

Exhibit D

To:
From:
Subject:

Did you log into dulyhealthandcare.com between July 24, 2020, and April 10, 2023? You may be eligible for a payment from a \$1.88 million class action settlement.

A settlement has been reached with Midwest Physician Administrative Services, LLC d/b/a Duly Health and Care (“Defendant” or “Duly”) in a class action lawsuit about whether it violated the Electronic Communications Privacy Act and was negligent when it installed a Meta tracking pixel on the portion of the website that individuals used to log into using their Duly MyChart credentials to schedule appointments between July 24, 2020, and April 10, 2023 without users’ knowledge or consent. Defendant denies all Plaintiffs’ claims and maintains that it did not do anything wrong.

Am I included? You are receiving this Notice because Defendant’s records identify you are included in the Settlement Class. The Settlement Class consists of all natural persons who logged into the authenticated portion of Duly’s website, <https://www.dulyhealthandcare.com/>, from July 24, 2020 to April 10, 2023.

What does the settlement provide? If approved by the Court, Defendant will establish a Settlement Fund of \$1,880,000. After deducting court-approved attorneys’ fees, costs, and expenses, service award payments, and the costs of administering the settlement, the balance of the Settlement Fund will be used to pay all valid Claims submitted by Settlement Class Members.

How do I get the settlement benefits? You must file a Claim Form online at [www.\[website\].com](http://www.[website].com), or print a Claim Form from the Settlement Website and mail it to the address on the form by **Month XX, 202X**.

What are my other options? If you do nothing, you will not receive a settlement payment, you will remain a member of the Settlement Class and you will give up your rights to sue Defendant for the claims resolved by this settlement. If you do not want a settlement payment but you want to keep your right to sue Defendant for the claims resolved by this settlement, you must opt out of the settlement. If you do not opt out of the settlement, you may object to it and ask the Court for permission to speak at the Final Approval Hearing. The deadline to opt out of the settlement or object to it is **Month XX, 202X**.

The Court’s Final Approval Hearing. The Court will hold a hearing on **Month XX, 202X** to decide whether to approve the settlement, up to 33% of the Settlement Fund in attorneys’ fees plus up to \$25,000 in costs and expenses, and \$2,500 payments to the Class Representatives. If approved, these amounts will be deducted from the Settlement Fund before making payments to Settlement Class Members who submit valid Claim Forms. You or your lawyer may attend the hearing at your own expense.

Want more information? Visit [www.\[website\].com](http://www.[website].com) for complete details about the settlement and how to act on your rights and options. You may also call **(xxx) xxx-xxxx** for more information.