

Notice of Sincera Reproductive Medicine Data Breach Class Action Settlement

If you received notice from Sincera Reproductive Medicine that your personal information was potentially compromised in the 2020 Data Incident, you could get a payment from a class action settlement.

A federal court has authorized this Notice. This is not a solicitation from a lawyer.

Please read this Notice carefully and completely; your legal rights are affected whether you act or don't act.

THIS NOTICE MAY AFFECT YOUR RIGHTS. PLEASE READ IT CAREFULLY.

- A Settlement has been proposed in a class action lawsuit against Sincera Reproductive Medicine, formerly known as and operating as Abington Reproductive Medicine, P.C., also known as Regional Womens Health Group, LLC (“Defendant” or “Sincera”). The Settlement resolves claims brought by patients’ impacted by the data incident which occurred between August 10, 2020 and September 13, 2020 and resulted in the potential compromise of patients' Personal Identifying Information (“PII”) and Protected Health Information (“PHI”) (the “Data Incident”).
- You may be eligible to receive a Cash Payment of \$150 plus reimbursement for documented out-of-pocket expenses (maximum combined payment of \$2,000) from the proposed Settlement. To receive a payment, you must complete and submit a Claim Form.
- Please read this Notice carefully. Your legal rights will be affected, and you have a choice to make now.

Summary of Your Legal Rights and Options		Deadline
SUBMIT A CLAIM FORM	The only way to get a payment.	Online or Postmarked by July 24, 2023.
EXCLUDE YOURSELF BY OPTING OUT	Get no payment. Keep your right to file your own lawsuit against Sincera for the same claims resolved by this Settlement.	Postmarked by June 23, 2023.
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	Tell the Court the reasons why you do not believe the Settlement should be approved. You can also ask to speak to the Court at the hearing on September 6, 2023 about the fairness of the Settlement, with or without your own attorney.	Received by June 23, 2023.
DO NOTHING	Get no payment and be bound by the terms of the Settlement.	

- 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. Payments will be made if the Court approves the Settlement after any appeals are resolved.

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BASIC INFORMATION

1. Why did I receive notice?

You received notice because you have been identified as a person who previously received a notice from Sincera in or around May 2021 that your PII and/or PHI may have been accessed or exposed during the Data Incident. A group of similarly-situated individuals brought a proposed class action lawsuit against Sincera in 2021, alleging that Sincera was negligent due to its data security practices. Sincera denied the allegations and denied that it would be found liable. The parties have now reached a proposed Settlement of the lawsuit.

A court authorized this Notice because you have a right to know about your rights under the proposed class action Settlement before the Court decides whether to approve the Settlement. If the Court approves the Settlement, and after objections and appeals are resolved, a Settlement Administrator appointed by the Court will make the payments that the Settlement allows, and the pending legal claims against Sincera will be released and dismissed.

This package explains the lawsuit, the Settlement, your rights, what benefits are available, who is eligible for them, and how to get them. Judge Joel H. Slomsky of the United States District Court for the Eastern District of Pennsylvania is in charge of this case. The case is *Opris, et al. v. Sincera Reproductive Medicine*, No. 2:21-cv-03072-JHS (E.D. Pa.).

2. What is this lawsuit about?

This matter is a putative class action (the “Litigation”) arising from a Data Incident whereby a cybercriminal gained unauthorized access to Sincera’s data environment between August 10, 2020 and September 13, 2020, resulting in potential access to certain protected health information and personal identifying information. The lawsuit asserts common law and statutory claims against Sincera for alleged negligent data security practices.

Defendant denies any allegation of wrongdoing and denies that Plaintiffs would prevail or be entitled to any relief should this matter proceed to be litigated.

3. What is a class action?

In a class action, one or more people called “Class Representatives” sue on behalf of themselves and other people who have similar claims. This group of people is called the “Class,” and the people in the Class are called “Settlement Class Members” or the “Settlement Class.” One court resolves the issues for all Settlement Class Members, except for people who exclude themselves from the Class. The people who sued are called the Plaintiffs. The entity they sued—Sincera—is called the Defendant.

4. Why is there a Settlement?

The Court did not decide in favor of Plaintiffs or Defendant. Instead, both sides agreed to a Settlement. That way, they avoid the costs and risks of a trial, and Settlement Class Members can get benefits or compensation. The Class Representatives and Class Counsel think the Settlement is in the best interest of the Settlement Class.

