

Exhibit D

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

In the United States District Court for the Middle District of Tennessee
In re American Addiction Centers, Inc. Data Breach Litigation, No. 3:24-cv-01505

Did you receive notice of a data incident from American Addiction Centers? You may be eligible for benefits from a class action settlement.

A Court authorized this Notice. You are not being sued. This is not a solicitation from a lawyer.

- A Settlement has been reached with American Addition Centers, Inc. (“Defendant”) in a class action related to a Data Incident that occurred on or about September 26, 2024, and which resulted in the unauthorized access to or acquisition of Settlement Class Members’ Private Information (names, addresses, phone numbers, dates of birth, medical record numbers or other identifiers, Social Security numbers, treatment information, and health insurance information). Defendant notified potentially impacted patients between November and December 2024 regarding the Data Incident. Defendant denies all of the Plaintiffs’ claims and maintains it did not do anything wrong.
- You are included in this Settlement as a Settlement Class Member if your Private Information was potentially compromised in the Data Incident, and Defendant sent you an individual notification letter to regarding the Data Incident.
- Your rights are affected whether you act or don’t act. Please read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM FORM	The only way to receive benefits from this Settlement is by submitting a valid and timely Claim Form. You can submit your Claim Form online at www.[website].com or print a Claim Form from the Settlement Website and mail it to the Settlement Administrator.	Month, __, 202X
OPT-OUT OF THE SETTLEMENT	You can choose to opt-out of the Settlement. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims resolved by this Settlement. You can elect to retain your own legal counsel at your own expense. If you opt-out, you will not be able to receive a payment and you will <u>not</u> be bound by the terms of the Settlement Agreement.	Month, __, 202X
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not opt-out of the Settlement, you may object to it by writing to the Court about why you don’t like it. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you may also file a Claim Form for benefits.	Month, __, 202X
DO NOTHING	If you do nothing, you will not get any benefits from this Settlement and you will give up the right to sue, continue to sue, or be part of another action against Defendant related to the legal claims resolved by this Settlement.	No Deadline

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement.

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BASIC INFORMATION

1. Why Was This Notice Issued?

A Court authorized this Notice because you have a right to know about the proposed Settlement of this class action and about all of your options before the Court decides whether to grant Final Approval of the Settlement. This Notice explains the Action, your legal rights, what benefits are available, and who can receive them.

The Action is captioned *In re American Addiction Centers, Inc. Data Breach Litigation*, No. 3:24-cv-01505 (United States District Court for the Middle District of Tennessee). The people who filed this Action are called the Plaintiffs and the company they sued, American Addiction Centers, Inc., is called the Defendant.

2. What Is This Action About?

This Action alleges that Defendant failed to secure and safeguard patients' Private Information including names, dates of birth, addresses, phone numbers, Social Security Numbers, medical record numbers or other identifiers, Social Security numbers, treatment information, and health insurance information. The Action further alleges that as a result of this failure, patients' Private Information was accessed by cybercriminals in a Data Incident on or about September 26, 2024, which Defendant notified patients about between November and December 2024.

Defendant denies all of the Plaintiffs' claims and maintains that it did not do anything wrong.

3. What Is a Class Action?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals who sue are known as "Class Representatives" or "Plaintiffs." Together, the people included in the class action are called a "Settlement Class" or "Settlement Class Members." One court resolves the lawsuit for all Settlement Class Members, except for those who exclude themselves (sometimes called "opting out") from a settlement. In this Action, the Class Representatives are Ethan Parker, Tracy Lee Jay, Nikolaos Skourtis, Mary Deboer, James Bouchereau, Courtney Cox, Samantha Rainey, Athena Luth, Anell Capellan, Jason Lanagan, Chris Kidder, Patricia Ellison, and Ron Prosky.

4. Why Is There a Settlement?

The Court did not decide in favor of the Plaintiffs or the Defendant. Defendant denies all claims and contends that it has not violated any laws. Plaintiffs and Defendant agreed to a Settlement to avoid the costs and risks of a trial, and, through the Settlement, Participating Settlement Class Members are eligible to claim Participating Settlement Class Member Benefits. The Plaintiffs and their attorney, who also represents the Settlement Class Members, think the Settlement is best for all Settlement Class Members.

WHO IS IN THE SETTLEMENT?

5. Who Is Included in the Settlement?

The Settlement Class consists of all persons whose Private Information was potentially compromised in the Data Incident, including all individuals to whom Defendant sent an individual notification letter regarding the Data Incident.

6. Are There Exceptions to Being Included?

Yes. Excluded from the Settlement Class are (a) all persons who are directors and officers of Defendant or its respective subsidiaries and affiliated companies; (b) governmental entities; (c) the Judge(s) assigned to the Action, the Judge's immediate family, and Court staff; and (d) any Settlement Class Member who timely and validly requests to be excluded from this Settlement.

THE PARTICIPATING SETTLEMENT CLASS MEMBER BENEFITS

7. What Can I Get from This Settlement?

If approved by the Court, Defendant will establish a \$2,750,000 Settlement Fund. After deducting court-approved attorneys' fees and costs, Service Award payments, and the Settlement Administration Costs, the balance of the Settlement Fund will be used to provide Settlement benefits to all Participating Settlement Class Members who submit Valid Claims.

