

MINDEN MEDICAL CENTER

26th Judicial District Court in and for the Parish of Webster, Louisiana

Health insurance policyholders may be affected by a proposed class action settlement.

A state court authorized this legal notice. This is not a solicitation from a lawyer.

- Minden Medical Center is a hospital system located in Minden, Louisiana in the Parish of Webster. Minden Medical Center is a defendant in a lawsuit filed as *Prentiss Baker, Sheryl Wiginton, and Judyette Allen, individually and on behalf of all others similarly situated v. PHC - Minden Medical Center, No. 71566 "C"*. The settlement relates to this lawsuit.
- A settlement has been reached in the above class action lawsuit. The allegations in the suit against Minden Medical Center, LLC are that it improperly billed and/or collected from patients who had health insurance and who were treated in in emergency room at Minden Medical Center for injuries from motor vehicle accidents.
- An \$800,000.00 settlement fund has been set aside to settle all valid claims as well as attorneys' fees and costs as approved by the Court.
- You could be included in the Class if you were insured by health insurance, treated at Minden Medical Center where treatment was covered under your health insurance policy and where you or your attorney received a medical lien or collection letter at any time within today's date and January 1, 2004.
- Additionally, this will not have an effect on your insurance premiums or your right to seek medical treatment at Minden Medical Center in the future.
- Your legal rights are affected whether you act or do not act. Read this notice carefully.

| YOUR LEGAL RIGHTS AND OPTIONS | |
|--------------------------------------|--|
| TO RECEIVE A PAYMENT | If you are eligible to receive a payment you will get a letter. If you received a yellow notice along with this Notice, you will be required to provide the documentation requested in that document in order to be eligible for payment. Otherwise, if you did not receive a yellow notice, there is no action to take now. |
| TO EXCLUDE YOURSELF | Receive no payment. This is the only option that allows you to be part of any other lawsuit against the Defendant(s) about the legal claims resolved in this settlement. |
| TO OBJECT | Write to the Court about why you don't like the settlement. |
| TO GO TO A HEARING | Ask to speak in Court about the settlement. |
| TO DO NOTHING | Give up rights to sue the Defendants about the legal claims resolved in this Settlement, and receive a payment for the monies owed to you. |

- These rights and options – **and the deadlines to exercise them** – are explained in this notice.

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- The Court in charge of this case still has to decide whether to approve the settlement. Payments will be made only if the Court approves the settlement and after any appeals are resolved. Please be patient.

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BASIC INFORMATION

1. Why has this notice been issued?

A Court has authorized this notice because you have a right to know about the proposed settlement of certain claims in this class action lawsuit, including the right to claim money, and about all of your options, before the Court decides whether to give “final approval” to the settlement. If the Court approves the settlement, and after any appeals are resolved, amounts will be paid to holders of valid claims. This notice explains the lawsuit, the settlement, your legal rights, what benefits are available, who may be eligible for them, and how to get them.

Judge Michael Nerren in the 26th Judicial District Court, Parish of Webster, Louisiana, is overseeing the case. The case is known as *Prentiss Baker, Sheryl Wiginton, and Judyette Allen individually and on behalf of all others similarly situated v. PHC - Minden Medical Center,, No. 71566 “C”, 26th Judicial District Court, Parish of Webster*. The people who sued are called the Plaintiffs. The party they are suing, Minden Medical Center, is called the Defendant.

2. What is this lawsuit about?

This class action lawsuit generally stems from alleged improper billing and collection activities by Minden Medical Center with regard to patients who had health insurance and who were treated at Minden Medical Center.

The Lawsuit claims that Minden Medical Center billed and collected, or attempted to collect, from current or former Louisiana residents who were insured under health insurance policies more money than what Minden Medical Center had agreed with the health insurance companies to accept in full payment for Covered Medical Services that were received by such persons during certain periods. The Lawsuit claims that Minden Medical Center is legally responsible for damages resulting from the improper billing and collection activities and the class members are owed compensation from Minden Medical Center.

