

## **NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT**

### **If Rise Interactive Media & Analytics, LLC (“Rise”) Notified You Of A Data Incident, You May Be Eligible For Benefits From A Class Action Settlement.**

*This is not a solicitation from a lawyer, junk mail, or an advertisement. A Court authorized this Notice.*

- A proposed Settlement has been reached in a class action lawsuit known as *Roper et al. v. Rise Interactive Media & Analytics, LLC.*, No. 1:23-cv-1836 (“Litigation”), filed in the United States District Court for the Northern District of Illinois.
- This Litigation arises out of a data security incident. Plaintiffs allege that an unauthorized third party accessed Rise’s IT network in 2022, resulting in the unauthorized third party’s potential access to personal information belonging to Plaintiffs and members of the Settlement Class (the “Data Incident”), including their name, email addresses, phone numbers, provider information, diagnoses, expected delivery dates and health insurance information (collectively, “Sensitive Personal Information” or “SPI”). Defendant disagrees with Plaintiff’s claims, disputes liability, and denies any wrongdoing.
- All Settlement Class Members can receive the following benefits from the Settlement: All Settlement Class Members are eligible to recover reimbursement for documented out-of-pocket losses up to \$250, as well as a *pro rata* cash payment estimated to be \$50.
  - Reimbursement for Out-of-Pocket Losses: Settlement Class Members may claim up to \$250 by submitting a valid and timely Claim Form and reasonable supporting documentation for ordinary losses demonstrably incurred, more likely than not, as a result of the Data Incident. Ordinary losses can arise from the following categories: (i) Out of pocket expenses incurred as a direct result of the Data Incident; or (ii) fees for credit reports, credit monitoring, or other identity theft insurance product purchased between November 14, 2022, and the date of the close of the Claims Period.
  - Pro Rata Cash Compensation: Settlement Class Members may make a claim for a cash payment that is estimated to be approximately \$50, subject to *pro rata* (increase or decrease) of the Post-Loss Net Settlement Fund.
- Included in this Settlement, a Settlement Class Member includes:
  - All individuals notified that their SPI was potentially impacted in the Data Incident.
  - Excluded from the Settlement Class are Defendants’ officers and directors, as well as (i) all Settlement Class Members who timely and validly request exclusion from the Settlement Class; (ii) the judges assigned to the Litigation and to evaluate the fairness, reasonableness, and adequacy of this Settlement; and (iii) any other Person found by a court of competent jurisdiction to be guilty under criminal law of perpetrating, aiding or abetting the criminal activity occurrence of the Data Incident or who pleads *nolo contendere* to any such charge.
- Your legal rights are affected regardless of whether you do or do not act. Read this Notice carefully.

**YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:**

<b>Submit a Claim Form</b>	<p><b>You must submit a valid Claim Form to get cash compensation or reimbursement from this Settlement.</b></p> <p>Claim Forms must be submitted online or mailed, postmarked no later than <b><u>February 18, 2025</u></b>.</p>
<b>Do Nothing</b>	<p><b>If you do nothing, you remain in the Settlement.</b></p> <p>You give up your rights to sue and you will not get any cash compensation or reimbursement as a Settlement Class Member.</p>
<b>Exclude Yourself</b>	<p><b>Get out of the Settlement. Get no money. Keep your rights.</b></p> <p>This is the only option that allows you to keep your right to sue about the claims in this Litigation. You will not get any money from the Settlement.</p> <p>Your Opt-Out Request must be postmarked no later than <b><u>January 20, 2025</u></b>.</p>
<b>File an Objection</b>	<p><b>Stay in the Settlement but tell the Court why you think the Settlement should not be approved.</b></p> <p>Objections must be postmarked no later than <b><u>January 20, 2025</u></b>.</p>
<b>Go to a Hearing</b>	<p><b>You can ask to speak in Court about the fairness of the Settlement, at your own expense. See Question 18 for more details.</b></p> <p>The Final Approval Hearing is scheduled for <b><u>March 11, 2025 at 9:00 a.m.</u></b></p>

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## BASIC INFORMATION

### 1. How do I know if I am affected by the Litigation and Settlement?

You are a Settlement Class Member if you were notified by RGH Enterprises, Inc. d/b/a Edgepark Medical Supplies (“Edgepark”) or Rise that your Sensitive Personal Information was potentially impacted in the Data Incident.

The Settlement Class specifically excludes Defendant’s officers and directors, as well as (i) all Settlement Class Members who timely and validly request exclusion from the Settlement Class; (ii) the judges assigned to the Litigation and to evaluate the fairness, reasonableness, and adequacy of this Settlement; and (iii) any other person found by a court of competent jurisdiction to be guilty under criminal law of perpetrating, aiding or abetting the criminal activity occurrence of the Data Incident or who pleads *nolo contendere* to any such charge.