Settlement Class Members may file a Claim Form to receive (1) Credit Monitoring, (2) reimbursement of documented expenses, and (3) an estimated \$50 *pro rata* cash payment.

8. Tell Me More About Credit Monitoring.

Participating Settlement Class Members may enroll in two years of Credit Monitoring and identity theft protection services. The Credit Monitoring and identity theft protection services will be provided by one of the major credit bureaus and include at least \$1,000,000 in identity theft protection insurance. This benefit is available to all Participating Settlement Class Members regardless of whether they enrolled in the credit monitoring offer included in the Data Incident notification letter sent by Defendant.

9. Tell Me More About Reimbursement of Documented Expenses.

Participating Settlement Class Members may submit a Claim for reimbursement of documented expenses and losses that are fairly traceable to the Data Incident, up \$5,000 for each Claimant. Claims for reimbursement of documented expenses and losses must be supported with third-party documentation and the expense or loss must be an actual, documented, and unreimbursed monetary expense or loss, fairly traceable the Data Incident and incurred after the first date of the Data Incident, and must not have been already covered by one or more of the other reimbursement categories or otherwise reimbursed by a third-party, including a financial institution.

Categories of reimbursable expenses include, but are not limited to, (1) losses from fraudulent transactions wherein an unauthorized individual diverted, debited, withdrew, or otherwise conducted fraudulent operations to deprive the Claimant of actual money and such money; (2) bank fees; (3) postage; (4) copying; (5) travel costs; (6) notary fees related to addressing the misuse of the Settlement Class Members' Private Information; (7) fees for credit repair services; and (8) costs for additional credit reports, credit monitoring, or other identity theft insurance products.

10. Tell Me More About the Cash Payment.

Participating Settlement Class Members may submit a Claim for an estimated \$50 *pro rata* cash payment to compensate them for their alleged privacy harm. This cash payment is in addition to any Claims for Credit Monitoring and reimbursement for document expenses. The cash payment may be increased or decreased on a *pro rata* basis.

11. What Claims Am I Releasing If I Stay in the Settlement Class?

Unless you opt-out of the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against Defendant or the Released Parties about any of the legal claims this Settlement resolves. The Release section in the Agreement describes the legal claims that you give up if you remain in the Settlement Class. The Agreement can be found at [www.\[website\].com](http://www.[website].com).

HOW TO GET SETTLEMENT BENEFITS – MAKING A CLAIM

12. How Do I Submit a Claim Form and Get Participating Settlement Class Member Benefits?

You must submit a Claim Form by **Month XX, 202X**. Claim Forms may be submitted online at [www.\[website\].com](http://www.[website].com) by 11:59 p.m. CT, or printed from the Settlement Website and mailed, postmarked by <<claims deadline>>, to the Settlement Administrator at: *In re American Addiction Centers, Inc. Data Breach Litigation*, c/o Kroll Settlement Administration LLC, **P.O. Box XXXX, New York, NY 10150-XXXX**.

13. When Will I Get the Settlement Benefits?

The short answer is after the Settlement is “finally approved” and challenges, if any, to that approval are finally resolved. The Court is scheduled to hold a Final Approval Hearing on **Month XX, 202X, at X:X0 p.m. CT**, to decide whether to approve the Settlement, how much in attorneys’ fees and costs to award Class Counsel for representing the Settlement Class, and whether to approve Service Awards to each of the Class Representatives who brought this Action on behalf of the Settlement Class.

If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them. Settlement benefits will be distributed as soon as possible, if and when the Court grants Final Approval of the Settlement and after any appeals are resolved.

THE LAWYERS REPRESENTING YOU

14. Do I Have a Lawyer in This Case?

Yes, the Court appointed J. Gerard Stranch, IV of Stranch, Jennings & Garvey, PLLC as Class Counsel to represent you and other members of the Settlement Class. You will not be charged directly for this lawyer; instead, he will receive compensation from the Settlement Fund (subject to Court approval).

If you want to be represented by your own lawyer, you may hire one at your own expense.

15. Should I Get My Own Lawyer?

It is not necessary for you to hire your own lawyer because Class Counsel works for you. If you want to be represented by your own lawyer, you may hire one at your own expense.

16. How Will the Lawyer Be Paid?

Class Counsel’s attorneys’ fees and reimbursement of costs will be paid from the Settlement Fund in an amount determined and awarded by the Court. Class Counsel will request no more than one-third (33-1/3%), or \$916,666.67, of the Settlement Fund as reasonable attorneys’ fees and as reimbursement of costs. Class Counsel will also ask the Court to approve a \$2,000 Service Award payment to each of the Class Representatives for bringing and settling the case.

EXCLUDING YOURSELF FROM THE SETTLEMENT

17. How Do I Opt-Out of the Settlement?

If you do not want to receive any benefits from the Settlement, and you want to keep your right to separately sue the Defendant about the legal issues in this case, you must take steps to exclude yourself from the Settlement Class. This is called “opting out” of the Settlement Class. The opt-out deadline to submit a request to exclude yourself from the Settlement Class is **Month XX, 202X**.

