by **January 27, 2026**, or mailed to the Settlement Administrator at the address on the Claim Form, **postmarked by January 27, 2026**. Claim Forms are also available at www.MDDataSettlement.com or by calling 1-888-828-3919 or by writing to:

M&D Capital Data Breach Litigation
Settlement Administrator
PO Box 2696
Portland, OR 97208-2696

12. What happens if my contact information changes after I submit a Claim Form?

If you change your mailing address or email address after you submit a Claim Form, it is your responsibility to inform the Settlement Administrator of your updated information. You may notify the Settlement Administrator of any changes by writing to:

M&D Capital Data Breach Litigation
Settlement Administrator
PO Box 2696
Portland, OR 97208-2696

13. When will I receive my Settlement Class Member Benefits?

If you file a timely and valid Claim Form, the Settlement Class Member Benefits will be provided after the Settlement is approved by the Court and becomes final.

It may take time for the Settlement to be approved and become final. Please be patient and check www.MDDataSettlement.com for updates.

EXCLUDE YOURSELF OR OPT OUT OF THE SETTLEMENT

If you are a member of the Settlement Class and want to keep any right you may have to sue or continue to sue the Released Parties on your own about the legal claims in this lawsuit or released by the Released Claims, then you must take steps to get out of the Settlement. This is called excluding yourself from—or “opting out” of—the Settlement.

14. How do I opt out of the Settlement?

To exclude yourself from the Settlement, you must mail a written request for exclusion, which includes the following:

1. Your name, address, telephone number, and email address (if any);
2. Your personal physical signature; and
3. A statement that you want to be excluded from the Settlement Class, such as “I hereby request to be excluded from the Settlement Class in the *M&D Capital Data Breach Litigation*.”

Questions? Go to www.MDDataSettlement.com or call 1-888-828-3919.

The exclusion request must be **mailed** to the Settlement Administrator at the following address, and be **postmarked** by **December 13, 2025**:

M&D Capital Data Breach Litigation
Settlement Administrator
PO Box 2696
Portland, OR 97208-2696

You cannot opt out (exclude yourself) by telephone or by email.

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Settlement Class Members or multiple Settlement Class Members where the opt out has not been signed by each and every individual Settlement Class Member will not be allowed.

15. If I opt out can I still get anything from the Settlement?

No. If you opt out, you will not be able to receive Settlement Class Member Benefits, and you will not be bound by the Settlement or any judgments in this lawsuit. You can only get Settlement Class Member Benefits if you stay in the Settlement and submit a timely and valid Claim Form.

16. If I do not opt out, can I sue the Defendants for the same thing later?

No. Unless you opt out, you give up any right to sue any of the Released Parties for the legal claims this Settlement resolves and Releases relating to the Data Incident, and you will be bound by all the terms of the Settlement, proceedings, orders, and judgments in the lawsuit. You must opt out of this lawsuit to start or continue your own lawsuit or be part of any other lawsuit against the Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

OBJECTING TO THE SETTLEMENT

17. How do I tell the Court I do not like the Settlement?

If you are a Settlement Class Member, you can tell the Court you do not agree with all or any part of the Settlement and/or Application for Attorneys’ Fees, Costs, and Service Awards.

To object, you must file written notice with the Court as provided below by **December 13, 2025**, and send by U.S. mail to Class Counsel, Defendants’ Counsel, and the Settlement Administrator postmarked by or shipped by private courier (such as Federal Express) by **December 13, 2025**, stating you object to the Settlement in *Jacqueline Skolnick, et al. v. M&D Capital Premier Billing, LLC and Island Ambulatory Surgery Center LLC*, Index No. 706879.

To file an objection, you cannot exclude yourself from the Settlement Class. Your objection must include all of the following information:

1. Your full name, mailing address, telephone number, and email address (if any);
2. All grounds for the objection, accompanied by any legal support for the objection known to you as the objector or your own lawyer;
3. The number of times you have objected to a class action settlement within the five (5) years preceding the date that you file the objection, the caption of each case in which you have made such objection, and a copy of any orders related to or ruling upon your prior objections that were issued by the trial and appellate courts in each listed case;
4. The identity of all lawyers representing you in connection with the objection (if any), including any former or current lawyers who may be entitled to compensation for any reason related to the objection to the Settlement and/or Application for Attorneys’ Fees, Costs, and Service Awards and whether they will appear at the Final Approval Hearing;
5. The number of times your lawyer or your lawyer’s law firm have objected to a class action settlement within the five (5) years preceding the date of the filed objection, the caption of each case in which your lawyer or the firm has made such objection and a copy of any orders related to or ruling upon your lawyer’s or the lawyer’s law firm’s prior objections that were issued by the trial and appellate courts in each listed case;
6. A list of all persons who will be called to testify at the Final Approval Hearing in support of your objection (if any);

Questions? Go to www.MDDataSettlement.com or call 1-888-828-3919.

