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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

APR 12 2023

E. Escobedo

8 *Attorneys for Plaintiffs and the Proposed Class*

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF RIVERSIDE

11 MONICA BUSTOS; MARNIE EVANS;
12 SHIRLEY LILLY; AND JAMES
13 RADCLIFFE, on behalf of themselves and
14 all others similarly situated,

15 Plaintiffs,

16 v.

17 RIVERSIDE MEDICAL CLINIC

18 Defendant.

Case No. CVRI2203466

~~PROPOSED~~ ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT

Judge: Hon. Harold W. Hopp

Complaint Filed: August 17, 2022

19 WHEREAS, Monica Bustos, Marnie Evans, Shirley Lilly, and James Radcliffe
20 ("Plaintiffs" or "Representative Plaintiffs"), individually and on behalf of all others similarly
21 situated (the "Settlement Class"), and Defendant Riverside Medical Clinic ("RMC" or
22 "Defendant" and together with Plaintiffs, the "Settling Parties") have entered into a Class
23 Action Settlement Agreement and Release (the "Class Settlement Agreement" or "S.A.")
24 resolving the Litigation,¹ subject to Court approval;

25 WHEREAS, Plaintiffs allege that, between September 9, 2017 and December 13, 2022,
26 RMC disclosed their web usage data, containing personal health information, to Facebook (aka
27 Meta) allegedly resulting in the invasion of Plaintiffs' and Settlement Class Members' privacy

28 ¹ The capitalized terms used in this Preliminary Approval Order shall have the same meaning as defined in
the Class Settlement Agreement, which is attached to the Declaration of John J. Nelson ISO Plaintiffs' Motion for
Preliminary Approval filed on March 29, 2024, except as may otherwise be indicated.

1 rights. *Class Action Complaint* (“Complaint” or “*Comp.*”), dated August 17, 2022, ¶¶ 41-42.
2 Plaintiffs allege that RMC embedded the Meta Pixel on its website, which is a tool that allows
3 Facebook to intercept communications made on RMC’s website, including, as alleged by
4 Plaintiffs, the personal identifiable information and protected health information of visitors to
5 the website. *See id.*, ¶¶ 42, 45, 53-54, 65. Plaintiffs allege that RMC failed to adequately disclose
6 the presence of the Meta Pixel on the website or to obtain their consent to disclose this
7 information to a third party. *See id.*, ¶¶ 44, 46, 76.

8 WHEREAS, Plaintiffs filed the instant action on August 17, 2022 pleading causes of
9 action for violations of: (1) California’s Invasion Of Privacy Act, Cal. Penal Code § 630, et seq;
10 (2) California’s Confidentiality of Medical Information Act, Cal. Civ. Code § 56, et seq. (3)
11 Art. I § I of the California Constitution; and (4) Common Law Invasion of Privacy – Intrusion
12 Upon Seclusion.

13 WHEREAS, this Litigation was settled, after a mediation presided over by a well-
14 regarded third-party neutral, and as a result of arm’s-length negotiations between counsel well
15 experienced in class action litigation, investigation, and informal discovery sufficient to permit
16 counsel to act knowingly;

17 WHEREAS, Plaintiffs have moved the Court for entry of an order preliminarily
18 approving the Settlement, conditionally certifying the Settlement Class for settlement purposes
19 only, and approving the form and method of notice upon the terms and conditions set forth in
20 the Settlement, together with all exhibits thereto;

21 WHEREAS, RMC denies any and all alleged wrongdoing and denies any liability to
22 Plaintiffs, to members of the putative class, or to members of the Settlement Class; and

23 WHEREAS, the Court having considered the Settlement, together with all exhibits
24 thereto, the records in this case, and the arguments of counsel and for good cause appearing,
25 hereby orders as follows:

26 **I. CONDITIONAL CERTIFICATION OF THE SETTLEMENT CLASS**

27 Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement is GRANTED.
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1. The terms defined in the Class Settlement Agreement shall have the same meaning in this Order Granting Preliminary Approval of Class Action Settlement (“Preliminary Approval Order”).

2. Having made the findings set forth below, the Court conditionally certifies the following class for settlement purposes only under California Civil Procedure Code Section 382:

Defendant’s patients, California citizens, and other members of the public, who from September 9, 2017 through December 13, 2022, visited Defendant’s Web site at www.riversidemedicalclinic.com.

Excluded from the Settlement Class are any judge presiding over this matter and any members of their first-degree relatives, judicial staff, RMC’s officers, directors, and members, and persons who timely and validly request exclusion from the Settlement Class.

3. “Website Usage Disclosure” means the alleged disclosure of personal information and personal health information of Plaintiffs and members of the Settlement Class to Facebook as a result of RMC’s use of the Meta Pixel on its website, www.riversidemedicalclinic.com between September 9, 2017 and December 13, 2022.

