

Exhibit D

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

United States District Court for the District of Nebraska

In re: ALN Medical Management LLC Data Incident Litigation
Case No. 4:25-cv-03067-SMB-MDN

A Court authorized this Long Form Notice (“Notice”). This is not a solicitation from a lawyer.

If You Are A Person In The United States Who Was Sent Notice That Your Private Information May Have Been Impacted As A Result Of The Data Incident, You Are Eligible To Receive A Settlement Class Member Benefit From A Class Action Settlement

- A Court authorized this Notice to those that are eligible to receive Settlement Class Member Benefits from a proposed class action Settlement. The Action is titled *In re: ALN Medical Management LLC Data Incident Litigation*, Case No. 4:25-cv-03067-SMB-MDN and is pending in the United States District Court for the District of Nebraska. The people that filed the class action lawsuit are called Plaintiffs or Class Representatives and the companies they sued are ALN Medical Management, LLC (or Defendant ALN) and Long View Systems Corporation (USA) (or Defendant Long View).¹ The case against Defendant ALN and its Clients has been settled and that is why you are receiving this Notice. The case against Defendant Long View is ongoing and is not part of this Settlement.
- **Who is a Settlement Class Member?**

All living individuals residing in the United States who were sent a notice of the Data Incident indicating their Private Information may have been impacted in the Data Incident.

Excluded from the Settlement Class are: (1) all persons who are parents, subsidiaries, directors, officers, members and agents of Defendant ALN, and any entity in which Defendant has a controlling interest; (2) governmental entities; (3) the Judge assigned to the Action, that Judge’s immediate family, and Court staff; (4) any Settlement Class Member who timely and validly requests to opt-out from the Settlement; and (5) any person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the criminal activity occurrence of the Data Incident, or who pleads *nolo contendere* to any such charge.

- Settlement Class Members under the Settlement Agreement will be eligible to receive:
 - ❖ **Cash Payment A – Documented Losses:** Settlement Class Members are eligible to submit a Claim for a Cash Payment for documented losses up to \$5,000.00 per Settlement Class Member upon presentment of reasonable documentation of losses fairly traceable to the Data Incident.

OR

¹ Plaintiffs also sued certain Clients of ALN, including Allied Physicians Group, PLLC, Bethany Medical Clinic of New York, Hoag Clinic, and National Spine and Pain Centers, LLC.

Questions? Go to www.xxx.com or call toll-free (xxx) xxx-xxxx

- ❖ **Cash Payment B – Alternate Cash:** As an alternative to Cash Payment A – Documented Losses above, a Settlement Class Member may elect to receive Cash Payment B – Alternate Cash, which is a cash payment in the *estimated* amount of \$50.00.

All Cash Payments will be subject to a *pro rata* increase or decrease depending on the amount of Valid Claims received and amount available in the Net Settlement Fund.

In addition to Cash Payment A – Documented Losses or Cash Payment B – Alternate Cash, Settlement Class Members may also elect to receive the following:

- ❖ **Medical Data Monitoring** – Settlement Class Members may also make a Claim for Medical Data Monitoring that includes one (1) year of CyEx’s Medical Shield Complete. The product includes credit monitoring with one bureau, with additional monitoring of: (a) healthcare insurance plan IDs; (b) healthcare beneficiary identifier IDs; (c) medical records; (d) national provider identifiers; (e) international classification of disease; (f) health savings accounts; (g) high risk transactions; and (h) the Dark Web. The product also provides for \$1,000,000.00 of identity theft insurance and contains real-time alerts and victim assistance.
- To submit a claim or obtain more information, visit www.XXX.com no later than <<DATE>> or call toll-free (XXX) XXX-XXXX to request a Claim Form.

Please read this Notice carefully. Your legal rights will be affected, and you have a choice to make at this time.

