

NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT

You May Be Eligible For Benefits From A Class Action Settlement.

This is not a solicitation from a lawyer, junk mail, or an advertisement.

A court authorized this Notice.

This notice summarizes the proposed settlement reached in a lawsuit entitled *Ashley Burgess v Minnesota Orthodontics and Dentofacial Orthopedics, P.A.*, Case No. 82-cv-25-3249 pending in the Washington County District Court for the State of Minnesota (“Action”). For the precise terms and conditions of the settlement, please see the Settlement Agreement available at www.MNOrthoDataSettlement.com or by contacting the Settlement Administrator at 1-888-717-2747.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE
TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

**This Notice explains the nature of the lawsuit and claims being settled, your legal rights,
and the benefits to the Settlement Class.**

This notice may affect your rights – please read it carefully.

- A Settlement has been reached in a class action lawsuit against Minnesota Orthodontics and Dentofacial Orthopedics, P.A. (“MN Orthodontics”). The Action alleges that in February 2025, MN Orthodontics became aware of a cybersecurity incident wherein a third party unlawfully breached its computer systems and network and may have gained access to Private information belonging to current or former employees and patients. MN Orthodontics does not in any way acknowledge, admit to, or concede any of the allegations, and expressly disclaims and denies any fault or liability. The settlement is not an admission of wrongdoing or an indication that MN Orthodontics has violated any laws, but rather the resolution of disputed claims.
- If you received this Notice, you have been identified as a Settlement Class Member. More specifically, the Settlement Administrator identified you as an individual residing in the United States whose Private Information was potentially compromised in the MN Orthodontics Data Incident that occurred in or around February 2025, including all those who received notice of the Data Incident. Some limited exclusions apply and can be found in the Settlement Agreement available at www.MNOrthoDataSettlement.com and in Section 1 below.
- Under the terms of the Settlement Agreement, Settlement Class Members are eligible for two years of credit monitoring and identity theft protection (“Credit Monitoring Services”) with \$1 million in insurance through IDX, OR in lieu of claims for Credit Monitoring Services, Settlement Class Members may claim an alternative cash payment of \$25.
- The monetary benefits are subject to a maximum aggregate cap of \$50,000 for all Settlement Class Members combined.
The deadline to submit a claim is JUNE 10, 2026.

YOUR LEGAL RIGHTS & OPTIONS IN THIS SETTLEMENT

| | |
|--------------------------|---|
| Submit a Claim | <p>You must submit a valid Claim to receive benefits from this Settlement.</p> <p>Claim Forms must be submitted online by JUNE 10, 2026, or, if mailed, postmarked no later than JUNE 10, 2026.</p> |
| Do Nothing | <p>If you do nothing, you remain in the Settlement.</p> <p>You give up your rights to sue and you will not get any money or credit monitoring from the Settlement.</p> |
| Exclude Yourself | <p>Get out of the Settlement. Get no money. Keep your rights.</p> <p>This is the only option that allows you to keep your right to sue about the claims in this Action. You will not get any money or credit monitoring services from the Settlement.</p> <p>Your request to exclude yourself must be postmarked no later than MAY 11, 2026.</p> |
| File an Objection | <p>Stay in the Settlement, but tell the Court why you think the Settlement should not be approved.</p> <p>Objections must be postmarked no later than MAY 11, 2026.</p> |
| Go to a Hearing | <p>You can ask to speak in Court about the fairness of the Settlement, at your own expense. <i>See</i> Question 18 for more details.</p> <p>The Final Approval Hearing is scheduled via video for JUNE 5, 2026, at 10:00 a.m. CT.</p> |

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BASIC INFORMATION

1. How do I know if I am affected by the Lawsuit and Settlement?

You are a Settlement Class Member (unless you are one of the individuals who the next paragraph says are excluded from the Settlement Class) if the Settlement Administrator identified you as being among those individuals residing in the United States whose Private Information was potentially compromised in the Minnesota Orthodontics and Dentofacial Orthopedics, P.A. Data Incident that occurred in or around February 2025, including all those who received notice of the Data Incident.

The Settlement Class specifically excludes: (i) all persons who are directors or officers of Defendant; (ii) governmental entities; and (iii) the Judge assigned to the Action, that Judge's immediate family, and Court staff.

This Notice explains the nature of the lawsuit and claims being settled, your legal rights, and the benefits to the Settlement Class.