3. Why is the case a class action?

In a class action, one or more people or entities like you, called Class Representatives, sue on behalf of people who have similar claims. All of these people are a “Class” or “Class Members.” One court resolves the issues for all Class Members, except for those who exclude themselves from the Class.

4. Why is there a settlement?

Both sides agreed to a settlement to avoid the cost and risk of future trials, and so that the people affected can get compensation, in exchange for releasing Minden Medical Center from all liability and dismissing the settled claims with prejudice. The Class Representatives and the lawyers representing them think the settlement is best for all Class Members.

WHO IS IN THE SETTLEMENT

To see if you will be affected by this settlement or if you can get anything from this settlement, you first have to determine if you are a Class Member.

5. How do I know if I am a part of the settlement?

Generally, you may be a Class Member if you are a current or former Louisiana resident and sometime within the period from January 1, 2004 through the present date, you were insured under a health insurance policy

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issued or administered by a health insurance company, which policy provided for health care or medical services in Louisiana (Medical Services) and while so insured during this period you received Medical Services from Minden Medical Center, covered under such policy (Covered Medical Services) and you or someone on your behalf or a third party liability insurance company paid Minden Medical Center for the Covered Medical Services more than the co-payments, co-insurance, and/or deductibles required by your health insurance policy and/or if you received a letter by or on behalf of Minden Medical Center for the Covered Medical Services for more than the co-payments, co-insurance, and/or deductibles required by your health insurance policy. You could have made the payments to Minden Medical Center (or any person affiliated with Minden Medical Center) yourself or through your attorney or someone else's attorney or through a liability insurance carrier.

More detailed descriptions of the Class and the Settlement Agreement are available at www.mindenmedicalclass.com and in the official records of these proceedings on file with the Clerk of Court for the 26th Judicial District Court, Parish of Webster, 410 Main St., Minden, LA 71055.

6. I'm still not sure if I am included.

If you are not sure whether you are included in the Class, you can visit the website at www.mindenmedicalclass.com, call 504-581-9065 for more information, or write to: Minden Medical Center Class Counsel, 338 Lafayette Street, New Orleans, LA 70130.

THE SETTLEMENT BENEFITS

7. What does the settlement provide?

Minden Medical Center will establish an \$800,000.00 settlement fund to pay valid claims from Class Members, as well as lawyers' fees, expenses, and costs, as approved by the Court. The Settlement Agreement, available at the website and in the official records of these proceedings on file with the Clerk of Court, describes all of the details about the proposed settlement.

The "Special Master" (*See* question 12 below) has recommended to the Court that 40% of the settlement fund, plus the interest accrued thereon, be reserved to pay (a) litigation costs, and (b) attorneys' fees for work in litigating the case and obtaining settlement. More details are available in the Settlement Agreement at www.mindenmedicalclass.com.

8. What can I get from the settlement?

The amount of each payment will be based on the total number of claims received and on the extent of damages suffered. The exact amount that you could receive from the settlement cannot be determined at this time.

9. Who will oversee the settlement fund?

An independent "Special Master" will oversee the settlement fund. Allen J. Mitchell, II and James A. Blanco have been appointed by the Court to be the Special Masters. The Special Masters will recommend to the Court how to allocate the settlement fund among the Class Members if and when the Court gives final approval to the settlement. (*See* the section on "The Court's Fairness Hearing" below).

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HOW TO GET BENEFITS

10. How can I get a payment?

Class Members who are entitled to benefits under the settlement do not have to do anything now to get a payment. In the event that the class member does not opt out of the class, he/she will receive a check. These checks will be mailed after the Court grants final approval to the settlement.

As more fully described in the Settlement Agreement, each Class Member's settlement check will include language so that the Class Member's endorsement and/or deposit thereof will serve as the Class Member's agreement to the terms and conditions in the Settlement Agreement.

11. What if I received a "Yellow" Notice?

If you received a yellow notice along with this Notice, you will be required to provide the documentation requested in that document in order to receive payment. If the documentation you provide satisfies the requirements as set forth in the Settlement Agreement, you will receive a check.