	Summary of Legal Rights	Deadline(s)
Submit a Claim Form	The only way to receive a Settlement Class Member Benefit from the Settlement.	Submitted or postmarked on or before <<DATE>>.
Exclude Yourself by Opting-Out of the Class	Receive no benefit from the Settlement. This is the only option that allows you to keep your right to bring any other lawsuit against Defendant ALN or the Released Parties relating to the Data Incident.	Mailed and postmarked on or before <<DATE>>.
Object to the Settlement and/or Attend the Final Approval Hearing	You can write the Court about why you agree or disagree with the Settlement or the Application for Attorneys’ Fees, Costs, and Service Awards. The Court cannot order a different Settlement. You can also ask to speak at the Final Approval Hearing on <<DATE>>, about the fairness of the Settlement, with or without your own attorney.	Mailed and postmarked on or before <<DATE>>.

Questions? Go to www.xxx.com or call toll-free (xxx) xxx-xxxx

Do Nothing	You will not receive any Settlement Class Member Benefit from this class action Settlement.	N/A
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- Your rights and options as a Settlement Class Member – **and the deadlines to exercise your rights** – are explained in this Notice.
- The Court still must decide whether to approve the Settlement. Benefits to Settlement Class Members will be made only if the Court approves the Settlement and after any possible appeals are resolved.

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Questions? Go to www.xxx.com or call toll-free (xxx) xxx-xxxx

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BASIC INFORMATION

1. Why is there a Notice?

The Court authorized this Notice because you have a right to know about the Settlement, and all of your options, before the Court decides whether to give Final Approval to the Settlement. This Notice explains the nature of the Action that is the subject of the Settlement, the general terms of the Settlement, and your legal rights and options.

The Honorable Susan M. Bazis of the United States District Court for the District of Nebraska, is overseeing this case captioned as *In re: ALN Medical Management LLC Data Incident Litigation*, Case No. 4:25-cv-03067. The people who brought the lawsuit are called the Class Representatives. The companies being sued are ALN Medical Management, LLC (or Defendant ALN), certain of its Clients, and Long View Systems Corporation (USA) (or Defendant Long View). This Settlement involves *only* Defendant ALN and its Clients. The case against Defendant Long View is ongoing.

2. What is the Action about?

The Action alleges that, between March 18, 2024, and March 24, 2024, an unauthorized actor accessed certain systems within Defendant ALN's third-party hosted environment that was hosted, supported, and managed by Defendant Long View. Defendant ALN confirmed through its investigation that there was unauthorized access and/or acquisition of certain files and folders containing its current and former patients' Private Information. That information included names, Social Security Numbers, drivers' license numbers, government-issued ID numbers (e.g., passports, state ID cards), financial information (e.g., account number, credit or debit card number), medical information, and health insurance information.

Defendant ALN denies all liability and any wrongdoing whatsoever. No Court or other judicial body has made any judgment or other determination that Defendant ALN has done anything wrong.

3. Why is this a class action?

In a class action, one or more people called "Class Representatives" or "Plaintiffs" sue on behalf of all people who have similar claims. Together, all of these people are called a "Settlement Class," and the individuals are called "Settlement Class Members." One Court resolves the issues for all Settlement Class Members, except for those who exclude themselves from the Settlement Class.

4. Why is there a Settlement?

The Court has not decided in favor of the Plaintiffs or Defendant ALN. Instead, Plaintiffs and Defendant ALN agreed to settle their litigation. Plaintiffs are continuing to litigate their case against Defendant Long View. The Settlement avoids the cost and risk of a trial and related appeals, while providing benefits to Settlement Class Members. The Class Representatives appointed to represent the Settlement Class, and the attorneys for the Settlement Class, Class Counsel, think the Settlement is fair, adequate, reasonable, and in the best interests of the Settlement Class.

Questions? Go to www.xxx.com or call toll-free (xxx) xxx-xxxx

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WHO IS IN THE SETTLEMENT?