WHO IS IN THE SETTLEMENT

5. Who is in the Settlement?

The Settlement Class is defined as: “All Persons residing in the United States who received notice from Sincera that their information was involved in the Data Incident.”

6. Are there exceptions to being included?

Yes, the following are not included in the Settlement Class: (a) officers, directors, trustees, and employees of the Defendant; (b) all judges and their staffs assigned to this case and any members of their immediate families; (c) the mediator; (d) experts retained in this Litigation by the Parties; (e) the Parties’ counsel in this Litigation; and (f) anyone who timely requests to be excluded from the Settlement.

7. What should I do if I'm not sure whether I am included?

If you are not sure whether you are included in the Settlement Class, you can ask for free help by calling the Settlement Administrator at 1-855-663-1852 or, you can visit www.SinceraSettlement.com for more information.

THE SETTLEMENT BENEFITS

8. What does the Settlement provide?

Under the Settlement, Sincera will pay for all valid claims made by Settlement Class Members, subject to a cap of \$1,200,000, inclusive of class relief, notice and administration costs, service awards, and attorneys' fees and costs. In no event shall Sincera pay less than \$800,000 or more than \$1,200,000. If the total cost of the Settlement is less than \$800,000, approved claims will be increased, *pro rata*, to reach \$800,000. If the total cost of the Settlement is more than \$1,200,000, approved claims will be decreased, *pro rata*, to reach \$1,200,000.

9. What can I get from the Settlement?

Settlement Class Members may file a claim for one or more of the following settlement benefits.

Cash Payment: Settlement Class Members may file a claim to receive a \$150 Cash Payment. Settlement Class Members will be required to attest that they believe they suffered harm associated with the Data Incident, including but not limited to: time spent dealing with the Data Incident; loss of confidences; loss of their PII/PHI; and/or emotional distress.

Out-of-Pocket Expenses: Settlement Class Members may also file a claim for reimbursement for out-of-pocket expenses of up to \$2,000 (inclusive of the \$150 Cash Payment) that are reasonably traceable to the Data Incident. Settlement Class Members will be required to provide documentation, and affirm under penalty of perjury their belief that the claimed out-of-pocket expenses are due to the Data Incident.

10. What am I giving up if I stay in the Class?

If you are a Settlement Class Member and you do not exclude yourself from the Settlement, you will give up your right to sue, continue to sue, or be part of any other lawsuit against Defendant or other released parties concerning the claims released by this Settlement. The "Releases" section in the Settlement Agreement describes the legal claims that you give up if you remain in the Settlement Class. The entire text of the Settlement Agreement can be viewed at www.SinceraSettlement.com.

HOW TO GET A PAYMENT – MAKING A CLAIM

11. How can I get a payment?

You must complete and submit a Claim Form by July 24, 2023. Claim Forms may be submitted online at www.SinceraSettlement.com or printed from the website and mailed to the address on the form.

Be sure to read the Claim Form instructions carefully, include all required information, and your signature.

The Settlement Administrator will review your claim to determine the validity and amount of your payment.

12. How much will my payment be?

The amount of your payment will depend on the approved amount of your claim and the total value of all approved claims.

If you are claiming out-of-pocket Expenses under the Settlement, you must describe the expenses, their amount, and when and why you incurred them. If your claim is for expenses related to a credit freeze, credit monitoring, identity theft protection, similar services or other expenditure, you must also attest that you incurred those losses in response to the Data Incident in this case.

Your claim must be reasonably documented—you must enclose or upload documentation sufficient to show (a) the amount of unreimbursed loss that you suffered, and (b) why you believe that the loss is reasonably attributable to the Data Incident in the case. Documents for financial expenses may include credit card or bank statements, emails, invoices, receipts, or telephone records, including photographs of the same. Personal statements or declarations are not considered reasonable documentation, but they may be used to provide clarification, context, or support for other documentation.

13. When will I get my payment?

The Court will hold a hearing on September 6, 2023 at 10:00 a.m., to decide whether to approve the Settlement. Payments will be made after the Settlement is approved and becomes final (meaning there is no appeal from the order approving the Settlement). Updates regarding the Settlement will be posted on the Settlement Website, www.SinceraSettlement.com.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in this case?

