

**IF YOU USED BJC'S MYCHART PATIENT PORTAL BETWEEN JUNE 2017 AND AUGUST 2022, YOU MAY BE ENTITLED TO A CASH PAYMENT FROM A SETTLEMENT.**

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

- A \$5.5 million settlement (which may increase up to \$9.25 million) has been reached in a class action lawsuit against BJC Health System d/b/a BJC HealthCare (“Defendant” or “BJC”) arising out of the disclosure of personally identifiable information and protected health information of patients who used the BJC MyChart patient portal between June 2017 and August 2022.
- Plaintiffs allege Defendant maintained web properties at BJC.org and BarnesJewish.org for its patients to communicate with BJC, including but not limited to exchanging communications about bill payment, doctors’ services, treatments, conditions, appointments, and access to an online MyChart patient portal. Plaintiffs contend that, through these web properties, Defendant caused the unauthorized transmission of personally identifiable patient data and redirection of the communications to be sent to Facebook, Google, SiteScout, Invoca, and the TradeDesk without patient knowledge, consent, authorization, or affirmative action.
- The Settlement Class includes all individuals who, between June 2017 and August 2022, used BJC’s MyChart patient portal. Excluded from the Settlement Class are BJC and its affiliates, parents, subsidiaries, officers, and directors, as well as the judge(s) presiding over this matter and the clerk(s) of said judge(s).
- Settlement Class Members are eligible to receive a \$35.00 cash payment, which may be subject to a pro rata (a legal term meaning equal share) increase or decrease, depending on the number of timely and valid Claim Forms filed.

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

<b>YOUR LEGAL RIGHTS &amp; OPTIONS</b>		<b>DEADLINE</b>
<b>Submit a Claim Form</b>	The only way to get a cash payment is to submit a timely and valid Claim Form.	Submitted online or postmarked by <b>October 8, 2025</b>
<b>Exclude Yourself</b>	Get no cash payment. Keep your right to file your own lawsuit against Defendant about the legal claims released by the Settlement.	Postmarked by <b>September 8, 2025</b>
<b>Object to the Settlement</b>	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 <b>September 8, 2025</b>
<b>Do Nothing</b>	Get no cash payment. 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 and Expenses, and Service Awards. Cash payments will not be provided unless the Court approves the Settlement.

## **BASIC INFORMATION**

### **1. Why is this Notice being provided?**

A state court authorized this Notice because you have the right to know about the settlement of this class action lawsuit and about 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 benefits are available, who is eligible for the benefits, and how to get them.

The Honorable David C. Mason of the Twenty-Second Judicial Circuit Court of the City of St. Louis, Missouri, is overseeing this class action. The lawsuit is known as *John Doe et al. v. BJC Health System d/b/a BJC HealthCare*, Case No. 2222-CC09151-01 (the “lawsuit”). The individuals who filed this lawsuit are called the “Plaintiffs” and/or “Class Representatives,” and the company sued, BJC Health System d/b/a BJC HealthCare, is called the “Defendant.”

**Questions? Go to [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com) or call 1-888-438-8534.**

## 2. What is this lawsuit about?

Plaintiffs filed this lawsuit against Defendant on behalf of Settlement Class Members, alleging the disclosure of personally identifiable information and protected health information for patients who used the BJC MyChart patient portal between June 2017 and August 2022.

Plaintiffs allege Defendant maintained web properties at BJC.org and BarnesJewish.org for its patients to communicate with BJC, including but not limited to exchanging communications about bill payment, doctors' services, treatments, conditions, appointments, and access to an online MyChart patient portal. Plaintiffs contend that, through these web properties, Defendant caused the unauthorized transmission of personally identifiable patient data and redirection of the communications to be sent to Facebook, Google, SiteScout, Invoca, and the TradeDesk without patient knowledge, consent, authorization, or affirmative action.

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

## 3. Why is there a Settlement?

Plaintiffs and Defendant 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 Plaintiffs or Defendant. Instead, Plaintiffs and Defendant have agreed to settle the lawsuit. The Class Representatives, Defendant, and their lawyers believe the Settlement is best for Settlement Class Members because of the 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 who, between June 2017 and August 2022, used BJC's MyChart patient portal.