This Long-Form Notice explains the nature of the Litigation and claims being settled, your legal rights, and the benefits to the Settlement Class.

### 2. What is this case about?

This case is known as *Roper et al. v. Rise Interactive Media & Analytics, LLC.*, No. 1:23-cv-1836 (“Litigation”), filed in the United States District Court for the Northern District of Illinois (“Litigation”). The people who sued are called the “Plaintiffs” and the company they sued, Rise Interactive Media & Analytics, LLC is known as the “Defendant” in this case.

Plaintiffs filed a lawsuit against Defendant, individually, and on behalf of anyone whose Sensitive Personal Information was potentially impacted as a result of the Data Incident.

This Litigation arises out of a Data Incident. Specifically, Plaintiffs allege that an unauthorized third party accessed Defendant’s IT network in November 2022, resulting in the unauthorized third party’s potential access to personal information belonging to Plaintiff and Settlement Class Members, including but not limited to their name, email addresses, phone numbers, provider information, diagnoses, expected delivery dates and health insurance information Defendants deny all claims asserted against it in the Litigation and deny all allegations of wrongdoing and liability.

Plaintiff and Defendants are collectively referred to herein as the “Parties.”

### 3. Why is there a Settlement?

By agreeing to settle, the Parties’ desire to settle the Litigation and all claims arising out of or related to the allegations or subject matter of the Third Amended Class Action Complaint and Litigation on the terms and conditions set forth herein for the purpose of avoiding the burden, expense, risk, and uncertainty of continuing to litigate the Litigation. The Class Representatives, Defendant, and their attorneys believe the proposed Settlement is fair, reasonable, and adequate and, thus, in the best interests for Settlement Class Members. The Court did not decide in favor of the Plaintiffs or Defendant. Full details about the proposed Settlement are found in the Settlement Agreement available at [www.RiseSPISettlement.com](http://www.RiseSPISettlement.com).

### 4. Why is this a class action?

In a class action, one or more people called a “Class Representative” sue on behalf of all people who have similar claims. All of these people together are the “Settlement Class” or “Settlement Class Members.”

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

You are included in the Settlement Class if you are an individual who was notified by Rise or Edgepark that your Sensitive Personal Information was potentially impacted in the Data Incident. If you are not sure whether you are included as a Settlement Class Member, or have any other questions about the Settlement, visit [www.RiseSPISettlement.com](http://www.RiseSPISettlement.com), call toll free (833) 594-4153, or write to:

Rise Interactive Settlement  
c/o Analytics Consulting LLC  
PO Box 2009  
Chanhassen MN 55317-2009  
Email: [RiseSPISettlement@noticeadministrator.com](mailto:RiseSPISettlement@noticeadministrator.com)

## THE SETTLEMENT BENEFITS

### 6. What does this Settlement provide?

The proposed Settlement will provide the following benefits to Settlement Class Members:

- 1. Reimbursement for Out-of-Pocket Losses:** Settlement Class Members may submit a claim for up to \$250 reimbursement of out-of-pocket losses. To receive Reimbursement for Out-of-Pocket Losses, a participating Settlement Class Member must submit a valid and timely Claim Form electing to receive this benefit and providing reasonable supporting documentation for the losses demonstrably incurred, more likely than not, as a result of the Data Incident.

Out-of-Pocket Losses are unreimbursed losses and consequential expenses incurred as a direct result of the Data Incident, including, but not limited to, documented bank fees, long distance phone charges, cell phone charges (only if charged by the minute), data charges (only if charged based on the amount of data used), postage, gasoline for local travel, bank fees, and fees for credit reports, credit monitoring, or other identity theft insurance products purchased between November 14, 2022 and the date of the close of the Claims Period.

Out-of-Pocket Losses must not have been previously reimbursed or subject to reimbursement by insurance or a third party and must be reasonably described, supported by reasonable documentation, and supported by an attestation under penalty of perjury, which will be a part of the Claim Form.

- 2. Pro Rata Cash Compensation:** In addition to Reimbursement for Out-of-Pocket Losses, Settlement Class Members may submit a claim for a cash payment that is estimated to be approximately \$50, subject to *pro rata* increase or decrease depending on the number of approved claims.

Claims will be subject to review for completeness and plausibility by the Settlement Administrator.

