

LEGAL NOTICE BY ORDER OF THE COURT

YOU MAY BE ENTITLED TO A REFUND IF:

YOU ARE A NEW JERSEY ATTORNEY WHO BETWEEN JANUARY 1, 2017 AND MARCH 1, 2020:

- a. Was authorized by their clients to request copies of that client's New Jersey hospital records;
- b. Downloaded copies of such client hospital records electronically via the internet from MRO using the PDF E-Delivery system;
- c. Paid a fee to MRO for such records;
- d. Were not reimbursed for that payment by the client or through a recovery for such costs and will not be entitled to future reimbursement; and
- e. Are not an employee, officer or owner of either MRO or DeNittis Osefchen Prince, P.C.

WHAT IS THIS NOTICE ABOUT? A class action lawsuit, captioned Richard P. Console, JR., P.C. v. Medical Records Online Inc., Docket No. CAM-L-2133-18 was filed in the Superior Court of New Jersey, Camden County, on behalf of all New Jersey attorneys who, between January 1, 2017 and March 1, 2020, purchased copies of their clients' electronically-stored and transmitted New Jersey medical records via online portal access from MRO. The complaint alleges that MRO had a uniform policy of charging fees for such medical records stored and transmitted electronically via online portal access which exceeded the limits set forth in N.J.A.C. 8:43G-15.3(d). MRO denies any wrongdoing and denies the claims and allegations asserted by Plaintiff. The parties nevertheless have agreed to settle the lawsuit.

WHY SHOULD I READ THIS NOTICE? You may be a member of the class. This is a class action lawsuit that the parties have proposed to settle. If the proposed settlement is approved by the Court, your legal rights may be affected. This notice describes what the lawsuit is about, explains the terms of the proposed settlement, tells you who would be covered and what legal claims would be resolved by the settlement if the Court approves it, and explains how class members can obtain benefits under the settlement.

AM I COVERED BY THIS CLASS ACTION LAWSUIT AND THE PROPOSED SETTLEMENT? You will be a member of the class if you are a New Jersey attorney or law firm who, between January 1, 2017 and March 1, 2020, were authorized by your client to request copies of that client's New Jersey hospital records; downloaded copies of such client hospital records electronically via the internet from MRO using the PDF E-Delivery system; paid a fee to MRO for such records; and were not reimbursed for that payment by the client or through a recovery for such costs; as long as you are not an employee, officer or owner of either MRO or DeNittis Osefchen Prince, P.C. You can obtain more information about the proposed class and/or settlement by visiting administrator's website at www.MROSettlement.com.

WHAT ARE THE TERMS OF THE SETTLEMENT? The proposed settlement provides class members who submit a valid timely claim to receive a refund of all amounts paid in excess of \$10 for each set of New Jersey hospital records relating to your client which you purchased from MRO via the e-delivery portal between January 1, 2017 and March 1, 2020. All claims are subject to the settlement cap of \$200,000. If the total amount of valid claims exceeds \$200,000, valid claims shall be paid on a pro rata basis.

Class counsel will seek Court approval of a \$3,000 incentive award to the named plaintiff. This incentive award will be paid from the settlement fund. MRO has agreed not to oppose this incentive award request. Class Counsel will also seek and an award of attorney's fees and costs in amount of \$175,000. This attorney fee award is subject to Court approval. This attorney fee payment shall not come from the class settlement funds and, instead will be paid separately by MRO. Thus, the attorney's fees will not reduce the recovery of any class member.

The foregoing is a summary of the basic settlement terms. The full settlement is set forth in a Settlement Agreement that can be viewed at www.MROSettlement.com.

WHAT ARE MY RIGHTS? If you are a member of the class and wish to participate in the settlement, you need to complete and submit a claim form on or before **January 28, 2021**.

If you are a member of the class and you do NOT want to remain part of the class, you may exclude yourself ("opt-out"). To opt-out, you must mail a written request, postage pre-paid, to class counsel at Stephen DeNittis at DeNittis Osefchen Prince, P.C., Suite 410, 525 Route 73 N., Marlton New Jersey 08057, and Defendant's Counsel, Lisa J. Rodriguez, Schnader Harrison Segal & Lewis LLP, Woodland Falls Corporate Park 220 Lake Drive East Suite 200, Cherry Hill NJ 08002. The request must be post-marked on or before **January 19, 2021**, and contain: the name of the lawsuit; your full name, current address and phone number; your signature; and a specific statement of your intention to exclude yourself from the Settlement Class and any judgment entered pursuant to the proposed Settlement. If you do not opt-out as instructed above, you will be automatically included and bound by any determination of the Court, whether favorable or not, and any claim of yours will be ended by judgment.

You may also file a motion with the Court for permission to intervene in this lawsuit if you wish. You do not have to intervene. If you do not intervene in this case or exclude yourself from the class, your interests will be represented by class counsel.

You may object to the proposed settlement if you wish. Any objection to the settlement must be sent to the addresses listed above and postmarked no later than **January 19, 2021**. Any objection should contain the name of this lawsuit; your full name, current address and telephone number; your signature; proof of your membership in the class; and the specific reason(s) for your objection.

On January 29, 2021 at 9:00 a.m. in the Camden County Hall of Justice, 101 South 5th Street, Camden, NJ, the Honorable Sherri L. Schweitzer, J.S.C., will hold a public hearing to determine whether the proposed settlement is fair, adequate, and reasonable and should be approved. Class members who support the proposed settlement do not need to appear at the hearing or take any other action to indicate their approval. Class members who object to the proposed settlement are not required to attend the settlement hearing. If you want to be heard orally in opposition to the settlement, either personally or through counsel, you must indicate your intention to appear at the hearing in your written objection.

HOW DO I GET MORE INFORMATION? Claim forms and further information about the settlement can be obtained by visiting the following website address: www.MROSettlement.com.

**PLEASE DO NOT WRITE OR TELEPHONE THE COURT FOR INFORMATION
ABOUT THE PROPOSED SETTLEMENT OR THIS LAWSUIT.**

Dated: October 30, 2020