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

Yes. Excluded from the Settlement Class are BJC and its affiliates, parents, subsidiaries, officers, and directors, as well as the judge(s) presiding over this matter and the clerk(s) of said judge(s).

### 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.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com) or call 1-888-438-8534 toll-free.

## THE SETTLEMENT BENEFITS

### 8. What does this Settlement provide?

A \$5.5 million Settlement Fund will be established to pay costs of notice and administration for the Settlement, a Service Award to the Class Representatives, payment of Class Counsel's Attorneys' Fees and Expenses, and the payment of claims. In addition, Defendant will pay an amount up to \$3.75 million on a claims-made basis to the extent that the initial Settlement Fund of \$5.5 million is not sufficient to cover the claims that are made.

**Questions? Go to [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com) or call 1-888-438-8534.**

**Cash Payment:** If you are a Settlement Class Member, you can submit a Claim Form to receive a \$35.00 cash payment.

Your cash payment may be subject to a pro rata (a legal term meaning equal share) increase from the Settlement Fund if the amount of timely and valid Claim Forms does not use the entire net Settlement Fund. Alternatively, if the amount of timely and valid Claim Forms exceeds \$9.25 million, your cash payment may be subject to a pro rata reduction.

## 9. What am I giving up to receive a cash payment 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 Defendant about the legal issues that are released by this Settlement. The specific rights you are giving up are called “Released Claims.”

## 10. What are the Released Claims?

Section VII of the Settlement Agreement describes the Released Claims and the Release, in necessary legal terminology, so please read this section carefully. The Settlement Agreement is available at [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com). For questions regarding the Release or Released Claims 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 a cash payment as described above. Your Claim Form must be submitted online at [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com) by **October 8, 2025**, or mailed to the Settlement Administrator at the address on the Claim Form, **postmarked by October 8, 2025**. Claim Forms are available on the Settlement Website at [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com), or by calling 1-888-438-8534, or by writing to:

*BJC Privacy Settlement Administrator*  
P.O. Box 2600  
Portland, OR 97208-2600

## 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:

*BJC Privacy Settlement Administrator*  
P.O. Box 2600  
Portland, OR 97208-2600

## 13. When will I receive my cash payment?

If you submit a timely and valid Claim Form, the cash payment will be provided by the Settlement Administrator 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.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com) for updates.

### EXCLUDE YOURSELF OR OPT OUT OF THE SETTLEMENT

If you are a Settlement Class Member and want to keep any right you may have to sue or continue to sue the Released Persons 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.

**Questions? Go to [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com) or call 1-888-438-8534.**

## 14. How do I opt out of the Settlement?

To exclude yourself from the Settlement, you must mail a written request for exclusion that 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 *BJC Privacy Settlement*.”

The exclusion request must be **mailed** to the Settlement Administrator at the following address, **postmarked by September 8, 2025**:

*BJC Privacy Settlement Administrator*  
P.O. Box 2600  
Portland, OR 97208-2600

**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 hasn’t 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 entitled to receive a cash payment, and you will not be bound by the Settlement or any judgment in this lawsuit. You can only get a cash payment if you stay in the Settlement and submit a timely and valid Claim Form.

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

No. Unless you opt out, you give up any right to sue Defendant for the legal claims this Settlement resolves and Releases relating to the lawsuit, and you will be bound by all the terms of the Settlement and by all proceedings, orders, and judgments in the lawsuit. You must opt out of this lawsuit to start or continue with your own lawsuit or be part of any other lawsuit against Defendant. 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.

To object, you must file a written objection with the Court by **September 8, 2025**, and serve on Class Counsel and Defendant’s Counsel by U.S. Mail or private courier (such as FedEx) by **September 8, 2025**, stating that you object to the Settlement in *John Doe et al. v. BJC Health System d/b/a BJC HealthCare*, Case No. 2222-CC09151-01.

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, current address, telephone number, and email address;
- 2) Your signature as the objector;
- 3) Proof that you are a member of the Settlement Class (e.g., copy of this Notice);
- 4) State that you object to the Settlement in whole or in part;
- 5) A statement of the legal and factual basis for the objection;
- 6) Copies of any documents that you wish to submit in support of your position;
- 7) The identity of all lawyers representing you (if any);
- 8) If applicable, include the signature of your duly authorized lawyer or other duly authorized representative, along with documentation setting forth such representation; and
- 9) A list, including case name, court, and docket number, of all other cases in which you and/or your lawyer have filed an objection to any proposed class action settlement in the past three (3) years.