### 7. How to submit a Claim Form

All Claim Forms will be reviewed by the Settlement Administrator for completeness and plausibility. You must file a Claim Form to get reimbursement and/or cash compensation from the Net Settlement Fund under the proposed Settlement. Claim Forms must be submitted online or postmarked no later than **February 18, 2025**. For more information, please visit [www.RiseSPISettlement.com](http://www.RiseSPISettlement.com) or you can call the Settlement Administrator at **(833) 594-4153** for a Claim Form.

### 8. What am I giving up as part of the Settlement?

If you stay in the Settlement Class, you will be eligible to receive benefits, but you will not be able to sue Defendants, and each of their present and former parents, subsidiaries, divisions, departments, affiliates, employees, servants, members, providers, partners, principals, directors, shareholders, owners, predecessors, successors, assigns, and insurers, and each of the foregoing's former or present directors, trustees, officers, employees, representatives, agents, providers, consultants, advisors, attorneys, accountants, partners, vendors, insurers, reinsurers, and subrogees (collectively, the "Released Persons") regarding the claims in this case.

The Settlement Agreement, which includes all provisions about Released Class Claims, releases, and Released Persons, is available at [www.RiseSPISettlement.com](http://www.RiseSPISettlement.com).

The only way to keep the right to sue is to exclude yourself (*see* Question 10), otherwise you will be included in the Settlement Class, and, if the Settlement is approved, you give up the right to sue for the claims in this case.

### 9. Will the Class Representative receive compensation?

Yes. If approved by the Court, the Class Representatives will each receive a Service Award of up to \$5,000, to recognize them for their efforts in the Litigation and on behalf of the Settlement Class. The Court will make the final decision as to the amount, if any, to be paid to the Class Representative.

## EXCLUDE YOURSELF

### 10. How do I exclude myself from the Settlement?

If you do not want to be included in the Settlement, you must "Opt-Out" by sending a timely written Opt-Out Request, stating your full name, address, and telephone number. Your Opt-Out Request must (a) state your full name, address, and

telephone number; (b) contain your personal and original signature (or the original signature of a person authorized by law, such as a trustee, guardian, or person acting under a power of attorney to act on your behalf with respect to a claim or right such as those in the Litigation); and (c) state unequivocally your intent to be excluded from the Settlement Class and from the Settlement.

Your written Opt-Out Request must be postmarked no later than **January 20, 2025** to:

Rise Interactive Settlement  
c/o Analytics Consulting LLC  
PO Box 2009  
Chanhassen MN 55317-2009

Instructions on how to submit an Opt-Out Request are available at [www.RiseSPISettlement.com](http://www.RiseSPISettlement.com) or from the Settlement Administrator by calling **(833) 594-4153**.

If you exclude yourself you will not be able to receive any reimbursement or cash benefit from the Settlement, and you cannot object to the Settlement at the Final Approval Hearing. You will not be legally bound by anything that happens in the Litigation, and you will keep your right to sue Defendants on your own for the claims that this Settlement resolves.

### **11. If I do not exclude myself, can I sue later?**

No. If you do not exclude yourself from the Settlement, and the Settlement is approved by the Court, you forever give up the right to sue the Released Persons (listed in Question 8) for the claims this Settlement resolves.

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

If you do nothing, you will be bound by the Settlement if the Court approves it, you will not get any reimbursement or cash payment from the Settlement, you will not be able to start or proceed with a lawsuit, or be part of any other lawsuit against the Released Persons (listed in Question 8) about the settled claims in this case at any time.

## **THE LAWYERS REPRESENTING YOU**

### **13. Do I have a lawyer in the case?**

Yes. The Court has appointed Carl Malmstrom of Wolf Haldenstein Adler Freeman & Herz LLC (called “Class Counsel”) to represent the interests of all Settlement Class Members in this case. You will not be charged for this lawyer’s services. If you want to be represented by your own lawyer, you may hire one at your own expense.

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

Class Counsel will apply to the Court for reasonable attorneys’ fees not to exceed 33.33% of the net Settlement Fund excluding any administration costs. Class Counsel will also apply to the Court for reimbursement of all reasonable costs and expenses incurred in prosecuting the Litigation. A copy of Class Counsel’s Motion for Fee Awards, Costs and Expenses and Service Award for Class Representative will be posted on this Settlement Website, [www.RiseSPISettlement.com](http://www.RiseSPISettlement.com), before the Final Approval Hearing. The Court will make the final decisions as to the amounts to be paid to Class Counsel and may award less than the amount requested by Class Counsel.

## **OBJECTING TO THE SETTLEMENT**

### **15. How do I tell the Court that I do not like the Settlement?**

If you want to tell the Court that you do not agree with the proposed Settlement or some part of it, you must file an Objection with the Court and serve on Class Counsel and Defense Counsel by **January 20, 2025**, (the “Objection Deadline”) stating why you do not think the Settlement should be approved.