4. For settlement purposes only, with respect to the Settlement Class, the Court preliminary finds the prerequisites for a class action pursuant to California Code of Civil Procedure Section 382 have been met, in that: (a) the Settlement Class is so numerous that joinder of all individual Settlement Class members in a single proceeding is impracticable; (b) questions of law and fact common to all Settlement Class Members predominate over any potential individual questions; (c) the claims of the Plaintiff are typical of the claims of the Settlement Class; (d) Plaintiff and proposed Settlement Class Counsel will fairly and adequately represent the interests of each Settlement Class Member; and (e) a class action

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is the superior method to fairly and efficiently adjudicate this controversy. *See* Cal. Civ. Proc. Code § 382.

- 5. The Court hereby appoints Monica Bustos, Marnie Evans, Shirley Lilly, and James Radcliffe as Representative Plaintiffs for the Settlement Class.
- 6. The Court hereby appoints Milberg Coleman Bryson Phillips Grossman, PLLC as Settlement Class Counsel.

II. PRELIMINARY APPROVAL

- 7. The terms of the Settlement, including its proposed release, are preliminarily approved as within the range of fair, reasonable, and adequate terms of settlement, and are sufficient to warrant providing notice of the Settlement to the Settlement Class in accordance with the Notice Program, and are subject to further and final consideration at the Final Approval Hearing provided for below.
- 8. The Court has determined only that there is sufficient evidence to suggest that the proposed settlement might be fair, adequate, and reasonable. Any final determination of those issues will be made at the final hearing.
- 9. In making its determination to grant preliminary approval, the Court considered the fact that the Settlement is the product of arm’s-length, good faith negotiations facilitated by a neutral mediator and conducted by experienced and knowledgeable counsel, the current posture of the Litigation, the benefits of the Settlement to the Settlement Class, and the risk and benefits of continuing litigation to the Settling Parties and the Settlement Class.
- 10. As provided for in the Settlement, if the Court does not grant final approval of the Settlement or if the Settlement is terminated or cancelled in accordance with its terms, then the Settlement, and the conditional certification of the Settlement Class for settlement purposes only provided for herein, will be vacated and the Litigation shall proceed as though the Settlement Class had never been conditionally certified for settlement purposes only, with no admission of

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liability or merit as to any issue, and no prejudice or impact as to any of the Settling Parties' positions on the issue of class certification or any other issue in the case.

- 11. Pursuant to California Civil Code Section 384, the Non-Profit Residual Recipient is Electronic Frontier Foundation, a 26 U.S.C. § 501(c)(3) non-profit organization that promotes digital privacy efforts and awareness.

III. NOTICE OF THE SETTLEMENT TO THE SETTLEMENT CLASS

- 12. The Court appoints Kroll Settlement Administration LLC ("Kroll") as the Claims Administrator. The responsibilities of the Claims Administrator are set forth in the Class Settlement Agreement.

- 13. The Court has considered the notice provisions of the Settlement, the Notice Program set forth in the Class Settlement Agreement, and the Long Notice and Short Notice, attached as Exhibits 1 and 2 to this Order, respectively. The Court finds that the direct mailing of notice and notice via publication in the manner set forth in the Notice Program is the best notice practicable under the circumstances, constitutes due and sufficient notice of the Settlement and this Preliminary Approval Order to all persons entitled thereto, and is in full compliance with applicable law and due process. The Court approves as to form and content the Long Notice and Short Notice in the forms attached as Exhibits 1 and 2, respectively, including the Short Notice's postage prepaid, tear-off claim form.

- 14. The Settling Parties are ordered to give notice to all Settlement Class Members in accordance with California Rule of Court, Rule 3.771(b). The Court orders the Claims Administrator to commence the Notice Program following entry of this Preliminary Approval Order in accordance with the terms of the Settlement.

1 15. The Claims Administrator is required to send a reminder notice to every class
2 member from whom no claim or exclusion request is received within 30 days of
3 mailing the notice.

4 **IV. REQUESTS FOR EXCLUSION FROM THE SETTLEMENT CLASS**

5 16. Each person wishing to exclude themselves from the Settlement Class must
6 submit an Exclusion Form by individually signing and timely mailing the
7 Exclusion Form or a substantially similar notice of intent to opt out in the form
8 of **Exhibit 3** to the address designated by the Claims Administrator.

9 17. The request for exclusion must be a substantially completed and properly
10 executed written request that is timely delivered to the Claims Administrator by
11 a Settlement Class Member and is postmarked or submitted through the
12 settlement website on or before the Opt-Out Deadline, which is 60 days after the
13 Notice Date.

14 18. For a request for exclusion to be properly completed and executed, it should
15 include the following: the name of this Litigation, or a decipherable
16 approximation (*Bustos, et al. v. Riverside Medical Clinic* No. CVRI2203466);
17 the Settlement Class Member’s full name, address, telephone number, and
18 signature, and; the written notice must clearly manifest a person’s intent to opt-
19 out of the Settlement Class.

20 19. All requests for exclusion must be submitted individually in connection with a
21 Settlement Class Member, *i.e.*, one request is required for every Settlement Class
22 Member seeking exclusion.

