

Exhibit D

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

United States District Court for the Northern District of Georgia, Atlanta Division
In re ApolloMD Data Breach Litigation, Case No.: 1:25-cv-05439-SEG

Were you notified that your Private Information may have been potentially compromised by a Data Incident at ApolloMD? You may be eligible for benefits from a class action Settlement.

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

- A Settlement has been reached with ApolloMD Business Services LLC (“ApolloMD” or “Defendant”) in a class action lawsuit about a data security incident on or around May 22, 2025, in which an unauthorized third party may have accessed and/or acquired files containing Private Information of patients treated by the Defendant’s affiliated physicians and practices (the “Data Incident”). The Defendant denies these claims and maintains that it did not do anything wrong.
- You are included in this Settlement as a Settlement Class Member if you were sent a notice of the Data Incident, indicating your Private Information may have been impacted in the Data Incident.
- Under the proposed Settlement, the Defendant will pay \$4,020,000 into a Settlement Fund to resolve the case. The Settlement Fund will provide Cash Payments and Medical Data Monitoring for Settlement Class Members who submit Valid Claims, as well as Settlement Administration Costs and Attorneys’ Fees and Costs awarded by the Court.

Your rights are affected whether you do or do not act. Please read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM FORM	The only way to receive Settlement Class Member Benefits is to submit a valid and timely Claim Form.	Month __, 2026
OPT OUT OF THE SETTLEMENT	If you opt out, you will not be bound by the terms of the Settlement and you keep the right to sue the Defendant about the claims resolved by this Settlement. If you opt out, you will not receive any Settlement Class Member Benefits.	Month __, 2026
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not opt out of the Settlement, you may object to it and tell the Court what you do not like about it. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you can still submit a Claim Form for Settlement Class Member Benefits.	Month __, 2026
DO NOTHING	If you do nothing, you will not receive any Settlement Class Member Benefits and you give up the right to sue the Defendant about the 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 must 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 lawsuit 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 called *In re ApolloMD Data Breach Litigation*, Case No.: 1:25-cv-05439-SEG pending in the United States District Court for the Northern District of Georgia, Atlanta Division. The people who filed this Action are called the “Plaintiffs” and the company they sued, ApolloMD Business Services LLC (“ApolloMD”), is called the “Defendant.”

2. What is this Action about?

On or about May 22, 2025, the Defendant was alerted to unusual activity in its information technology network. Upon investigation, the Defendant learned that between May 22, 2025, and May 23, 2025, an unauthorized third party may have accessed and/or acquired files containing Private Information of patients treated by the Defendant’s affiliated physicians and practices (the “Data Incident”). Private Information means some combination of the following: names, dates of birth, addresses, diagnosis information, provider names, dates of service, treatment information, health insurance information, and Social Security numbers. For a list of the Affiliated Healthcare Providers, please see Addendum A to the Settlement Agreement. Defendant caused notice to be sent to individuals whose Private Information may have been impacted in the Data Incident in two waves—the first wave was mailed beginning on September 17, 2025 and the second wave in March 2026. The Complaint alleges claims of negligence and breach of implied contract, among others. The 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 Lee Flint, Shawanna Townsend, Paul Brini, Cathy O’Donnell, Cynthia Hall, Sarah Inman, Evelyn Adams, Lauren McEntee, Pamela Govan, Dominique Williams, and Carita Matthes.

4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiffs or the Defendant. The Defendant denies all claims and contends that it has not violated any laws. The Plaintiffs and the Defendant agreed to a Settlement to avoid the costs and risks of a trial, and, through the Settlement, Settlement Class Members are eligible to claim benefits. The Plaintiffs and their attorneys, who also represent Settlement Class Members as “Class Counsel,” 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 individuals residing in the United States who were sent notice that their Private Information may have been impacted by the Data Incident.

6. Are there exceptions to being included?

Yes. Excluded from the Settlement Class are: the Defendant and the Defendant's parents, subsidiaries, affiliates, officers and directors, and any entity in which Defendant has a controlling interest; all individuals who timely and properly opt out of the Settlement; any and all federal, state, or local governments, including but not limited to their departments, agencies, divisions, bureaus, boards, sections, groups, counsels, and/or subdivisions; all judges assigned to hear any aspect of this litigation, as well as their immediate family members; and any person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding, or abetting any criminal activity related to the Data Incident, or who pleads *nolo contendere* to any such charge.