To be valid, each Objection must:

- i. state the Settlement Class Member’s full name, current address, and telephone number;
- ii. contain the Settlement Class Member’s original signature;

- iii. state that the Settlement Class Member objects to the Settlement, in whole or in part;
- iv. make a statement of the legal and factual basis for the Objection;
- v. provide copies of any documents that the Settlement Class Member wishes to submit in support of his/her position;
- vi. provide a list of all persons who will be called to testify at the Final Approval Hearing in support of the Objection.

Objections should also provide the following information:

- a. a list, by case name, court, and docket number, of all other cases in which the objector (directly or through a lawyer) has filed an objection to any proposed class action settlement within the last three (3) years; and
- b. a list, by case number, court, and docket number, of all other cases in which the objector has been a named plaintiff in any class action or served as a lead plaintiff or class representative. A Settlement Class Member may only object on their own behalf or on behalf of a person they are authorized by law to object for, such as a trustee, guardian, or person acting under a power of attorney with respect to a claim or right.

Your Objection must be filed with the Court, the United States District Court for the Southern District of Indiana, through the Court’s ECF system and include the case name and docket number, *Roper et al. v. Rise Interactive Media & Analytics, LLC.*, No. 1:23-cv-1836, no later than **January 20, 2025**.

In addition, you must concurrently mail or hand deliver a copy of your objection to Class Counsel and Defense Counsel, postmarked no later than **January 20, 2025**:

CLASS COUNSEL	DEFENDANT’S COUNSEL
Carl V. Malmstrom Wolf Haldenstein Adler Freeman & Herz LLC 111 W. Jackson Blvd., Suite 1700 Chicago, IL 60604	Timothy J. Lowe Jared Brown McDonald Hopkins PLC 39533 Woodward Ave., Ste. 318 Bloomfield Hills, MI 48304

If you do not submit your Objection with all requirements, or if your Objection is not received by **January 20, 2025**, you will be considered to have waived all objections and will not be entitled to speak at the Final Approval Hearing.

**16. 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. Excluding yourself is telling the Court that you don’t want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

**THE FINAL APPROVAL HEARING**

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

The Court will hold the Final Approval Hearing on **March 11, 2025 at 9:00 a.m. CT** in Courtroom 2119 of the United States District Court for the Northern District of Illinois, located at Dirksen U.S. Courthouse, 219 S. Dearborn St., Chicago, Illinois 60604. The hearing may be moved to a different date, time, or location without additional notice, so it is recommended that you periodically check this website for updated information.

At the hearing, the Court will consider whether the proposed Settlement is fair, reasonable, adequate, and is in the best interests of Settlement Class Members, and if it should be Finally approved. If there are valid Objections, the Court will consider them and will listen to people who have asked to speak at the hearing if the request was made properly. The Court will also consider Class Counsel’s request for attorneys’ fees, costs, and expenses, and the request for a Service Award to the Class Representative.

**18. Do I have to come to the hearing?**

No. You are not required to come to the Final Approval Hearing. However, you are welcome to attend the hearing at your own expense.



If you submit an Objection, you do not have to come to the hearing to talk about it. If your Objection was submitted properly and on time, the Court will consider it. You also may pay your own lawyer to attend the Final Approval Hearing, but that is not necessary. However, you must follow the requirements for making Objections in Question 15, including the requirements for making appearances at the hearing.

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

Yes. You can speak at the Final Approval Hearing, but you must ask the Court for permission. To request permission to speak, you must file an Objection according to the instructions in Question 15, including all the information required for you to make an appearance at the hearing. You cannot speak at the hearing if you exclude yourself from the Settlement.

### **GET MORE INFORMATION**

### **20. How do I get more information about the Settlement?**

This is only a summary of the proposed Settlement. If you want additional information about this Litigation, including a copy of the Settlement Agreement, the Third Amended Class Action Complaint, the Court's Preliminary Approval Order, Class Counsel's Motion for Attorneys' Fee Awards, Costs and Expenses when available, and Service Awards for Class Representatives, and more, please visit this website or call **(833) 594-4153**. You may also contact the Settlement Administrator at:

Rise Interactive Settlement  
c/o Analytics Consulting LLC  
PO Box 2009  
Chanhassen MN 55317-2009  
Email: [RiseSPISettlement@noticeadministrator.com](mailto:RiseSPISettlement@noticeadministrator.com)

**PLEASE DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT OR LITIGATION TO THE CLERK OF THE COURT, THE JUDGE, DEFENDANTS, OR DEFENDANTS' COUNSEL.**