23 20. All persons who opt out of the Settlement Class shall not receive any benefits of
24 or be bound by the terms of the Class Settlement Agreement.

25 21. All persons falling within the definition of the Settlement Class who do not opt
26 out shall be bound by the terms of the Class Settlement Agreement and by all
27 proceedings, orders, and judgments in the Litigation.

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22. The Claims Administrator shall file a declaration with Plaintiffs’ Motion for Final Approval authenticating a copy of each Exclusion Form timely received.

V. OBJECTIONS

23. Each Settlement Class Member who does not timely request to be excluded from the Settlement Class and who wishes to object to the Settlement must submit the Objection Form by individually signing and timely mailing the Objection Form or a substantially similar notice of intent to object in the form of **Exhibit 4** to the Class Settlement Agreement to the Claims Administrator at its address designated by the Claims Administrator.

24. All notices of an intent to object to the Class Settlement Agreement must be written and should include all of the following (i) the Settlement Class Member’s full name, address, telephone number, and email address (if any); (ii) the Settlement Class Member’s original signature; (iii) proof that the Settlement Class Member is a member of the Settlement Class (i.e., a statement signed under penalty of perjury attesting that the objector is a Settlement Class Member); (iv) state that the Settlement Class Member objects to the Settlement, in whole or in part; (v) set forth a statement of the legal and factual basis for the Objection; (vi) provide copies of any documents that the Settlement Class Member wishes to submit in support of his/her position; and (vii) identify all counsel representing the Settlement Class Member.

25. Objections must be mailed to the Claims Administrator no later than sixty (60) Days after the Notice Date (the “Objection Deadline”). The Objection Deadline shall be included in the Short-Form and Long-Form Notices.

26. An objecting Settlement Class Member has the right, but is not required, to attend the Final Approval Hearing.

27. Except upon a showing of good cause, any Settlement Class Member who fails to timely file and serve an Objection, as detailed in the Long-Form Notice, and

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otherwise as ordered by the Court, shall not be permitted to object to the approval of the Settlement at the Final Approval Hearing and shall be foreclosed from seeking any review of the Settlement or the terms of the Settlement Agreement by appeal or other means.

28. The Claims Administrator shall file a declaration with Plaintiffs’ Motion for Final Approval authenticating a copy of each Objection Form timely received.

VI. THE FINAL APPROVAL HEARING

29. The Court will hold a Final Approval Hearing on **August 23, 2024 at 8:30 a.m.**, in at the Superior Court of California, County of Riverside, 4050 Main St, Riverside, CA 92501, to consider: (a) whether certification of the Settlement Class for settlement purposes only should be confirmed; (b) whether the Settlement should be approved as fair, reasonable, adequate and in the best interests of the Settlement Class; (c) the application by Settlement Class Counsel for an Attorneys’ Fees and Costs Award; (d) the application for Representative Plaintiffs’ Service Award should be approved; (e) whether the Release of Released Claims as set forth in the Settlement should be provided; (f) whether the Court should enter the [Proposed] Final Order and Judgment Granting Final Approval of Class Action Settlement (“Final Order and Judgment”); and (g) ruling upon such other matters as the Court may deem just and appropriate. The Final Approval Hearing may, from time to time and without further notice to Settlement Class Members be continued or adjourned by order of the Court.

30. In the event the Final Approval hearing is continued, the Claims Administrator shall give notice to all Settlement Class Members who timely submitted an objection of the continuance.

31. No later than 14 days prior to the Objection and Opt-Out Deadlines, Plaintiffs and Settlement Class Counsel shall file their Motion for Attorneys’ Fees, Costs, and Service Award.

1 32. No later than 21 days prior to the Final Approval Hearing, Plaintiffs shall file
 2 their Motion for Final Approval of Class Action Settlement. No later than 7 days
 3 prior to the Final Approval Hearing, Plaintiffs shall file any Reply Brief in
 4 Support of Motion for Final Approval of Class Action Settlement, including as
 5 needed to respond to any valid and timely objections. If there is no objection to
 6 the Settlement and no additional information necessary to submit to the Court,
 7 no Reply Brief is necessary or required.

8 33. The related time periods for events preceding the Final Approval Hearing are as
 9 follows:


<u>Event</u>	<u>Timing</u>
Class List Date (RMC to send to Settlement Administrator)	15 Days after Preliminary Approval
Class Notice Date	45 Days after Preliminary Approval
Objection Deadline	60 Days after Notice Date
Last Day to Opt-Out	60 Days after Notice Date
Motion for Attorneys' Fees, Costs, and Service Award	14 Days Prior to Objection and Opt-Out Deadlines
Motion for Final Approval	21 Days Prior to the Final Approval Hearing
Claims Deadline	90 Days after Notice Date
Reply Papers in Support of Final Approval	7 Days Prior to the Final Approval Hearing
Final Approval Hearing	August 23, 2024 at 8:30 a.m.

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34. All proceedings in the Litigation other than those related to approval of the Class Settlement Agreement are stayed pending entry of the Final Order and Judgment.