THE SETTLEMENT CLASS MEMBER BENEFITS

7. What can I get from this Settlement?

Under the proposed Settlement, the Defendant will pay \$4,020,000 into a Settlement Fund to resolve the Action. The Settlement Fund will provide Cash Payments and Medical Data Monitoring for Settlement Class Members who submit Valid Claims, as well as Settlement Administration Costs and Attorneys' Fees and Costs awarded by the Court.

Settlement Class Members may choose to receive either Cash Payment A or Cash Payment B:

- (1) **Cash Payment A - Documented Losses:** Reimbursement of up to \$5,000 for reasonable documented losses from fraud and/or identity theft related to the Data Incident; or
- (2) **Cash Payment B - Alternate Cash:** An alternate cash payment estimated at \$75.

In addition to Cash Payment A and Cash Payment B, Settlement Class Members may also make a claim for one (1) year of **Medical Data Monitoring**.

8. Tell me more about Cash Payment A - Documented Losses.

Settlement Class Members may submit a claim of up to \$5,000 for extraordinary documented losses from fraud and/or identity theft related to the Data Incident. Reasonable third-party documentation must be provided.

Examples of reasonable third-party documentation include, but are not limited to, telephone records, correspondence (including emails), and receipts. Personal certifications, declarations, or affidavits from the Settlement Class Member do not constitute reasonable documentation, but may be included to provide clarification, context, or support for other submitted reasonable documentation. If you do not submit reasonable documentation or your claim for Cash Payment A is rejected by the Settlement Administrator for any reason, and you fail to cure your claim for Documented Losses, it will be rejected and become a claim for Cash Payment B.

9. Tell me more about Cash Payment B - Alternate Cash.

As an alternative to Cash Payment A, Settlement Class Members may submit a claim to receive a cash payment estimated to be \$75 (Cash Payment B). This payment amount may be adjusted on a *pro rata* (proportional) basis (see Question 11). No documentation is required to submit a claim for Cash Payment B.

10. Tell me more about the Medical Data Monitoring.

In addition to Cash Payment A or Cash Payment B, Settlement Class Members may also submit a claim for Medical Data Monitoring that will include one (1) year of CyEx’s medical data monitoring product that will include: real time monitoring of the credit file with one credit bureau; dark web scanning with immediate notification of potential unauthorized use; security freezing assistance; victim assistance; \$1,000,000 in identity theft insurance with no deductible; and access to fraud resolution agents to help investigate and resolve instances of identity theft. No documentation is required to submit a claim for Medical Data Monitoring.

11. How will Cash Payments be calculated?

All Cash Payments will be subject to a *pro rata* (proportional) adjustment based on the amount of Valid Claims filed and the amount of money left in the Settlement Fund after all Settlement Administration Costs and Attorneys’ Fees and Costs awarded by the Court are paid (the “Net Settlement Fund”). Valid Claims for Settlement Class Member Benefits will be calculated and distributed from the Net Settlement Fund in the following order: Medical Data Monitoring Services, Cash Payment A – Documented Losses, and Cash Payment B – Alternate Cash.

12. 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 the Defendant or Released Parties about any of the legal claims this Settlement resolves. The Releases section in the Settlement Agreement describes the legal claims that you give up if you remain in the Settlement Class. The Settlement Agreement can be found at [www.\[website\].com](http://www.[website].com).

HOW TO GET SETTLEMENT CLASS MEMBER BENEFITS – MAKING A CLAIM

13. How do I submit a Claim Form to get Settlement Class Member Benefits?

To receive Settlement Class Member Benefits, you must submit a Claim Form, with any necessary documentation, online by **11:59 p.m. ET on Month XX, 2026** at [www.\[website\].com](http://www.[website].com), or by mail, postmarked by **Month XX, 2026**, to:

In re ApolloMD Data Breach Litigation
c/o Kroll Settlement Administration LLC
P.O. Box XXXX
New York, NY 10150-XXXX

Claim Forms are available on the Settlement Website or by calling **(XXX) XXX-XXXX**.

14. When will I get my Settlement Class Member Benefits?

The short answer is – after the Settlement is “finally approved” and any challenges to that approval are finally resolved. The Court is scheduled to hold a Final Approval Hearing on **Month XX, 2026, at X:X0 x.m. ET**, to decide whether to approve the Settlement and the Application for Attorneys’ Fees and Costs for Class Counsel for representing 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 Class Member 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

15. Do I have a lawyer in this case?

Yes, the Court appointed Jeff Ostrow of Kopelowitz Ostrow P.A. and Casandra Turner of Milberg PLLC as Class Counsel. You will not be charged directly for these lawyers; instead, they will be paid out of 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.

16. 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.