7. A statement confirming whether you intend to personally appear and/or testify at the Final Approval Hearing; and
8. Your signature as the objector (a lawyer's signature is not sufficient).

Class Counsel and/or Defendants' Counsel may conduct limited discovery on any objector or objector's counsel.

To object, you must file a timely written notice with the Court as provided below no later than **December 13, 2025**, and send it by U.S. mail to Class Counsel, Defendants' Counsel, and the Settlement Administrator postmarked by or shipped by private courier (such as Federal Express) by **December 13, 2025**, at the following addresses:

COURT	CLASS COUNSEL	DEFENDANTS' COUNSEL	SETTLEMENT ADMINISTRATOR
Clerk of Court Supreme Court of New York, Queens County 88-11 Sutphin Blvd. Jamaica, NY 11435	Jeff Ostrow Kopelowitz Ostrow P.A. 1 West Las Olas Blvd, Suite 500 Fort Lauderdale, FL 33301	Brian Middlebrook Gordon Rees Scully Mansukhani One Battery Park Plaza 28 th Floor New York, NY 10004	M&D Capital Data Breach Litigation Settlement Administrator PO Box 2696 Portland, OR 97208-2696

18. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you stay in the Settlement Class. Opting-out is telling the Court that you don't want to be part of the Settlement Class. If you opt-out, you cannot object because you are no longer part of the Settlement.

THE LAWYERS REPRESENTING YOU

19. Do I have a lawyer in the lawsuit?

Yes. The Court has appointed Andrew Shamis of Shamis & Gentile, P.A, Jeff Ostrow of Kopelowitz Ostrow P.A., Mariya Weeks of Milberg Coleman Bryson Phillips Grossman PLLC, Raina Borrelli of Strauss Borelli PLLC, Jean Martin of Morgan & Morgan P.A., and Jen Czeisler of Sterlington PLLC as 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 Class Counsel to represent you in this lawsuit.

20. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award the attorneys' fees of up to \$350,000, to be paid from the Settlement Fund, plus reimbursement of costs. Class Counsel will also ask the Court to approve the Service Award for the Class Representatives of up to \$3,000 each for their efforts. If awarded by the Court, the attorneys' fees and costs, and the Service Award will be paid from the Settlement Fund. The Court may award less than these amounts.

THE FINAL APPROVAL HEARING

The Court will hold a "Final Approval Hearing" to decide whether to approve the Settlement. You may attend and you may ask to speak if you file an objection by the deadline, but you do not have to.

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

The Court will hold a Final Approval Hearing on **February 11, 2026, at 10:00 a.m.** before the Honorable Joseph J. Risi at the Supreme Court of New York, Queens County, 88-11 Sutphin Blvd., Jamaica, NY 11435. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement, Class Counsel's Application for Attorneys' Fees, Costs, and Service Awards.

If there are objections that were filed by the deadline, the Court will consider them. If you file a timely objection, and you would like to speak at the hearing, the Court at its discretion may hear objections at the hearing, if you so request.

Questions? Go to www.MDDataSettlement.com or call 1-888-828-3919.

Note: The date and time of the Final Approval Hearing are subject to change without further notice to the Settlement Class. The Court may also decide to hold the hearing via video conference or by telephone. You should check the Settlement Website, www.MDDataSettlement.com, to confirm the date and time of the Final Approval Hearing have not changed.

22. Do I have to attend the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you file an objection, you do not have to attend the Final Approval Hearing to speak about it. As long as you file your written objection by the deadline, the Court will consider it.

23. May I speak at the Final Approval Hearing?

If there are objections that were filed by the deadline, the Court will consider them. If you file a timely objection, and you would like to speak at the hearing, the Court at its discretion may hear objections at the hearing, if you so request.

GET MORE INFORMATION

24. How do I get more information about the Settlement?

This Notice summarizes the Settlement. Complete details about the Settlement are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at www.MDDataSettlement.com. You may get additional information at www.MDDataSettlement.com, by calling toll-free 1-888-828-3919, or by writing to:

M&D Capital Data Breach Litigation
Settlement Administrator
PO Box 2696
Portland, OR 97208-2696

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT'S CLERK OFFICE REGARDING THIS NOTICE.

Questions? Go to www.MDDataSettlement.com or call 1-888-828-3919.