The Court appointed Kenneth J. Grunfeld of the law firm Golomb Spirt Grunfeld, P.C. and Kelly K. Iverson and Patrick D. Donathen of the law firm Lynch Carpenter, LLP as attorneys to represent the Settlement Class. These lawyers are called Class Counsel. You will not be charged for their services.

15. Should I get my own lawyer?

If you want your own lawyer, you may hire one, but you will be responsible for any payment for that lawyer's services. For example, you can ask your own lawyer to appear in court for you if you want someone other than Class Counsel to speak for you. You may also appear for yourself without a lawyer.

16. How will the lawyers be paid?

The attorneys representing the Class have not yet received any payment for their legal services or any reimbursement of the costs or out-of-pocket expenses they have incurred. Class Counsel plans to ask the Court to award attorneys' fees, costs, and expenses from the Total Settlement Compensation, as defined by the Settlement Agreement, not to exceed one-third the Total Settlement Compensation of \$1,200,000.00. Sincera has agreed not to object to these requests.

The Settlement Class is represented by five named individuals (the "Class Representatives"). In addition to the benefits that the Class Representatives will receive as members of the Settlement Class—and subject to the approval of the Court—Sincera has agreed to pay service awards to collectively not exceed \$8,000 to the Settlement Class Representatives for the efforts they have expended on behalf of the Settlement Class.

The Court will determine whether to approve the amount of fees and costs and expenses requested by Class Counsel and the proposed service awards to the Class Representatives. Class Counsel will file an application for fees, expenses, and service awards no later than June 9, 2023. The application will be available on the Settlement Website, www.SinceraSettlement.com, or you can request a copy by contacting the Settlement Administrator.

EXCLUDING YOURSELF FROM THE SETTLEMENT

17. How do I get out of the Settlement?

If you are a Settlement Class Member and you do not want the benefits from the Settlement, and you want to keep your right, if any, to sue Defendant on your own about the legal issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself from—or "opting out" of—the Settlement Class.

You may opt out of the Settlement by June 23, 2023. To opt out, you must send a letter or postcard via U.S. Mail to the address below. You must include the following in your letter or postcard:

- The name of this Litigation, or a decipherable approximation (*Opris, et al. v. Sincera Reproductive Medicine*, United States District Court for the Eastern District of Pennsylvania, No. 2:21-cv-03072-JHS);
- Your full name, address, telephone number, and signature;
- The words “Requests for Exclusion” at the top of the document or a statement that you want to opt out of the Settlement; and
- If you are filing a request for exclusion on behalf of an incapacitated or deceased Settlement Class Member for whom you are legally authorized to act, you must include your name, address, phone number, signature, and relationship to the Settlement Class Member, as well as that person’s name and address.

You must mail your opt-out request via First-Class postage prepaid U.S. Mail, postmarked no later than June 23, 2023 to:

SI9 Settlement Administrator
P.O. Box 8060
San Rafael, CA 94912-8060

If you fail to include the required information, your request will be deemed invalid and you will remain a Settlement Class Member and be bound by the Settlement, including all releases.

18. If I am a Settlement Class Member and don’t opt out, can I sue the Defendant for the same thing later?

No. You must opt out of the Settlement to keep your right to sue Defendant or other released parties for any of the claims resolved by the Settlement.

19. What happens if I opt out?

If you opt out of the Settlement, you will not have any rights as a member of the Settlement Class. You will not receive a payment as part of the Settlement. You will not be bound by the Settlement, releases, or by any further orders or judgments in this case. You will keep the right, if any, to sue based on the claims alleged in the case at your own expense.

In addition, if you opt out of the Settlement, you cannot object to this Settlement because the Settlement no longer affects you. If you object to the Settlement and request to exclude yourself, your objection will be voided and you will be deemed to have excluded yourself.

COMMENTING ON OR OBJECTING TO THE SETTLEMENT

20. How do I tell the Court I don’t like the Settlement?

If you are a Settlement Class Member and you do not opt out of the Settlement, you can object to the Settlement if you do not think it is fair, reasonable, or adequate. You can give reasons why you think the Court should not approve it. You can’t ask the Court to change or order a different settlement; the Court can only approve or deny this Settlement. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object.

You may object to any part of the proposed Settlement in writing. You may also appear at the Fairness Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for paying that attorney.