IT IS SO ORDERED.

Dated: 4/11/24


HON. HAROLD W. HOPP

JUDGE OF THE SUPERIOR COURT

EXHIBIT 1

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT
FOR RIVERSIDE MEDICAL CENTER PATIENTS AND ANY OTHER PERSON WHO VISITED
THE WEBSITE, WWW.RIVERSIDEMEDICALCLINIC.COM BETWEEN SEPTEMBER 9, 2017 AND
DECEMBER 13, 2022.**

A Superior Court authorized this notice. This is not a solicitation from a lawyer.

**THIS IS A NOTICE OF A SETTLEMENT OF A CLASS ACTION LAWSUIT.
THIS IS NOT A NOTICE OF A LAWSUIT AGAINST YOU.**

YOUR LEGAL RIGHTS ARE AFFECTED EVEN IF YOU DO NOTHING.

PLEASE READ THIS NOTICE CAREFULLY.

**YOU MAY BE ENTITLED TO PARTICIPATE IN A CLASS ACTION
SETTLEMENT BECAUSE YOU ARE A RIVERSIDE MEDICAL CENTER PATIENT OR OTHER
PERSON WHO VISITED THE WEBSITE, WWW.RIVERSIDEMEDICALCLINIC.COM BETWEEN
SEPTEMBER 9, 2017 AND DECEMBER 13, 2022.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM BY CLAIMS DEADLINE <CLAIMS DEADLINE>	<p>If you submit a Claim Form by <Claims Deadline>, you may receive a <i>pro rata</i> share of the Net Settlement Fund as compensation for your damages. You must timely submit a Claim Form either via U.S. mail or online to receive Cash Compensation under this Settlement.</p> <p>IF YOU DO NOTHING, you will not receive a Claim Payment, but you will be bound by the Settlement.</p>
EXCLUDE YOURSELF FROM THE SETTLEMENT BY THE OPT-OUT DATE OF <OPT-OUT DATE>	<p>You will receive no benefits, but you will retain your legal claims against the Defendant.</p>
OBJECT BY THE OBJECTION DEADLINE OF <OBJECTION DEADLINE>	<p>File with the Court and serve copies of a written objection to the Settlement on all Class Counsel and Defendant's Counsel, at the addresses below, about why you do, or do not, like the Settlement. You must remain in the Settlement Class to object to the Settlement.</p>
GO TO A HEARING ON <FINAL APPROVAL HEARING DATE>	<p>Ask to speak in Court about the fairness of the Settlement.</p>

1. What is this Notice?

This is a Court-authorized Long-Form Notice of a proposed Settlement (the “Settlement”) in a Class Action lawsuit, *Monica Bustos, et al. v. Riverside Medical Clinic*; Case No. CVRI2203466, pending in the Superior Court for the State of California, County of Riverside (the “Court”). The Settlement would resolve the Litigation that arose out of Riverside Medical Clinic’s (“RMC” or “Defendant”) use of internet tracking technologies supplied by Facebook, including pieces of code known as “pixels” (herein as “Meta Pixels”), and, when using some sites or applications, protected health information would be disclosed in particular circumstances to Facebook because of the Meta Pixels. The Court has granted Preliminary Approval of the Settlement and has conditionally certified the Settlement Class for purposes of Settlement only. This Long-Form Notice explains the nature of the class action lawsuit, the terms of the Settlement Agreement, and the legal rights and obligations of members of the Settlement Class. Please read the instructions and explanations below carefully so that you can better understand your legal rights. The Settlement Administrator in this case is Kroll Settlement Administration LLC.

2. Why did I receive a notice of this Settlement?

You may have received a notice because you were identified as an individual who from September 9, 2017 through December 13, 2022 may have visited the website www.riversidemedicalclinic.com.

3. What is this Litigation about?

The Litigation arises out of RMC’s implementation and use of the Meta Pixel on RMC’s websites, defined below as the “Website Usage Disclosure”, during which Plaintiffs allege their web usage data, containing personal information, was shared to Facebook allegedly resulting in the invasion of Plaintiffs’ and Settlement Class Members’ privacy.

“Website Usage Disclosure” means the alleged disclosure of personal information of Plaintiffs and members of the Settlement Class to Facebook as a result of RMC’s use of the Meta Pixel on its website, www.riversidemedicalclinic.com between September 9, 2017 and December 13, 2022.

4. Why is this a class action?

A class action is a lawsuit in which an individual called a “Plaintiff” brings a single lawsuit on behalf of other people who have similar claims. All of these people together are a “Settlement Class” or “Settlement Class Members.” When a class action is settled, the Settlement, which must be approved by the Court, resolves the issues for all Settlement Class Members, except for those who exclude themselves from the Settlement.