5. How do I know if I am part of the Settlement?

You are affected by the Settlement and potentially a Settlement Class Member if you are a living individual residing in the United States who was sent a notice of the Data Incident indicating your Private Information may have been impacted in the Data Incident.

Only Settlement Class Members are eligible to receive benefits under the Settlement. Excluded from the Settlement Class are: (1) all persons who are parents, subsidiaries, directors, officers, members, and agents of Defendant ALN, and any entity in which Defendant has a controlling interest; (2) governmental entities; (3) the Judge assigned to the Action, that Judge's immediate family, and Court staff; (4) any Settlement Class Member who timely and validly requests to opt-out from the Settlement; and (5) any person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the criminal activity occurrence of the Data Incident, or who pleads *nolo contendere* to any such charge.

6. What if I am not sure whether I am included in the Settlement?

If you are not sure whether you are included in the Settlement, you may call toll-free (XXX) XXX-XXXX with questions. You may also write with questions to:

Settlement Administrator – xxxxx
c/o Kroll Settlement Administration LLC
PO Box XXX
New York, NY XXXXX

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

7. What does the Settlement provide?

The Settlement provides a \$4,000,000.00 Settlement Fund that will be used to pay: (1) all Settlement Class Member Benefits to Settlement Class Members who submit timely Valid Claims; (2) all Settlement Administration Costs; and (3) any attorneys' fees, costs, and Service Awards approved by the Court. The Settlement provides the following Settlement Class Member Benefits available to Settlement Class Members who submit Valid Claims: (a) Cash Payment A – Documented Losses up to \$5,000.00 per Settlement Class Member upon presentment of reasonable documentation; or (b) Cash Payment B – Alternate Cash *estimated* to be \$50.00; and in addition to a Cash Payment, (c) Medical Data Monitoring that includes one (1) year of CyEx's Medical Shield Complete which will provide the following benefits: one bureau credit monitoring, medical identity monitoring, real-time alerts, and insurance coverage for up to \$1,000,000.00 for medical identity theft.

8. What Settlement Class Member Benefits are available under the Settlement?

Settlement Class Members who submit a timely Valid Claim may select one of the following Cash

Questions? Go to www.xxx.com or call toll-free (xxx) xxx-xxxx

Payments:

- a) **Cash Payment A – Documented Losses:** All Settlement Class Members are eligible to submit a Claim for a Cash Payment for documented losses up to \$5,000.00 per Settlement Class Member upon presentment of reasonable documentation of losses fairly traceable to the Data Incident.
- Documented expenses include, by way of example, unreimbursed losses relating to fraud or identity theft: if (i) the loss is an actual, documented, and unreimbursed monetary loss; (ii) the loss was more likely than not caused by the Data Incident; and (iii) the loss was incurred after the date of the Data Incident.
 - To receive payment for documented losses, a Settlement Class Member must complete and submit a Claim Form and include documentation in support of the claim.
 - Except as expressly provided herein, personal certifications, declarations, or affidavits from the Settlement Class Member do not constitute proper documentation, but may be included to provide clarification, context, or support for other submitted reasonable documentation.
 - Settlement Class Members shall not be reimbursed for expenses if they have been reimbursed for the same expenses by another source, including compensation provided in connection with any credit monitoring and identity theft protection product.
 - If a Settlement Class Member does not submit documentation supporting a loss, or if the Settlement Administrator rejects for any reason the Settlement Class Member's Claim and the Settlement Class Member fails to cure the Claim, the Claim will be rejected.

OR

- b) **Cash Payment B – Alternate Cash:** As an alternative to Cash Payment A – Documented Losses above, a Settlement Class Member may elect to receive Cash Payment B – Alternate Cash, which is a cash payment in an *estimated* amount of \$50.00.

Cash Payments will be subject to a *pro rata* increase from the Net Settlement Fund in the event the amount of Valid Claims is insufficient to exhaust the entire Net Settlement Fund. Similarly, in the event the amount of Valid Claims exhausts the amount of the Net Settlement Fund, the amount of the Cash Payments will be subject to a *pro rata* decrease.

