

Exhibit A-3

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KEVIN BURBIGE and ZIYANG NIE,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiffs,

v.

ATI PHYSICAL THERAPY, INC. f/k/a
FORTRESS VALUE ACQUISITION
CORP. II, LABEED DIAB, JOSEPH
JORDAN, ANDREW A. MCKNIGHT,
JOSHUA A. PACK, MARC FURSTEIN,
LESLEE COWEN, AARON F. HOOD,
CARMEN A. POLICY, RAKEFET
RUSSAK-AMINOACH, and SUNIL
GULATI,

Defendants.

Case No. 1:21-CV-04349

**SUMMARY NOTICE OF (I) PENDENCY
OF CLASS ACTIONS, CERTIFICATION
OF SETTLEMENT CLASS, AND
PROPOSED SETTLEMENT; (II)
SETTLEMENT FAIRNESS HEARING;
AND (III) MOTION FOR AN AWARD OF
ATTORNEYS' FEES AND
REIMBURSEMENT OF LITIGATION
EXPENSES**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

*In re ATI Physical Therapy, Inc.
Shareholder Derivative Litigation*

Case No. 1:21-CV-06415

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

WENDELL ROBINSON,

Plaintiff,

v.

FORTRESS ACQUISITION SPONSOR II,
LLC, ANDREW A. MCKNIGHT, JOSHUA
A. PACK, MARC FURSTEIN, LESLEE
COWEN, AARON F. HOOD, CARMEN A.
POLICY, RAKEFET RUSSAK-
AMINOACH, SUNIL GULATI, DANIEL
N. BASS, MICAH B. KAPLAN, and
LABEED DIAB,

Defendants.

Case No. 2023-0142-NAC

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

PHILLIP GOLDSTEIN,

Plaintiff,

v.

FORTRESS ACQUISITION SPONSOR II,
LLC, LABEED DIAB, JOSEPH JORDAN,
CEDRIC COCO, RAY WAHL, JOHN L.
LARSEN, JOHN MALDONADO,
CARMINE PETRONE, JOANNE M.
BURNS, CHRISTOPHER KRUBERT,
JAMES E. PARISI, JOSHUA A. PACK,
ANDREW A. MCKNIGHT, MARC
FURSTEIN, AARON F. HOOD, CARMEN
A. POLICY, SUNIL GULATI, LESLEE
COWEN, RAKEFET RUSSAK-
AMINOACH, DANIEL BASS, and MICAH
KAPLAN,

Defendants,

and

ATI PHYSICAL THERAPY, INC.,

Nominal Defendant.

Case No. 2023-0582-NAC

TO: All persons and entities who: (a) purchased or otherwise acquired ATI Physical Therapy, Inc. (“ATI”) common stock or Fortress Value Acquisition Corp. II (“FVAC”) common stock (collectively, “ATI Securities”) between February 22, 2021 and October 19, 2021, both dates inclusive, and/or beneficially owned and/or held shares of FVAC Class A common stock as of May 24, 2021 and were eligible to vote at FVAC’s June 15, 2021 special meeting to vote on the Business Combination; and/or (b) beneficially owned and/or held FVAC Class A common stock as of the June 11, 2021 Redemption Date and were entitled to, but did not elect to, redeem your shares (the “Settlement Class”).

PLEASE READ THIS NOTICE CAREFULLY, AS YOUR RIGHTS WILL BE AFFECTED BY A CLASS ACTION LAWSUIT PENDING IN THIS COURT.

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Northern District of Illinois, that the action styled *Burbige, et al. v. ATI Physical Therapy, Inc. f/k/a Fortress Value Acquisition Corp. II, et al.*, No. 1:21-cv-04349 (the “Securities Action”) and the action styled *In re ATI Physical Therapy, Inc. Shareholder Derivative Litigation*, No. 1:21-cv-06415 (the “Ghaith Action”) have been certified as class actions, for settlement purposes only, on behalf of the Settlement Class, except for certain persons and entities who are excluded from the Settlement Class by definition as set forth in the full printed Notice of (I) Pendency of Class Actions, Certification of Settlement Class, and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation Expenses (the “Notice”).

YOU ARE ALSO NOTIFIED that Plaintiffs in the above-captioned actions (collectively, the “Actions”) have reached a proposed settlement of the putative class (direct) claims in the Actions for \$24,900,000 (the “Settlement”) that, if approved, will resolve all putative class (direct) claims in the Actions.