2. What is this case about?

This case is known as *Ashley Burgess v Minnesota Orthodontics and Dentofacial Orthopedics, P.A.*, Case No. 82-cv-25-3249 pending in the Washington County District Court for the State of Minnesota. The person who sued is called the "Plaintiff," and the company she sued, Minnesota Orthodontics and Dentofacial Orthopedics, P.A., is known as the "Defendant" in this case.

Plaintiff filed the Action against MN Orthodontics, on behalf of herself and anyone whose Private Information was potentially impacted as a result of the Data Incident.

On or around February 26, 2025, MN Orthodontics became aware of a cybersecurity incident wherein a third party unlawfully breached its computer systems and network and may have gained access to Private Information belonging to approximately 49,958 current or former employees and patients. The Private Information impacted varied between individuals but included names, dates of birth, financial information, medical information, and health insurance coverage information. This Action was subsequently filed by Plaintiff asserting claims against MN Orthodontics relating to this Data Incident. MN Orthodontics denies any wrongdoing.

3. Why is there a Settlement?

By agreeing to settle, both sides avoid the cost, disruption, and distraction of further litigation. The Plaintiff, Defendant, and their attorneys believe the proposed Settlement is fair, reasonable, and adequate and, thus, in the best interests for Settlement Class Members. The Court did not decide in favor of the Plaintiff or Defendant. Full details about the proposed Settlement are found in the Settlement Agreement available at www.MNOrthoDataSettlement.com.

4. Why is this a class action?

In a class action, one or more people called a "Plaintiff" or "Class Representative" sue on behalf of all people who have similar claims. All of the people with similar claims together are the "Settlement Class" or "Settlement Class Members."

5. How do I know if I am included in the Settlement?

You are included in the Settlement if the Settlement Administrator identified you as being among those individuals residing in the United States whose Private Information was potentially compromised in the MN Orthodontics Data Incident that occurred in or around February 2025, including all those who received notice of the Data Incident. Some limited exclusions apply and can be found in the Settlement Agreement available at www.MNOrthoDataSettlement.com and in Section 1 above.

If you are not sure whether you are included as a Settlement Class Member, or have any other questions about the Settlement, visit www.MNOrthoDataSettlement.com, call toll-free at 1-888-717-2747, or write to MN Orthodontics Data Settlement, c/o Settlement Administrator, P.O. Box 2009, Chanhassen, MN 55317-2009.

THE SETTLEMENT BENEFITS

6. What does this Settlement provide?

The proposed Settlement will provide the following benefits to Settlement Class Members:

Credit Monitoring Services: All Settlement Class Members will be eligible to claim two (2) years of free credit monitoring services through IDX upon submission of a valid Claim Form. IDX Identity Protection Services provides single-bureau credit monitoring, dark web monitoring, \$1,000,000 in reimbursement insurance, and fully managed identity recovery and lost wallet assistance. If the Settlement is finally approved by the Court, Settlement Class Members who make timely, valid claims for IDX Identity Protect Services will be provided with codes required to activate these services. The Settlement Class Member must activate the service within 180 days from the date that the activation codes are sent.

Alternative Cash Payment: Settlement Class Members may claim an Alternative Cash Payment of \$25 in lieu of claims for Credit Monitoring Services. If a Settlement Class Member claims the Alternative Cash Payment, they **cannot** also receive Credit Monitoring Services. To receive this benefit, Settlement Class Members must submit a valid claim form. No documentation is required to make a claim.

Note: The maximum aggregate amount payable to Settlement Class Members for benefits claims for the Alternative Cash Payment is \$50,000. Payments to Settlement Class Members who make a valid claim for the Alternative Cash Payment will be reduced on a *pro rata* basis according to the number of claims made if the aggregate value of all Alternative Cash Payments exceeds \$50,000.

Remedial Relief: MN Orthodontics will undertake certain security improvements and safeguards to enhance existing security protocols as part of the Settlement. Defendant's implementation of such ongoing security changes is separate and apart from other settlement benefits.

7. How to submit a claim?

All claims will be reviewed by the Settlement Administrator for completeness and plausibility. You must submit a Claim Form to get benefits from the proposed Settlement. Claim Forms must be submitted online by **JUNE 10, 2026**, or postmarked no later than **JUNE 10, 2026**. You can submit an online claim or download a Claim Form at www.MNOrthoDataSettlement.com, or you can call the Settlement Administrator toll-free at 1-888-717-2747 to request a Claim Form be mailed to you.