In addition to electing a Cash Payment, Settlement Class Members may also elect:

- c) **Medical Data Monitoring:** In addition to Cash Payment A – Documented Losses or Cash Payment B – Alternate Cash, Settlement Class Members may also make a claim for Medical Data Monitoring that includes one (1) year of CyEx's Medical Shield Complete. The product includes credit monitoring with one bureau, with additional monitoring of: (a) healthcare insurance plan IDs; (b) healthcare beneficiary identifier IDs; (c) medical records; (d) national provider identifiers; (e) international classification of disease; (f) health savings accounts; (g) high risk transactions; and (h) the Dark Web. The product also provides for \$1,000,000.00 of identity theft insurance and contains real-time alerts and victim assistance.

HOW DO YOU SUBMIT A CLAIM?

9. How do I get a Settlement Class Member Benefit?

Questions? Go to www.xxx.com or call toll-free (xxx) xxx-xxxx

To receive a Settlement Class Member Benefit, you must complete and submit a Claim Form online at www.XXX.com or by mail to *Settlement Administrator* – xxxxx, c/o Kroll Settlement Administration LLC, P.O. Box XXX, New York, NY XXXXX. Read the Claim Form instructions carefully, fill out the Claim Form, provide the required documentation, and submit online by XXDATEXX, 11:59 p.m. CT or by mail postmarked by XXDATEXX.

TO RECEIVE AN ELECTRONIC OR ACH PAYMENT FOR YOUR VALID CLAIM, YOU MUST FILE A CLAIM FORM ONLINE AT WWW.XXX.COM

10. When will I get my Settlement Class Member Benefit?

The Court will hold a Final Approval Hearing on XXDATEXX at [XX a./p.m.](mailto:XXa.p.m) CT to decide whether to approve the Settlement. The Final Approval Hearing may be held remotely, so please check the Settlement Website for more information. If the Court approves the Settlement, there may be appeals from that decision and resolving them can take time. It also takes time for all of the Claim Forms to be processed. Please be patient. Payments will begin after the Settlement has obtained Court approval and the time for all appeals has expired.

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

Upon the Effective Date, and in consideration of the Settlement relief and other consideration described herein, Defendant ALN and the Released Parties will fully, finally, and forever be released, acquitted, relinquished, and completely discharged from any and all Released Claims. You will not be releasing any claims you have against Defendant Long View. The Releasing Parties agree that, once this Agreement is executed, they will not, directly or indirectly, individually or in concert with another, maintain, cause to be maintained, or voluntarily assist in maintaining any further demand, action, claim, lawsuit, arbitration, or similar proceeding, in any capacity whatsoever, based on any of the Released Claims. These Releases are described in Section XIII of the Settlement Agreement, which is available at www.XXX.com. If you have any questions, you can talk to the law firms listed in Question 17 for free or you can talk to your own lawyer.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to be part of the Settlement, then you must take steps to exclude yourself from the Settlement Class. This is sometimes referred to as “opting-out” of the Settlement Class.

12. If I exclude myself, can I get a benefit from this Settlement?

No. If you exclude yourself, you will not be entitled to receive any benefits from the Settlement.

13. If I do not exclude myself, can I sue the Released Parties for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Defendant ALN and any other Released Parties for any claim that could have been or was brought relating to the Data Incident. You must exclude yourself from the Settlement to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case.