A hearing will be held on _____ at _____ .m., before the Honorable Edmond E. Chang at the United States District Court for the Northern District of Illinois, Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, IL 60604, in Courtroom 2341, to determine: (i) whether the proposed Settlement should be approved as fair, reasonable,

and adequate; (ii) whether the Securities Action should be dismissed with prejudice against the Securities Defendants, the putative class (direct) claims in the *Ghaith* Action should be dismissed with prejudice against the defendants in the *Ghaith* Action, and the Releases specified and described in the Stipulation and Agreement of Settlement dated Monday May 13, 2024 (and in the Notice) should be granted; (iii) whether the proposed Plan of Allocation should be approved as fair and reasonable; and (iv) whether Plaintiffs' Counsel's applications for awards of attorneys' fees and reimbursement of expenses and Plaintiffs' reimbursement for their time and expenses should be approved. The Court reserves the right to hold the Settlement Hearing telephonically or by other virtual means.

If you are a member of the Settlement Class, your rights will be affected by the pending Actions and the Settlement, and you may be entitled to share in the Settlement Fund. If you have not yet received the Notice and Proof of Claim Form ("Claim Form"), you may obtain copies of these documents by contacting the Claims Administrator at info@strategicclaims.net. Copies of the Notice and Claim Form can also be downloaded from the website maintained by the Claims Administrator, www.strategicclaims.net/ati.

If you are a member of the Settlement Class, in order to be eligible to receive a payment under the proposed Settlement, you must submit a Claim Form to the Claims Administrator *postmarked* no later than _____ or submitted electronically by 11:59 p.m. EST on _____, 2024. If you are a Settlement Class Member and do not submit a proper Claim Form, you will not be eligible to share in the distribution of the net proceeds of the Settlement, but you will nevertheless be bound by any judgments or orders entered by the Court in the Actions.

If you are a member of the Settlement Class and wish to exclude yourself from the Settlement Class, you must submit a request for exclusion such that it is *received* no later than _____ by the Claims Administrator, in accordance with the instructions set forth in the Notice. If you properly exclude yourself from the Settlement Class, you will not be bound by any judgments or orders entered by the Court in the Actions and you will not be eligible to share in the proceeds of the Settlement.

Any objections to the proposed Settlement, the proposed Plan of Allocation, or Plaintiffs' Counsel's motions for attorneys' fees and reimbursement of expenses and reimbursement to Plaintiffs, must be filed with the Clerk of the Court and delivered to Plaintiffs' Counsel and Defendants' Counsel at the addresses specified below, such that they are *received* no later than _____:

Clerk's Office

United States District
Court for the Northern
District of Illinois
Clerk of the Court
Dirksen U.S.
Courthouse
219 S. Dearborn Street
Chicago, IL 60604

Lead Counsel

Pomerantz LLP

Jeremy A. Lieberman
600 Third Avenue, 20th
Floor
New York, NY 10016-1917

**Additional Plaintiffs'
Counsel**

Levi & Korsinsky, LLP

Donald J. Enright
1101 Vermont Ave., NW
Washington, DC 20005

Defendants' Counsel

**Weil, Gotshal &
Manges LLP**

John A. Neuwirth &
Joshua S. Amsel
767 Fifth Avenue
New York, NY 10153
(Counsel for the ATI
Defendants)

**Skadden, Arps, Slate,
Meagher & Flom LLP**

Charles F. Smith
155 North Wacker Drive
Chicago, Ill. 60606
(Counsel for the FVAC
Defendants)

Please do not contact the Court, the Clerk's office, Defendants, or Defendants' counsel regarding this notice. All questions about this notice, the proposed Settlement, or your eligibility to participate in the Settlement should be directed to Plaintiffs' Counsel or the Claims Administrator.

Inquiries, other than requests for the Notice and Claim Form, should be made to Plaintiffs' Counsel:

POMERANTZ LLP
Jeremy Lieberman, Esq.
600 Third Ave., 20th Floor
New York, NY 10016-1917
Telephone: 212-661-1100
jalieberman@pomlaw.com

Donald J. Enright, Esq.
Levi & Korsinsky, LLP

1101 Vermont Ave., NW
Suite 700
Washington, DC 20005
Tel: 202-524-4290
denright@zlk.com

Requests for the Notice and Claim Form should be made to:

ATI Class Actions Settlement
c/o Strategic Claims Services
P.O. Box 230
600 N. Jackson Street, Suite 205
Media, PA 19063
Toll-Free: (866) 274-4004
Facsimile: (610) 565-7985
info@strategicclaims.net
www.strategicclaims.net/ati

By Order of the Court