QUESTIONS? VISIT WWW.XXXXXXXXXXXXXXXXXXXXXX.COM

5. Why is there a Settlement?

To resolve this matter without the expense, delay, and uncertainties of protracted litigation, the Parties reached a settlement that resolves all claims brought on behalf of the Settlement Classes related to the Meta Pixel. If approved by the Court, the Settlement Agreement requires RMC to provide Cash Compensation to certain Settlement Class Members who submit valid and timely Claim Forms. The Settlement is not an admission of wrongdoing by RMC and does not imply that there has been, or would be, any finding that RMC violated the law.

The Court already has preliminarily approved the Settlement. This means the Court has determined there is sufficient evidence to suggest the Settlement is fair, reasonable, and adequate. Because the settlement of a class action determines the rights of all members of the Settlement Class, the Court overseeing this Litigation must give final approval to the Settlement Agreement before it can be effective. The Court has conditionally certified the Settlement Class for settlement purposes only, so that members of the Settlement Class may be given notice and the opportunity to exclude themselves from the Settlement Class, and to voice their support or opposition to final approval of the Settlement. If the Court does not grant Final Judgement to the Settlement, or if it is terminated by the Parties, then the Settlement Agreement will be void, and the Litigation will proceed as if there had been no settlement and no certification of the Settlement Class.

6. How do I know if I am a part of the Settlement?

You are a member of the Settlement Class if you are/were a RMC patient or other person who from September 9, 2017 through December 13, 2022, visited the website www.riversidemedicalclinic.com (“Settlement Class”).

YOUR BENEFITS UNDER THE SETTLEMENT

7. What can I get from the Settlement?

Settlement Class Members who file a valid Claim Form may receive a *pro rata* Claim Payment of the Net Settlement Fund. The Net Settlement Fund is the funds that remain in the Settlement Fund after funds are paid from or allocated for payment from the Settlement Fund for the following: (i) reasonable Notice and Claims Administration Costs incurred pursuant to this Settlement Agreement, (ii) any taxes owed by the Settlement Fund, (iii) any Service Awards approved by the Court, and (iv) any Attorneys’ Fees, Costs, and Expenses Award approved by the Court. The estimated cash payment to each Settlement Class Member who makes a claim is \$38.66.

*****To receive benefits, you must submit a Claim Form.**

QUESTIONS? VISIT WWW.XXXXXXXXXXXXXXXXXXXXXX.COM

8. When will I receive the benefits?

If you timely submit a valid Claim Form for Cash Compensation, you will receive payment in the amount approved by the Settlement Administrator after processing your Claim Form, and the Settlement is Final and has become effective.

9. I want to be a part of the Settlement. What do I do?

To submit a claim for Cash Compensation, you must timely submit the Claim Form on the Settlement Website at www.xxxxxxxxxxxxxxxxxx.com, or by mail to *Riverside Medical Clinic Pixel Settlement*, c/o Kroll Settlement Administration LLC, PO Box XXXX, New York, NY 10150-~~#####~~.

You must submit any claims by the Claims Deadline of ~~<Claims Deadline>~~. There can be only one (1) valid and timely claim per Settlement Class Member.

10. What am I giving up if I remain in the Settlement?

By staying in the Settlement Class, all the Court's orders will apply to you and will bind you, and you give Defendant a "release." A release means you cannot sue or be part of any other lawsuit or other legal action against Defendant Riverside Medical Clinic and its agents, officers, and affiliates about or arising from the claims or issues in this Litigation with respect to the disclosure of your personal information while visiting www.riversidemedicalclinic.com from September 9, 2017 through December 13, 2022.

The precise terms of the release are in the Settlement Agreement, which is available on the Settlement Website. You may also obtain the Settlement Agreement attached to the Declaration of John J. Nelson in support of Plaintiffs' Motion for Preliminary Approval filed on March 29, 2024 in the Superior Court of California for the County of Riverside, located at 4050 Main Street, Riverside, CA 92501 and accessible online via www.riverside.courts.ca.gov. Unless you formally exclude yourself from this Settlement, you will release your claims against Riverside Medical Clinic and its directors, employees, officers, and Riverside Medical Clinic Patient Services, LLC (who utilized Defendant's website), and Brand Savant (Defendant's website developer) relating to the Website Usage Disclosure while visiting www.riversidemedicalclinic.com from September 9, 2017 through December 13, 2022.

If you have any questions, you can talk for free to the attorneys identified below who have been appointed by the Court to represent the Settlement Class, or you are welcome to talk to any other lawyer of your choosing at your own expense.

11. How much will the Plaintiffs receive?

The Plaintiffs will seek a payment of \$3,500 each to the named Plaintiffs for their services to the Settlement Class. This payment is subject to the Court's approval and will be paid from the Settlement Fund.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to remain in the Settlement, but you want to keep your legal claims against Defendant, then you must take steps to exclude yourself from this Settlement.

12. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must submit an Exclusion Form, a notice of your intent to opt-out, or letter by mail stating that you want to be excluded from *Monica Bustos, et al. v. Riverside Medical Clinic*; Case No. CVRI2203466 to the Settlement Administrator below. The written notice must clearly manifest your intent to opt-out of the Settlement Class. You must mail your written notice so that it is postmarked **no later than the Opt-Out Date of <Opt-Out Date>**, to:

Riverside Medical Clinic Pixel Settlement
c/o Kroll Settlement Administration LLC
PO Box XXXX
New York, NY 10150-<#####>

13. If I exclude myself, do I still receive benefits from this Settlement?

No, if you submit a notice to opt-out, you will not receive anything resulting from the Settlement, but you may sue Defendant over the claims raised in this case, either on your own or as a part of a different lawsuit. If you exclude yourself, the time you have in which to file your own lawsuit (called the "statute of limitations") will begin to run again. You will have the same amount of time to file the suit that you had when this case was filed.

THE LAWYERS REPRESENTING THE CLASS

14. Do I have a lawyer in this case?

The Court has appointed the following attorneys to represent the Settlement Class as Class Counsel:

John J. Nelson and Alexander Wolf
Milberg Coleman Bryson Phillips Grossman, PLLC
280 S. Beverly Dr.
Beverly Hills, California 90212

These attorneys will be paid using funds from the Settlement Fund. If you want to be represented by your own lawyer, you may hire one at your own expense.

QUESTIONS? VISIT WWW.XXXXXXXXXXXXXXXXXXXXXX.COM

15. How will the lawyers be paid?

Class Counsel will request to be paid reasonable attorneys' fees not to exceed thirty-five (35%) of the Settlement Fund plus reasonable costs and expenses incurred in prosecuting the Litigation, subject to Court approval. The motion for Attorneys' Fees and Expenses Award will be posted on the Settlement Website after it is filed.

OBJECTING TO THE SETTLEMENT

16. How do I tell the Court that I do not like the Settlement?

You can tell the Court that you do not agree with the Settlement or some part of it. If you are a Settlement Class Member, you can object to the Settlement and the Court will consider your views. In order to object to the Settlement, you must mail your objection form or written statement to the Claims Administrator at the address below stating that you object and the reasons why you think the Court should not approve the Settlement. Your objection should include: (1) (i) your full name, address, telephone number, and email address (if any); (ii) your original signature; (iii) proof that the Settlement Class Member is a member of the Settlement Class (i.e., a statement signed under penalty of perjury attesting that You are a Settlement Class Member); (iv) a statement that You object to the Settlement, in whole or in part; (v) set forth a statement of the legal and factual basis for the Objection; (vi) copies of any documents that You wish to submit in support of Your position; and (vii) identify all counsel representing You, if any. You may also appear at the Final Approval Hearing personally or through counsel and state your objection orally at that time

To be timely, written objection in the appropriate form must be mailed to the Claims Administrator at its address noted below no later than the Objection Deadline, <Objection Deadline>:

Riverside Medical Clinic Pixel Settlement
c/o Kroll Settlement Administration LLC
PO Box XXXX
New York, NY 10150-<####>

THE FINAL APPROVAL HEARING

The Court will hold a hearing to decide whether to grant final approval of the Settlement. You may attend if you wish, but you are not required to do so.

17. Where and when is the Final Approval Hearing?

The Court has already given Preliminary Approval to the Settlement Agreement. A final hearing on the Settlement, called a Final Approval Hearing, will be held to determine the fairness of the Settlement.

The Court will hold a hearing on **<Final Approval Hearing Date>**, at **<Time> PT** in the courtroom of the **<Court Address>**. The purpose of the hearing will be for the Court to determine whether the proposed Settlement is fair, reasonable, and adequate and in the best interests of the Settlement Class and to determine the appropriate amount of compensation for Class Counsel and rule on the request for a Service Award for the Plaintiffs. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed Settlement. After the hearing, the Court will decide whether to approve the Settlement.

YOU ARE **NOT** REQUIRED TO ATTEND THE FINAL APPROVAL HEARING TO RECEIVE BENEFITS FROM THIS SETTLEMENT. Please be aware that the hearing may be postponed to a later date without notice.

GETTING MORE INFORMATION – CONTACT:

This Long-Form Notice only provides a summary of the proposed Settlement. Complete details about the Settlement can be found in the Settlement Agreement available on the Settlement Website.

www.xxxxxxxxxxxxxxxxxxxx.com

If you have any questions, you can contact the Settlement Administrator or Class Counsel at the numbers or email addresses set forth above. In addition to the documents available on the Settlement Website, all pleadings and documents filed in this lawsuit may be reviewed or copied at the Clerk of Court's office.

DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT OR THE LITIGATION TO THE CLERK OF THE COURT OR TO THE JUDGE.

They are not permitted to answer your questions.

All questions about the Settlement shall be referred to the Settlement Administrator and/or Class Counsel.

QUESTIONS? VISIT [WWW.XXXXXXXXXXXXXXXXXXXX.COM](http://www.xxxxxxxxxxxxxxxxxxxx.com)

EXHIBIT 2

Riverside Medical Clinic Pixel Litigation
c/o Kroll Settlement Administration LLC
PO Box XXXX
New York, NY 10150-_____

FIRST-CLASS MAIL
U.S. POSTAGE PAID
CITY, ST
PERMIT NO. XXXX

ELECTRONIC SERVICE REQUESTED

NOTICE OF CLASS ACTION
SETTLEMENT

If you used Riverside Medical Clinic's website at least once between September 9, 2017 and December 13, 2022, you are entitled to submit a claim for monetary compensation under a class action settlement.