Questions? Go to www.xxx.com or call toll-free (xxx) xxx-xxxx

14. How do I exclude myself from the Settlement?

To exclude yourself, mail a request to opt-out that says you want to be excluded from the Settlement of *In re: ALN Medical Management LLC Data Incident Litigation*, Case No. 4:25-cv-03067-SMB-MDN. The opt-out request must be personally signed by the Settlement Class Member and contain: (1) the requestor's name, address, telephone number, and email address (if any); (2) the case name and number: *In re: ALN Medical Management LLC Data Incident Litigation*, Case No. 4:25-cv-03067-SMB-MDN (D. Neb.); and (3) include a statement indicating a request to opt-out of the Settlement Class. Mass or class requests to opt-out 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. Any Settlement Class Member who does not timely and validly request to opt-out shall be bound by the terms of the Agreement even if that Settlement Class Member does not submit a claim. You must **mail** your opt-out request to the Settlement Administrator **postmarked no later than <<DATE>>**, to:

Settlement Administrator – **xxxxxx**
c/o Kroll Settlement Administration LLC
P.O. Box **XXX**
New York, NY **XXXXXX**

OBJECTING TO THE SETTLEMENT

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

You can tell the Court that you do not agree with the Settlement and/or Application for Attorneys' Fees, Costs and Service Awards, or some part of it, by objecting to the Settlement. For an objection to be a valid objection under the Settlement, it must be sent to the Clerk of Court, and sent by U.S. Mail to Class Counsel, Defendant ALN's Counsel, and the Settlement Administrator at the addresses listed below, postmarked by **no later than <<DATE>>**.

Clerk of the Court	Class Counsel
Clerk of the Court Robert V. Denney Federal Building 100 Centennial Mall North Lincoln, NE 68508	Jeff Ostrow Kopelowitz Ostrow P.A. 1 West Las Olas Blvd., Suite 500 Fort Lauderdale, FL 33301 ostrow@kolawyers.com Andrew J. Shamis Shamis & Gentile, P.A. 14 NE 1st Avenue, Suite 705 Miami, FL 33132 ashamis@shamisgentile.com John J. Nelson Milberg Coleman Bryson Phillips Grossman PLLC 402 W. Broadway, Suite 1760

Questions? Go to www.xxx.com or call toll-free (xxx) xxx-xxxx

	San Diego, CA 92101 jnelson@milberg.com
Defendant ALN's Counsel	Settlement Administrator
Casie D. Collignon Sean B. Solis Baker & Hostetler LLP 1801 California Street, Suite 4400 Denver, CO 80202 ccollignon@bakerlaw.com ssolis@bakerlaw.com	Settlement Administrator – xxxxx c/o Kroll Settlement Administration LLC P.O. Box xxx New York, NY xxxxxx

For an objection to be considered by the Court, your objection must be written and must include all of the following:

- the objector's full name, mailing address, telephone number, and email address (if any);
- the case name and number: *In re: ALN Medical Management LLC Data Incident Litigation*, Case No. 4:25-cv-03067-SMB-MDN (D. Neb.);
- documentation sufficient to establish membership in the Settlement Class, such as a copy of the Postcard Notice or Email Notice the objector received;
- all grounds for the objection, accompanied by any legal support for the objection known to the objector or objector's counsel;
- the number of times the objector has objected to a class action settlement within the five years preceding the date that the objector files the objection, the caption of each case in which the objector has made such objection, and a copy of any orders related to or ruling upon the objector's prior objections that were issued by the trial and appellate courts in each listed case;
- the identity of all counsel (if any) who represent the objector, and whether they will appear at the Final Approval Hearing, including any former or current counsel 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;
- the number of times in which the objector's counsel and/or counsel'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 counsel or the firm has made such objection and a copy of any orders related to or ruling upon counsel's or the counsel's law firm's prior objections that were issued by the trial and appellate courts in each listed case in which the objector's counsel and/or counsel's law firm have objected to a class action settlement within the preceding five years;
- a list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- a statement confirming whether the objector or their counsel (if any) intends to personally appear and/or testify at the Final Approval Hearing; and
- the objector's signature (an attorney's signature is not sufficient).

Class Counsel and/or Defendant ALN's Counsel may conduct limited discovery on any objector or objector's counsel, including taking depositions and propounding written discovery.