Your objection must be in writing and must:

- Clearly identify the case name and number (*Opris, et al. v. Sincera Reproductive Medicine*, United States District Court, Eastern District of Pennsylvania, No. 2:21-cv-03072-JHS);
- Include your full name, address, telephone number, and email address;

- Include the full name, address, telephone number, and email address of your counsel (if you are represented by counsel);
- State whether the objection applies only to you, to a specific subset of the Class, or to the entire Class, and also state with specificity the grounds for the objection;
- Confirm whether you intend to personally appear and/or testify at the Fairness Hearing and if so, whether you are or will be represented by counsel; and
- Provide your signature and the signature of your duly authorized counsel or other duly-authorized representative.

Any objection must be either filed electronically with the Court or mailed to the Clerk of the Court, and the Settlement Administrator at the addresses set forth below. The objection must be filed with the Court-or if mailed it must be postmarked-no later than June 23, 2023.

SI9 Settlement Administrator
P.O. Box 8060
San Rafael, CA 94912-8060

21. What's the difference between objecting and opting out?

Objecting is telling the Court that you don't like something about the Settlement. You can object to the Settlement only if you are a Settlement Class Member and do not opt out of the Settlement. Opting out of the Settlement is telling the Court that you don't want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because it does not affect you.

THE COURT'S FAIRNESS HEARING

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

The Court will hold a Fairness Hearing at 10:00 a.m. on September 6, 2023, at the federal courthouse located at 601 Market Street, Philadelphia, PA 19106 before Judge Joel H. Slomsky. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate; Class Counsel's application for attorneys' fees, costs, and expenses; and whether to approve service awards to the Class Representatives. If there are objections, the Court will consider them. The Court may choose to hear from people who have asked to speak at the hearing. At or after the hearing, the Court will decide whether to approve the Settlement. There is no deadline by which the Court must make its decision.

The Court may reschedule the Fairness Hearing or change any of the deadlines described in this Notice. The date of the Fairness Hearing may change without further notice to the Settlement Class Members. Be sure to check the website, www.SinceraSettlement.com, for updates. You can also access the case docket via the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.paed.uscourts.gov>.

Class Counsel will file a motion for final approval of the Settlement by July 24, 2023. Objectors, if any, must file any response to Class Counsel's motion by August 20, 2023. Responses to any objections and any replies in support of final approval of the Settlement and/or Class Counsel's application for attorneys' fees, costs, and expenses, and service awards will be filed by August 27, 2023.

23. Do I have to come to the Fairness Hearing?

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish. If you send an objection, you do not have to come to the hearing to talk about it. As long as you mailed or filed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

24. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must include a statement in your written objection (*see* Question 20) that you intend to appear at the hearing. Be sure to include your name, address, and signature as well. You cannot speak at the hearing if you opt out or exclude yourself from the Class.

IF I DO NOTHING

25. What happens if I do nothing at all?

If you are a Settlement Class Member and do nothing, you will not get any money from this Settlement, and you will not be able to sue the Defendant or other released parties for the claims released by the Settlement Agreement.

GETTING MORE INFORMATION

26. Are more details about the Settlement available?

This Notice summarizes the proposed Settlement—more details are in the Settlement Agreement and other case documents available at www.SinceraSettlement.com, by accessing the docket in this case through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.paed.uscourts.gov/>, or by visiting the office of the Clerk of the Court for the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Philadelphia, PA 19106 between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

27. How do I get more information?

Visit the website, www.SinceraSettlement.com, where you will find more information, including the Claim Form, a copy of the Settlement Agreement, and answers to questions about the Settlement and other information to help you determine whether you are eligible for a payment.

Contact the Settlement Administrator, at 1-855-663-1852 or by writing to:

SI9 Settlement Administrator
P.O. Box 8060
San Rafael, CA 94912-8060

Speak with Class Counsel by calling (215) 985-9177 or (412) 322-9243 or by writing to: Sincera Class Action, Golomb Spirt Grunfeld, Attn: Kenneth J. Grunfeld, 1835 Market Street, Suite 2900, Philadelphia, PA 19103 or Sincera Class Action, Lynch Carpenter, LLP, Attn: Patrick D. Donathen, 1133 Penn Avenue, 5th Floor, Pittsburgh, PA 15222.

PLEASE DO NOT CONTACT THE COURT, THE COURT CLERK'S OFFICE, OR DEFENDANT TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.