WWW.XXXXXXXXXXXXXXXXXXXXXXXXXX

<<Refnum Barcode>>

Class Member ID: <<Refnum>>

Postal Service: Please do not mark or cover

<<FirstName>> <<LastName>>

<<BusinessName>>

<<Address>>

<<Address2>>

<<City>>, <<ST>> <<Zip>>-<<zip4>>

<<Country>>

WHO IS A CLASS MEMBER?

In the lawsuit Monica Bustos, et al. v. Riverside Medical Clinic, CVR12203466, you are a Settlement Class Member if you are/were a Riverside Medical Center ("RMC") patient or other member of the public, who visited the website www.riversidemedicalclinic.com from September 9, 2017 through December 13, 2022 (the "Settlement Class").

WHAT ARE THE SETTLEMENT BENEFITS AND TERMS?

The Settlement establishes a \$1.75 million Settlement Fund. Settlement Class Members who file a valid Claim Form may receive a *pro rata* Cash Payment from the Net Settlement Fund estimated at \$38.66 per claimant. The Net Settlement Fund is the amount of funds that remain in the Settlement Fund after: Notice and Claims Administration Costs (estimated at \$392,314) taxes owed, Plaintiff Service Awards (up to \$14,000), and any Attorneys' Fees, Costs and Expenses Award (up to \$612,500). More information is available on the Settlement Website.

WHAT ARE YOUR RIGHTS AND OPTIONS?

Submit a Claim Form. To qualify for a cash payment, you must timely mail a Claim Form that is attached to this Postcard Notice or timely complete and submit a Claim Form online at www.xxxxxxxx.com ("Settlement Website"). You may also print a claim form found on the Settlement Website and mail in your claim. Your Claim Form must be postmarked or submitted online no later than <Claims Deadline>.

Opt-Out. You may exclude yourself from the Settlement and retain your ability to sue RMC on your own by submitting the Exclusion form to the Settlement Administrator via the Settlement Website, or if mailed, postmarked no later than <Opt-Out Date>. If you do not exclude yourself you will be bound by the Settlement and give up your right to sue regarding the released claims.

Object. If you do not exclude yourself, you have the right to object to the Settlement. Objection Forms must be signed and submitted via the Settlement Website, or if mailed, postmarked no later than <Objection Deadline>, and provide the reason for the objection.

Do Nothing. If you do nothing, you will not receive a Settlement payment and will lose the right to sue regarding the Released Class Claims. You will be bound by the Court's decision because this is a conditionally certified class action.

Attend the Final Approval Hearing. The Court has determined only that there is sufficient evidence to suggest the Settlement is fair, reasonable, and adequate. The Court will hold a Final Approval Hearing at <Time> PT on <Date> to determine if the Settlement is fair, reasonable, and adequate. All persons may appear at the hearing and may state their objections orally at that time.

Who are the attorneys for the Plaintiffs and the proposed Settlement Class? The Court appointed John J. Nelson, and Alexander Wolf as Class Counsel to represent the Settlement Class. If you want to be represented by your own lawyer, you may hire one at your own expense.

Do I have any obligation to pay attorneys' fees or expenses? No. The attorneys' fees and expenses will be paid exclusively from the Settlement Fund as awarded and approved by the Court. The attorneys' fees will be in an amount of up to 35% (or \$612,500) of the Settlement Fund. The motion for attorneys' fees and expenses will be posted on the Settlement Website after it is filed with the Court.

What is the amount of the Plaintiffs' Service Awards? The named Plaintiffs will seek Service Awards in the amount of \$3,500 each for their efforts in this case.

What am I giving up by remaining in the Settlement? By remaining in the Settlement you give up the ability to sue Riverside Medical Clinic, its agents, officers, and affiliates, for claims related to the disclosure of personal information while visiting www.riversidemedicalclinic.com from September 9, 2017 through December 13, 2022.

Where can I learn more, obtain a Claim Form, Objection Form, or Exclusion Form, or a copy of the Settlement Agreement? You can learn more about the Settlement, review filings and the Settlement Agreement, and submit claims, objections, or exclusion requests via the Settlement Website. You may also obtain the Settlement Agreement attached to the Declaration of John J. Nelson in support of Plaintiffs' Motion for Preliminary Approval filed on March 29, 2024 in the Superior Court of California for the County of Riverside located at 4050 Main Street, Riverside, CA 92501 and accessible online via www.riverside.courts.ca.gov.