8. What am I giving up as part of the Settlement?

If you stay in the Settlement Class, you will be eligible to receive benefits, but you will not be able to sue Minnesota Orthodontics and Dentofacial Orthopedic, Rogers Minnesota Orthodontics, PLLC, Rosemount Minnesota Orthodontics PLLC, DRD PLLC (all Minnesota limited liability companies), and each entity which is controlled by, controlling or under common control with them and their past, present, and future direct and indirect heirs, assigns, associates, corporations, investors, owners, parents, subsidiaries, affiliates, insurers, reinsurers, divisions, officers, directors, shareholders, Members, agents, servants, employees, partners, predecessors, successors, managers, administrators, executors, and trustees (collectively "Released Parties") regarding the claims in this case.

The Settlement Agreement, which includes all provisions and definitions about settled claims, releases, and Released Parties, is available at www.MNOrthoDataSettlement.com.

The only way to keep the right to sue is to exclude yourself (*see* Question 10), otherwise you will be included in the Settlement Class, and, if the Settlement is approved, you give up the right to sue for the claims in this case.

9. Will the Class Representative receive compensation?

Yes. The Class Representative will receive a service award of up to \$2,000 to compensate her for her services and efforts in bringing the Action. The Court will make the final decision as to the amount, if any, to be paid to the Class Representative.

EXCLUDE YOURSELF

10. How do I exclude myself from the Settlement?

If you do not want to be included in the Settlement, you must send a timely written request for exclusion, stating your full name, address, telephone number, and email address (if any). Your request for exclusion must be personally signed by you and contain your original signature. Your request must also include a statement indicating a request to be excluded from the Settlement Class.

Your written request for exclusion must be postmarked no later than **MAY 11, 2026** to:

MN Orthodontics Data Settlement
c/o Settlement Administrator
Attn: Exclusions
P.O. Box 2009
Chanhassen, MN 55317-2009

Instructions on how to submit a request for exclusion are available at www.MNOrthoDataSettlement.com or from the Settlement Administrator by calling 1-888-717-2747.

If you exclude yourself, you will not be able to receive any cash benefit or credit monitoring from the Settlement, and you cannot object to the Settlement at the Final Approval Hearing. You will not be legally bound by anything that happens in the Lawsuit, and you will keep your right to sue Defendant on your own for the claims that this Settlement resolves.

11. If I do not exclude myself, can I sue later?

No. If you do not exclude yourself from the Settlement, and the Settlement is approved by the Court, you forever give up the right to sue the Released Parties (listed in Question 8) for the claims this Settlement resolves.

12. What happens if I do nothing at all?

If you do nothing, you will be bound by the Settlement if the Court approves it, you will not get any money or Credit Monitoring services from the Settlement, you will not be able to start or proceed with a lawsuit, or be part of any other lawsuit against the Released Parties (listed in Question 8) about the settled claims in this case at any time.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the case?

Yes. The Court has appointed Leanna A. Loginov of Shamis & Gentile, P.A., and Brittany Resch of Strauss Borrelli PLLC (called "Class Counsel") to represent the interests of all Settlement Class Members in this case. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

14. How will the lawyers be paid?

Class Counsel will apply to the Court for an award of combined attorneys' fees, costs, and expenses in an amount not to exceed \$135,000. A copy of Class Counsel's Motion for Attorneys' Fees, Costs, Expenses, and Service Award for Class Representative will be posted on the Settlement Website, www.MNOrthoDataSettlement.com, before the Final Approval Hearing. The Court will make the final decisions as to the amounts to be paid to Class Counsel and may award less than the amount requested by Class Counsel.

OBJECTING TO THE SETTLEMENT

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

If you want to tell the Court that you do not agree with the proposed Settlement or some part of it, you must file an objection with the Court telling it why you do not think the Settlement should be approved.