17. How will the lawyers be paid?

Class Counsel will ask the Court to approve attorneys' fees of up to thirty-three (33) percent of the Settlement Fund (\$1,340,000), plus reimbursement of costs. If approved, these amounts will be paid from the Settlement Fund before making payments to Settlement Class Members who submit Valid Claims.

EXCLUDE YOURSELF FROM THE SETTLEMENT

18. 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 deadline to opt out of the Settlement by submitting an "opt-out request" is **Month XX, 2026**.

To exclude yourself from the Settlement, you must submit a written opt-out request that includes:

- Your name, address, telephone number, and email address (if any);
- A statement indicating that you want to be excluded from the Settlement Class, such as, "I hereby request to be excluded from the proposed Settlement Class in *In re ApolloMD Data Breach Litigation*, Case No.: 1:25-cv-05439-SEG"; and
- Your personal signature.

All opt-out requests must be mailed to the Settlement Administrator at the address below, postmarked on or before, **Month XX, 2026**.

In re ApolloMD Data Breach Litigation
c/o Kroll Settlement Administration LLC
ATTN: Opt-Out Request
P.O. Box **XXXX**
New York, NY 10150-**XXXX**

OBJECT TO THE SETTLEMENT

19. How do I tell the Court if I do not like the Settlement?

If you are a 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 Settlement Class Member Benefits, the Application for Attorneys’ Fees and Costs, the Releases provided to the Defendant, or some other aspect of the Settlement. Through an objection, you give reasons why you think the Court should not approve the Settlement. Objections must be submitted in writing and must include:

- Your full name, mailing address, telephone number, and email address (if any);
- All grounds for the objection, accompanied by any legal support for the objection known to you or your counsel;
- The identity of all counsel representing you (if any), 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 and Costs;
- A list, including case name, court, and docket number, of all other cases in which you and/or your counsel and/or your counsel’s law firm have filed an objection to any proposed class action settlement in the past five (5) years, as well as a copy of any orders or rulings related to the prior objections that were issued by the trial and appellate courts in each listed case;
- A list of all persons who will be called to testify at the Final Approval Hearing in support of your objection (if any);
- A statement whether you and/or your counsel will appear at the Final Approval Hearing; and
- Your signature (an attorney’s signature is not sufficient).

Objections must be filed with the Court no later than **Month XX, 2026**.

2321 Richard B. Russell Federal Building and United States Courthouse
75 Ted Turner Drive, SW
Atlanta, GA 30303-3309

A copy of your objection also must be mailed to Class Counsel, Defendant’s Counsel, and the Settlement Administrator at the addresses below, postmarked no later than **Month XX, 2026**.

CLASS COUNSEL	DEFENDANT’S COUNSEL	SETTLEMENT ADMINISTRATOR
Jeff Ostrow Kopelowitz Ostrow P.A. 1 West Las Olas Blvd. Suite 500 Fort Lauderdale, FL 33301 Casondra Turner Milberg, PLLC 260 Peachtree St. NW Suite 2200 Atlanta, GA 30303	Christopher A. Weich Baker & Hostetler LLP 1170 Peachtree St. Suite 2400 Atlanta, GA 30309	<i>In re ApolloMD Data Breach Litigation</i> c/o Kroll Settlement Administration LLC ATTN: Objections P.O. Box XXXX New York, NY 10150- XXXX

20. 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. If you exclude yourself or opt out of the Settlement, you cannot object to it because the Settlement no longer affects you.

THE COURT’S FINAL APPROVAL HEARING

21. When is the Court’s Final Approval Hearing?

The Court is scheduled to hold a Final Approval Hearing on **Month XX, 2026 at XX:X0 x.m. ET**, at the Richard B. Russell Federal Building and Courthouse, 75 Ted Turner Drive, SW, Atlanta, GA 30303-3309, Room 2321, to decide whether to approve the Settlement and Class Counsel’s Application for Attorneys’ Fees and Costs. The date and time of this hearing may change without further notice. Please check [www.\[website\].com](http://www.[website].com) for updates.

22. 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

23. What happens if I do nothing at all?

If you are a 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 Settlement Agreement, about the legal issues resolved by this Settlement. In addition, you will be bound by the Releases in the Settlement Agreement and will not be eligible to receive any Settlement Class Member Benefits.

GETTING MORE INFORMATION

24. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement 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 toll free at **(XXX) XXX-XXXX** or by mail at *In re ApolloMD Data Breach Litigation*, c/o Kroll Settlement Administration LLC, P.O. Box **XXXX**, New York, NY 10150-**XXXX**.