12. When would I get my payment?

The Court has scheduled a hearing on June 26, 2018 at 9:00 o'clock a.m. to decide whether to approve the settlement. If Judge Nerren approves the settlement at that time or sometime after that, there may be appeals. Payments to holders of valid claims cannot be made until the appeal process is finished, the settlement is final, and the allocation process has been completed. Please be patient.

13. What am I giving up to get a payment or stay in the Class?

You will release the Defendants and certain others from all liability for any claims that are being settled. That means you cannot sue Minden and certain others ever again for these claims and your claims will be dismissed with prejudice. The specific claims you will be releasing, called "Released Claims," are described in the Settlement Agreement that is available at the website and in the official records of these proceedings on file with the Clerk of Court.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want a payment from this settlement, but you want to keep the right to sue or continue to sue Minden Medical Center over the legal issues being settled in this case, then you must take steps to get out of the Class. This is called asking to be excluded from—or sometimes called "opting out" of—the Class.

14. If I exclude myself, can I get money from the settlement?

No. If you ask to be excluded, you will not get any settlement payment, and you cannot object to the settlement. But you may sue, continue to sue, or be part of a different lawsuit against Minden Medical Center in the future. You will not be bound by the settlement in this lawsuit if you exclude yourself.

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

No. Unless you exclude yourself, you give up the right to sue Minden Medical Center and certain others for all the claims that this settlement resolves. You must exclude yourself from this Class to start or continue your own lawsuit or to be part of any different lawsuit relating to these claims.

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16. How do I get out of the settlement?

To exclude yourself from the settlement, you must send a letter by mail saying "I hereby request that I be excluded from the proposed settlement Class in *Prentiss Baker, Sheryl Wiginton, and Judyette Allen individually and on behalf of all others similarly situated v. PHC - Minden Medical Center,, No. 71566 "C"*, 26th Judicial District Court, Parish of Webster. Be sure to include your name, address, telephone number, and your signature. You cannot ask to be excluded on the phone or at the website. You must mail you exclusion request postmarked no later than **21 days after the mailing of this notice** to:

Minden Medical Center Class Action Exclusions
338 Lafayette Street
New Orleans, LA 70130

Although not mandatory, it is recommended that you send the mail in some form so that you can have proof of mailing and receipt in the event that an issue later arises.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

The Court has appointed the following Louisiana lawyers to represent Class Members as "Class Counsel": J. Lee Hoffoss, Jr. and Claude P. Devall of Hoffoss Devall, LLC 517 West College Street, Lake Charles, LA 70605; Derrick G. Earles of Laborde Earles Law Firm, PO Box 80098, Lafayette, LA, 70598; and Scott R. Bickford and Lawrence J. Centola, III of Martzell, Bickford & Centola, PC, 338 Lafayette Street, New Orleans, LA, 70130.

If you want to be represented by a lawyer of your choosing, you may hire one at your own expense. If you need assistance with your claim, Class Counsel will assist you for free. To contact Class Counsel, call 504-581-9065 or write to: Minden Medical Center, 338 Lafayette Street, New Orleans, LA 70130.

18. How will the lawyers be paid?

The amount of the Attorney fee will be determined by the Court. The lawyers will ask for a fee not to exceed forty (40%) percent of the \$320,000.00 settlement fund and for reimbursement of their out-of-pocket costs incurred in litigating the claims being settled. Class Counsel will ask the Court to award these amounts from the settlement fund for their work in litigating the case and obtaining the settlement. Class Counsel will also ask for \$10,000.00 for each of the Class Representatives who helped the lawyers on behalf of the whole Class. The Court may award less than the requested amounts to Class Counselor to the Class Representatives.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with the settlement or some part of it.