Objections must be submitted in writing and include all the following information:

- a) Your full name, mailing address, telephone number, and email address (if any);
- b) All grounds for the objection, accompanied by any legal support for the objection known to you or your counsel;
- c) The number of times you have objected to a class action settlement within the five years preceding the date that you file the objection, the caption of each case in which you have made such objection, and a copy of any orders related to or ruling upon your prior objections that were issued by the trial and appellate courts in each listed case;
- d) The identity of all counsel who represent you, 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, Costs, and Service Award;
- e) The number of times in which your counsel and/or counsel's law firm have objected to a class action settlement within the five years preceding the date of the filed objection, the caption of each case in which counsel or the firm has made such objection and a copy of any orders related to or ruling upon counsel's or the counsel's law firm's prior objections that were issued by the trial and appellate courts in each listed case in which your counsel and/or counsel's law firm have objected to a class action settlement within the preceding five years;
- f) The identity of all counsel (if any) representing you, and whether they will appear at the Final Approval Hearing;
- g) A list of all persons who will be called to testify at the Final Approval Hearing in support of the objection (if any);
- h) A statement confirming whether you intend to personally appear and/or testify at the Final Approval Hearing; and
- i) Your original signature (an attorney's signature is not sufficient).

Your objection must be filed with the Court and mailed by U.S. Mail to Class Counsel, Defendant's Counsel, and the Settlement Administrator at the addresses listed below. For your objection to be considered by the Court, it must be received no later than **MAY 11, 2026**.

| CLASS COUNSEL | DEFENDANT'S COUNSEL | SETTLEMENT ADMINISTRATOR |
|---|---|---|
| <p style="text-align: center;">Brittany Resch STRAUSS BORRELLI, PLLC 980 N. Michigan Ave, Suite 1610 Chicago, IL 60611 bresch@straussborrelli.com</p> <p style="text-align: center;">Leanna A. Loginov SHAMIS & GENTILE, P.A. 14 NE 1st Avenue, Suite 750 Miami, FL 33132 lloginov@shamisgentile.com</p> | <p style="text-align: center;">Michael Jervis MULLEN COUGHLIN LLC 426 W. Lancaster Ave., Suite 200 Devon, PA 19333 mjervis@mullen.law</p> | <p style="text-align: center;">MN Orthodontics Data Settlement c/o Settlement Administrator ATTN: Objections PO Box 2009 Chanhassen, MN 55317-2009 info@MNOrthoDataSettlement.com</p> |

If you do not submit your objection with all requirements, or if your objection is not received by **MAY 11, 2026**, you will be considered to have waived all objections and will not be entitled to speak at the Final Approval Hearing.

16. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself is telling the Court that you don't want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

THE FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing via video on June 5, 2026, at 10:00 a.m. CT. The hearing may be moved to a different date, time, or location without additional notice, so it is recommended that you periodically check www.MNOrthoDataSettlement.com for updated information.

At the hearing, the Court will consider whether the proposed Settlement is fair, reasonable, adequate, and is in the best interests of Settlement Class Members, and if it should be finally approved. If there are valid objections, the Court will consider them and will listen to people who have asked to speak at the hearing if the request was made properly. The Court will also consider the award of attorneys' fees, costs, and expenses to Class Counsel and the request for a Service Award to the Class Representatives.

18. Do I have to come to the hearing?

No. You are not required to come to the Final Approval Hearing. However, you are welcome to attend the hearing at your own expense.

If you submit an Objection, you do not have to come to the hearing to talk about it. If your objection was submitted properly and on time, the Court will consider it. You also may pay your own lawyer to attend the Final Approval Hearing, but that is not necessary. However, you must follow the requirements for making objections in Question 15, including the requirements for making appearances at the hearing.

19. May I speak at the hearing?

Yes. You can speak at the Final Approval Hearing, but you must ask the Court for permission. To request permission to speak, you must file an objection according to the instructions in Question 15, including all the information required for you to make an appearance at the hearing. You cannot speak at the hearing if you exclude yourself from the Settlement.

DO NOTHING

20. What happens if I do nothing?

If you do nothing, you will not get any benefit from the Settlement, you will not be able to sue for the claims in this case, and you release the claims against Defendants and the Released Parties described in Question No. 8.

GET MORE INFORMATION

21. How do I get more information about the Settlement?

This is only a summary of the proposed Settlement. If you want additional information about this lawsuit, including a copy of the Settlement Agreement, the Complaint, the Court's Preliminary Approval Order, Class Counsel's Motion for Attorneys' Fees, Costs, Expenses, and Service Award for Class Representative, and more, please visit www.MNOrthoDataSettlement.com or call 1-888-717-2747. You may also contact the Settlement Administrator at:

MN Orthodontics Data Settlement
c/o Settlement Administrator
P.O. Box 2009
Chanhassen, MN 55317-2009

PLEASE DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT OR LITIGATION TO THE CLERK OF THE COURT, THE JUDGE, DEFENDANT, OR DEFENDANT'S COUNSEL.