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

Questions? Go to www.xxx.com or call toll-free (xxx) xxx-xxxx

Objecting is telling the Court that you do not like the Settlement or parts of it and why you do not think it should be approved. You can object only if you are a Settlement Class Member. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class and do not want to receive any benefit from the Settlement. If you exclude yourself, you have no basis to object because you are no longer a Settlement Class Member, and the case no longer affects you.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

Yes. The Court appointed Jeff Ostrow of Kopelowitz Ostrow P.A., Andrew Shamis of Shamis & Gentile, P.A., and John Nelson of Milberg Coleman Bryson Phillips Grossman PLLC, as Class Counsel to represent the Settlement Class in Settlement negotiations. If you want to be represented by your own lawyer, you may hire one at your own expense.

18. How will the lawyers be paid?

Class Counsel will file an Application for Attorneys' Fees, Costs and Service Awards for an award of attorneys' fees up to one-third of the Settlement Fund, plus reimbursement of costs. Any such award would compensate Class Counsel for investigating the facts, litigating the case, and negotiating the Settlement and will be the only payment to them for their efforts in achieving this Settlement and for their risk in undertaking this representation on a wholly contingent basis.

Class Counsel shall apply to the Court for Service Awards for the Class Representatives of up to \$2,500.00 each from the Settlement Fund.

Any attorneys' fees, costs and Service Award payments must be approved by the Court. The Court may award less than the amounts requested.

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing at **XX a./p.m. CT on <<DATE>>** at the United States District Court for the District of Nebraska, **XXXXXXXX, XXXXXX, Nebraska XXXXX** as ordered by the Court. At this hearing, the Court will consider whether the Settlement is fair, adequate, and reasonable. If there are timely and valid objections, the Court will consider them and will listen to people who have asked to speak at the hearing if such a request has been properly made. The Court will also rule on the Application for Attorneys' Fees, Costs, and Service Awards. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take. The hearing may be held remotely or moved to a different date or time without additional notice, so Class Counsel recommends checking the Settlement Website **www.XXXX.com**, or calling **(XXX) XXX-XXXX**.

20. Do I have to attend the hearing?

No. Class Counsel will present the Settlement to the Court. You or your own lawyer are welcome

Questions? Go to www.xxx.com or call toll-free (xxx) xxx-xxxx

to attend at your expense, but you are not required to do so. If you send an objection, you do not have to visit the Court to talk about it. As long as you filed your written objection on time with the Court and mailed it according to the instructions provided in Question 15, the Court will consider it.

21. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must file an objection according to the instructions in Question 15, including all the information required. Your objection must be mailed to the Clerk of the Court, Class Counsel, Defendant ALN's Counsel and the Settlement Administrator, at the mailing addresses listed above, postmarked by no later than **<<DATE>>**.

IF YOU DO NOTHING

22. What happens if I do nothing?

If you do nothing, you will not receive any benefits from this Settlement. If the Settlement is granted Final Approval and becomes final, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendant ALN or the other Released Parties based on any claim that could have been or that was brought relating to the Data Incident.

ADDITIONAL INFORMATION

23. How do I get more information?

This Notice summarizes the Settlement. More details are in the Settlement Agreement itself. A copy of the Settlement Agreement is available at www.XXX.com. You may also call the Settlement Administrator with questions or to receive a Claim Form at **(XXX) XXX-XXXX**.

24. What if my contact information changes or I no longer live at my address?

It is your responsibility to inform the Settlement Administrator of your updated information. You may do so at the address below, calling toll-free **(XXX) XXX-XXXX** or at the Contact page of the Settlement Website:

Settlement Administrator – **xxxxx**
c/o Kroll Settlement Administration LLC
PO Box **XXX**
New York, NY **XXXXXX**

PLEASE DO NOT CONTACT THE COURT, CLERK OF THE COURT, OR CLASS COUNSEL FOR INFORMATION ABOUT THE CLASS ACTION SETTLEMENT

Questions? Go to www.xxx.com or call toll-free (xxx) xxx-xxxx