To exclude yourself from the Settlement, you must submit a written request for exclusion to the Settlement Administrator that includes the following information:

- A statement indicating that you want to be excluded from the Settlement Class, such as, “I wish to be excluded from the Settlement Class in *In re American Addiction Centers, Inc. Data Breach Litigation*, No. 3:24-cv-01505”;
- your name, current address, telephone number, and email address (if any); and
- your signature.

Your request for exclusion must be mailed to the Settlement Administrator at the address below, postmarked no later than **Month XX, 202X**.

In re American Addiction Centers, Inc. Data Breach Litigation
c/o Kroll Settlement Administration
ATTN: Exclusion Request
PO Box XXXX
New York, NY 10150-XXXX

OBJECTING TO THE SETTLEMENT

18. How Do I Tell the Court If I Do Not Like the Settlement?

If you are a Participating Settlement Class Member, you can choose (but are not required) to object to the Settlement if you do not like it or a portion of it, whether that be to the Participating Settlement Class Member Benefits, the request for attorneys’ fees and costs, the Service Award payments, the releases provided to Defendant, or some other aspect of the Settlement. Through an objection, you give reasons why you think the Court should not approve the Settlement.

For an objection to be considered by the Court, the objection must include the following:

- a. your full name, mailing address, telephone number, and email address (if any);
- b. all grounds for the objection, accompanied by any legal support for the objection known to you or your counsel;
- c. the number of times you have objected to a class action settlement within the five years preceding the date that you file your objection, the caption of each case in which you have objected, 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;
- d. the identity of all counsel who represent you, including any former or current counsel who may be entitled to compensation for any reason related to the objection to the Settlement and/or the Application for Attorneys’ Fees, Costs, and Service Awards, and whether they will appear at the Final Approval Hearing;

- e. the number of times in which your counsel and/or the your counsel's law firm have objected to a class action settlement within the five 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 on the objection issued by the trial and appellate courts in each such listed case;
- f. a list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- g. a statement confirming whether the objector intends to personally appear and/or testify at the Final Approval Hearing; and
- h. the objector's signature (an attorney's signature is not sufficient).

Objections must be filed with the Court and copies must be mailed to Class Counsel, Defendant's Counsel, and the Settlement Administrator postmarked no later than **Month XX, 202X**.

COURT	CLASS COUNSEL
Fred D. Thompson U.S. Courthouse and Federal Building 719 Church Street, Suite 1300 Nashville, TN 37203	J. Gerard Stranch, IV Grayson Wells Stranch, Jennings & Garvey, PLLC The Freedom Center 223 Rosa L. Parks Avenue, Suite 200 Nashville, TN 37203
DEFENDANT'S COUNSEL	SETTLEMENT ADMINISTRATOR
David Saunders McDermott Will & Schulte LLP 444 West Lake Street, Suite 4000 Chicago, IL 60606	<i>In re American Addiction Centers, Inc. Data Breach Litigation</i> c/o Kroll Settlement Administration ATTN: Objections PO Box XXXX New York, NY 10150-XXXX

19. What Is the Difference Between Objecting and Opting Out?

Objecting is telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from it. Excluding yourself from the Settlement means telling the Court you do not want to be part of the Settlement Class. If you exclude yourself/opt-out of the Settlement, you cannot object to it because the Settlement no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

20. When Is the Court's Final Approval Hearing?

The Court is scheduled to hold a Final Approval Hearing on **Month XX, 202X at XX:X0 p.m.** CT, in Courtroom 1225 of the United States District Court for the Middle District of Tennessee, Fred D. Thompson U.S. Courthouse and Federal Building, 719 Church Street, Suite 1300, Nashville, Tennessee 37203, to decide whether to approve the Settlement, Class Counsel's request for attorneys' fees and costs, and the Service Awards to the Class Representatives. The date and time of this hearing may change without further notice. Please check [www.\[website\].com](http://www.[website].com) for updates.

21. Do I Have to Come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense. If you file an objection, you may, but you do not have to come to the Final Approval Hearing to talk about it. If you file your written objection on time and in accordance with the requirements above, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

IF YOU DO NOTHING

22. What Happens If I Do Nothing at All?

If you are a Participating Settlement Class Member and you do nothing, you will give up your right to start a lawsuit, continue a lawsuit, or be part of any other lawsuit against the Defendant and the Released Parties, as defined in the Agreement, about the legal issues resolved by this Settlement. In addition, you will be bound by the Releases in the Settlement and not be eligible to receive any Participating Settlement Class Member Benefits.

GETTING MORE INFORMATION

23. How Do I Get More Information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Agreement. The Agreement and other related documents are available at the Settlement Website, [www.\[website\].com](http://www.[website].com).

If you have additional questions or need to update your address, you may contact the Settlement Administrator by phone, or mail at (XXX) XXX-XXXX or *In re American Addiction Centers, Inc. Data Breach Litigation*, c/o Kroll Settlement Administration, PO Box XXXX, New York, NY 10150-XXXX.

PLEASE DO NOT CONTACT THE COURT OR DEFENDANT.