**Questions? Go to [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com) or  
call 1-888-438-8534.**

To object, your written objection must be filed with the Court by **September 8, 2025**, and you must serve a copy to Class Counsel and Defendant’s Counsel, by U.S. Mail or private courier (such as FedEx) by **September 8, 2025**, at the following addresses:

<b>COURT</b>	<b>CLASS COUNSEL</b>	<b>DEFENDANT’S COUNSEL</b>
Clerk of Court Attn: Judge David C. Mason 22 <sup>nd</sup> Judicial Circuit Court Civil Courts Building 10 N Tucker Blvd St. Louis, MO 63101	Amy Gunn Gunn Slater The Sevens Building 7777 Bonhomme Ave, Ste 1600 Clayton, MO 63105  Jason “Jay” Barnes and Eric Johnson Simmons Hanly Conroy LLC 112 Madison Ave, 7 <sup>th</sup> Floor New York, NY 10016	David Carney Baker & Hostetler LLP 127 Public Square, Ste 2000 Cleveland, OH 44114

### **Notice of Intention to Appear:**

If you are a Settlement Class Member and you object, you have the right, but are not required, to attend the Final Approval Hearing.

- To appear, you must first file a Notice of Intention to Appear with the Court.
- If you intend to appear through your personal lawyer(s), your Notice of Intention to Appear must identify the lawyer(s) representing you as an objecting Settlement Class Member who will appear at the Final Approval Hearing and include their name(s), address(es), telephone number(s), and email address(es), as well as state bar(s) to which they are admitted and associated state bar number(s).
- Your Notice of Intention to Appear must be filed with the Court by **September 8, 2025**, and serve a copy to Class Counsel and Defendant’s Counsel, by U.S. Mail or private courier (such as FedEx) by **September 8, 2025**, at the addresses in the table above.

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

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Opting out is telling the Court that you do not 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 Amy Gunn of Gunn Slater, and Jason “Jay” Barnes and Eric Johnson of Simmons Hanly Conroy LLC 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 ask the Court to award attorneys’ fees of up to \$3 million, plus reimbursement of costs. Class Counsel will also ask the Court to approve a Service Award for the Class Representatives of up to \$15,000.00 each for their efforts in achieving the Settlement. If awarded by the Court, the Attorneys’ Fees and Expenses, and the Service Awards will be paid from the Settlement Fund. The Court may award less than these amounts.

Class Counsel’s application for the Attorneys’ Fees and Expenses, and Service Awards will be made available on the Settlement Website at [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com) after it is filed with the Court.

**Questions? Go to [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com) or call 1-888-438-8534.**

## 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 **October 16, 2025, at 1:30 p.m.** before the Honorable David C. Mason at the Civil Courts Building, 10 N Tucker Blvd, St. Louis, MO 63101. 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 and Expenses, and Service Awards.

If any objections are filed by the deadline, the Court will consider them. If you file a timely objection, and would like to speak at the hearing or have your own lawyer speak for you, the Court will also listen to you or your lawyer speak at the hearing, if you so request.

**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 videoconference or by telephone. You should check the Settlement Website, [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com), to confirm that the date, time, and location 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?

Yes, as long as you do not exclude yourself (opt out) and you file a timely written objection, and a Notice of Intention to Appear requesting to speak at the hearing, you can (but do not have to) participate and speak for yourself at the Final Approval Hearing. This is called making an appearance. You can also have your own lawyer speak for you, but you will have to pay for the lawyer yourself.

If you want to appear, or if you want your own lawyer instead of Class Counsel to speak for you at the hearing, you must follow all of the procedures for objecting and file a Notice of Intention to Appear as listed above, including a statement of whether you or your lawyer will appear at the Final Approval Hearing.

## 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.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com). You may get additional information at [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com), by calling 1-888-438-8534 toll-free, or by writing to:

*BJC Privacy Settlement Administrator*  
P.O. Box 2600  
Portland, OR 97208-2600

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

**Questions? Go to [www.BJCPrivacySettlement.com](http://www.BJCPrivacySettlement.com) or call 1-888-438-8534.**