This Notice is a summary of the proposed Settlement Additional Information is available at www.xxxxxxxxxxxxxxxxxxxxx.com



First-Class
Mail
US Postage
Pre-Paid

Riverside Medical Clinic Pixel Litigation
c/o Kroll Settlement Administration LLC
PO Box XXXX
New York, NY XXXXX-XXXX

<<Barcode>>

Class Member ID: <<Refnum>>

CLAIM FORM FOR PRO RATA CASH PAYMENT

**Claims must be postmarked no later than <Claims Deadline>.
You may also submit a Claim Form online no later than <Claims Deadline>.**

Settlement Class Members who file a valid Claim Form will be eligible to receive a *pro rata* Cash Compensation of the Net Settlement Fund from RMC regarding the Website Usage.

If you wish to receive a cash payment (estimated to be \$38.66, adjusted up or down depending up the number of claims filed), check the box below, sign, and return this Claim Form. A check will be mailed to the same address this Notice was mailed to. If you would like to receive your payment via PayPal, Venmo or Zelle, you must submit a Claim Form online at [www.\[website\].com](http://www.[website].com).

I would like to receive a *pro rata* Cash Payment.

SIGNATURE: By signing my name below, I attest that I visited www.riversidemedicalclinic.com RMC's website at least once between September 9, 2017 and December 13, 2022.

Signature: _____ Dated: ____ / ____ / ____
mm/dd/yyyy

EXHIBIT 3

**Monica Bustos, et al. v. Riverside Medical Clinic,
NO. CVRI2203466**

**Class Action Settlement
Exclusion Form**

COMPLETE THIS FORM IF YOU WISH TO EXCLUDE YOURSELF FROM THE SETTLEMENT.

DEADLINE: The exclusion form must be postmarked on or before <<DATE>>. You must mail the form to:

Riverside Medical Clinic Pixel Litigation
c/o Kroll Settlement Administration LLC – Objection
<<PO BOX>>
City, State, XXXXX

By completing this form, you are opting out and excluding yourself from this Settlement. You will retain your right to sue Riverside Medical Clinic for the claims involved in this Settlement. However, you will not be able to file a claim, object, or receive money or benefits from this Settlement.

Instructions: Fill out each section of this form and sign where indicated. You must fill out each section that is marked with an asterisk.

Name *: _____	<i>First Name*</i>	_____	<i>M.I.</i>	_____	<i>Last Name *</i>
Street Address *: _____					
City *: _____					
State *: _____		Zip Code *: _____			
Email Address: _____ @ _____ . _____					
Phone Number*: (_____) _____ - _____					

By signing this Exclusion Request Form, I hereby opt out of this Settlement and understand that I will have no right to receive any money or benefits under the Settlement in this case, and I will have no right to object to the Settlement and be heard at the Final Approval Hearing.

SIGNATURE *: _____	PRINTED NAME *: _____
DATED *: ____ / ____ / _____	

EXHIBIT 4

**Monica Bustos, et al. v. Riverside Medical Clinic,
NO. CVRI2203466**

**Class Action Settlement
Objection Form**

COMPLETE THIS FORM IF YOU WISH TO OBJECT TO THE SETTLEMENT.

DEADLINE: The exclusion form must be received on or before <<DATE>>. You must mail the form to:

Riverside Medical Clinic Pixel Litigation
c/o Kroll Settlement Administration LLC – Objection
<<PO BOX>>
City, State, XXXXX

You have a right to object to the Settlement, or any of its terms. In order to object, you must not have submitted a Request for Exclusion Form. If you intend to remain in the Settlement in the event your objection is overruled, you must submit a timely claim form to be entitled to claim any Settlement benefit. You may, but are not required to, appear at the Final Approval hearing and verbally state your objection.

Instructions: Fill out each section of this form and sign where indicated. You must fill out each section that is marked with an asterisk.

Name *:		
_____	_____	_____
<i>First Name*</i>	<i>M.I.</i>	<i>Last Name *</i>
Street Address *: _____		
City *: _____		
State *: _____	Zip Code *: _____	
Email Address: _____ @ _____ . _____		
Phone Number*: (_____) _____ - _____		

1. DESCRIBE THE FACTUAL AND LEGAL BASIS OF YOUR OBJECTION IN THE SPACE PROVIDED BELOW AND ON THE REVERSE SIDE OF THIS FORM. YOU MAY ENCLOSE ADDITIONAL PAGES.

2. STATE WHETHER YOU OBJECT TO THE SETTLEMENT IN WHOLE OR IN PART.

3. PROVIDE THE NAME AND CONTACT INFORMATION OF ANY ATTORNEY REPRESENTING YOU IN CONNECTION WITH IS OBJECTION. YOU ARE NOT REQUIRED TO HAVE AN ATTORNEY TO OBJECT.

4. PROVIDE AND ATTACH COPIES OF ANY DOCUMENTS YOU WISH TO SUBMIT IN SUPPORT OR YOUR POSITION.

I SWEAR AND AFFIRM UNDER PENALTY OF PERJURY THAT I AM A SETTLEMENT CLASS MEMBER.

SIGNATURE *: _____ **PRINTED NAME *:** _____

DATED *: ____ / ____ / _____

*AN ORIGINAL SIGNATURE IS REQUIRED