19. How do I tell the Court if I do not like the settlement?

If you are a Class Member, you can object to the settlement if you do not like it or certain parts of it. You must give reasons why you think the Court should not approve the settlement. The Court will consider your views if you properly submit an objection on time. To object, prepare a written statement of the specific reasons you object to the settlement. Please indicate that you are objecting to the Minden Medical Center Class Settlement, Suit Number No. 71566 "C." Be sure to include your name, the last four digits of your social security number, date of birth, address, telephone number, and your signature. If you have a lawyer, please provide his/her name, address, and telephone number. You must also include copies of any supporting materials, papers, and legal briefs, along with the names and addresses of any witnesses you or your lawyer will use to support your objection, together with a statement about what they will testify about and a summary of the proposed

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testimony. You must state in your objection that you are a Class Member. You can hire your own lawyer, at your own expense, to appear with or without you at the Fairness Hearing; but you or your lawyer do not have to appear at the Fairness Hearing in order for the Court to consider your objection. If you or your lawyer intends to speak at the Fairness Hearing about your objection, you also must submit a notice of intent to appear with your objection materials. The objection must be mailed to the four addresses listed below with a postmark no later than **21 days after the mailing of this notice.**

| Court | Claims Admin | Class Counsel | Defense Counsel |
|---|---|---|--|
| Clerk of Court 26 th JDC, Parish of Webster P. O. Box 370 Minden, LA 70158 | Mitchell & Blanco One Lakeshore Drive Suite 1495 Lake Charles, LA 70629 | Lawrence J. Centola, III Martzell, Bickford & Centola, PC 338 Lafayette Street, New Orleans, LA 70130 | Robert I. Baudouin Blue Williams, L.L.P. 3421 N. Causeway Blvd. Suite 900 Metairie, LA 70006 |

For more information, please see the Court orders at www.mindenmedicalclass.com and in the official records of these proceedings on file with the Clerk of Court.

20. What is the difference between objecting and excluding?

Objecting is simply telling the Court that you do not like something about the settlement. You can object only if you stay in the Class. Excluding yourself is telling the Court that you do not want to be part of the Class. If you exclude yourself, you cannot object to the settlement or to the attorneys' fees or costs, because the case no longer affects you, and you will not receive any settlement payment.

THE COURT'S FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the settlement.

21. When and where will the Court decide whether to approve the settlement?

The Court has scheduled a Fairness Hearing starting at June 26, 2018 at 9:00 o'clock a.m., at the 26th JDC, Webster Parish Courthouse, 410 Main St., Minden, LA 71055. (The hearing may be moved to a different date or time without additional notice, so it is a good idea to check www.mindenmedicalclass.com.) At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. The Court will consider whether to approve the settlement, any requested attorneys' fees, expenses, etc., and awards for Class Representatives. If there are objections, the Court will consider them.

22. Do I have to come to the hearing?

No. Class Counsel will answer questions the Court may have. But, you are welcome to come to court at your own expense. You may also have your own lawyer attend (at your expense), but it is not required.

23. May I speak at the hearing?

You can only speak at the Fairness Hearing if you file a timely objection to the settlement and following the procedures set forth in this notice (*see*, "Objections to the Settlement" above) and you include with your objection a notice of intent to appear. The date and time of the hearing is shown in question 20 above. You cannot speak at the Fairness Hearing if you exclude yourself.

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IF YOU DO NOTHING

24. What happens if I do nothing at all and the settlement is approved?

Subject to the language below, if you do nothing and the settlement is approved, you will receive a letter that explains the amount that the independent special master has determined you are entitled to. And you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Minden Medical Center and certain others about the claim being settled, ever again.

If you received a yellow notice along with this Notice, you will be required to provide the documentation requested in that document in order to receive a letter that explains the amount that the independent special master has determined you are entitled to. Failure to provide the requested documentation will result in no eligibility to payment. And you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Minden Medical Center and certain others about the claim being settled, ever again.

GETTING THE INFORMATION

25. How do I get more information?

This notice summarizes the proposed settlement. More details are in the Settlement Agreement. You can visit the website at www.mindenmedicalclass.com or the Clerk of Court's office at Clerk of Court, 26th JDC, Webster Parish Courthouse, 410 Main St., Minden, LA 71055, where you will find the Settlement Agreement, other documents about the settlement, information about the claims process, and other information about the case. Or, you may call 504-581-9065, or write to the Minden Medical Class Counsel at 338 Lafayette Street, New Orleans, LA 70130.