CASE NO. 23-CI-003349

JEFFERSON CIRCUIT COURT
DIVISION TWO (2)
JUDGE ANNIE O'CONNELL

ABBY BERTHOLD, CHARLOTTE D'SPAIN, and LANISHA MALONE, individually, on behalf of themselves, and all others similarly situated, **PLAINTIFFS**

v.

NORTON HEALTHCARE, INC. and NORTON HOSPITALS, INC. **DEFENDANTS**

* * * * * * * * * * * *

AGREED FINAL APPROVAL ORDER AND JUDGMENT

Motion having been made by Plaintiffs, individually, and on behalf of the Settlement Class, for Final Approval of the class action Settlement with Defendants, Norton Healthcare, Inc. and Norton Hospitals, Inc. ("Defendants"), pursuant to Civil Rule 23.05 of the Kentucky Rules of Civil Procedure; and,

The Court having held a final approval hearing on May 15, 2026, notice of the hearing having been duly given in accordance with this Court's Order Granting Unopposed Motion for Preliminary Approval of Class Action Settlement (the "Preliminary Approval Order"); having considered all matters submitted to the Court at the final approval hearing including the four (4) valid objections submitted; and otherwise, being well and sufficiently advised;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. The Settlement Agreement, including its Exhibits (the ""Settlement Agreement"), and the definition of words and terms contained therein are incorporated by reference and are used hereafter. The terms and definitions of this Court's Preliminary Approval Order are also incorporated by reference in this Final Approval Order and Judgment.

FC33E274-7778-418E-A79C-83A32E31DD8D : 000001 of 000005

ASET : 000001 of 000005

2. The Court has subject matter jurisdiction pursuant to KRS § 23A.010 and personal jurisdiction over the parties before it, including the Settlement Class Members with respect to the following Class, which is finally certified under CR 23.01 and CR 23.02:

> All individuals whose personal information may have been compromised as a result of the Data Incident, as identified on the Class List.
>
> The Settlement Class specifically excludes: (i) all persons who timely and validly request exclusion from the Class; (ii) the judge assigned to evaluate the fairness of this settlement (including any members of the Court's staff assigned to this case); (iii) Defendants' officers and directors, and (iv) any other person found by a court of competent jurisdiction to be guilty under criminal law of initiating, causing, aiding or abetting the criminal activity occurrence of the Data Incident or who pleads nolo contendere to any such charge.

3. The Court hereby finds that the Settlement is the product of arm's length settlement negotiations between the Parties facilitated by a third-party neutral mediator.

4. The Court hereby finds and concludes that class notice was disseminated to persons in the Settlement Class in accordance with the terms of the Settlement Agreement and as approved by the Court.

5. The Court grants final approval of the appointment as Class Counsel to Lynn A. Toops of CohenMalad, LLP and J. Gerard Stranch, IV of Stranch, Jennings & Garvey, PLLC.

6. The Court further finds and concludes that the class notice and claims submission procedures set forth in the Settlement Agreement fully satisfy CR 23.05 of the Kentucky Rules of Civil Procedure and the requirements of due process, were the best means of providing notice practicable under the circumstances, provided due and sufficient individual notice to all persons in the Settlement Class who could be identified through reasonable effort and support the Court's exercise of jurisdiction over the Settlement Class as contemplated in the Settlement Agreement and this Final Approval Order and Judgment.

FC33E274-7778-418E-A79C-83A32E31DD8D : 000002 of 000005

ASET : 000002 of 000005

7. The Court has considered the timely and valid objections submitted to the proposed Settlement, and for the reasons outlined in Plaintiffs' Motion for Final Approval, overrules said objections.

8. The Court hereby fully and finally approves the Settlement Agreement and finds that the terms constitute, in all respects, a fair, reasonable and adequate settlement as to all Settlement Class Members, entered into in good faith and without collusion, in accordance with CR 23.05.

9. Further, the Court awards $3,500 to each of the Representative Plaintiffs as service awards. The Court finds these amounts are justified by their service to the Settlement Class. Payment shall be made pursuant to the procedures in the Settlement Agreement.

10. The Court awards Class Counsel a total of $3,666,666.67 in combined attorneys' fees, expenses, and costs. The Court finds these amounts to be fair and reasonable. Payment shall be made pursuant to the procedures set forth in the Settlement Agreement.

11. The Court orders the Parties to comply with and implement the terms of the Settlement Agreement in all respects.

12. On final approval of this settlement (including, without limitation, the exhaustion of any judicial review, or requests for judicial review, from this Final Approval Order and Judgment), the Plaintiffs and each and every one of the Settlement Class Members unconditionally, fully and finally release and forever discharge the Releasees from the Released Claims, as set forth in the Settlement Agreement.

13. Plaintiffs' claims against the Defendants are dismissed with prejudice and without costs, except as explicitly provided for in this Settlement Agreement.

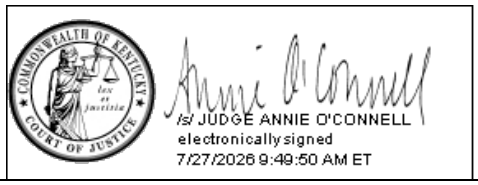
14. The Court reserves jurisdiction over the Settlement and the Settlement Agreement.

FC33E274-7778-418E-A79C-83A32E31DD8D : 000003 of 000005

ASET : 000003 of 000005

15. This is a final and appealable order. There is no just reason for delay.

IT IS SO ORDERED



HONORABLE ANNIE O'CONNELL
JUDGE, JEFFERSON CIRCUIT COURT
DIVISION TWO (2)

Dated: _____

SEEN AND AGREED TO BY:

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FC33E274-7778-418E-A79C-83A32E31DD8D : 000004 of 000005

ASET : 000004 of 000005

Entered 23-CI-003349 07/31/2026 David L. Nicholson, Jefferson Circuit Clerk

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FC33E274-7778-418E-A79C-83A32E31DD8D : 000005 of 000005

ASET : 000005 of 000005