

**SUPERIOR COURT OF NEW JERSEY
CAMDEN COUNTY
DOCKET NO. CAM-L-1271-15**

**BERNETICH, HATZELL & PASCU, LLC, on
behalf of itself and all others similarly situated,**

Plaintiff,

v.

**MEDICAL RECORDS ONLINE, INC,
(d/b/a “MRO”),**

Defendant.

LEGAL NOTICE BY ORDER OF THE COURT

YOU MAY BE ENTITLED TO A REFUND IF:

YOU ARE A NEW JERSEY ATTORNEY WHO BETWEEN JANUARY 25, 2013 AND DECEMBER 31, 2016:

1. WERE AUTHORIZED BY YOUR CLIENTS TO REQUEST AND RECEIVE COPIES OF A CLIENT’S PATIENT MEDICAL RECORDS; AND
2. WHO REQUESTED AND RECEIVED AN INVOICE IN YOUR OWN NAME FROM MEDICAL RECORDS ONLINE, INC. FOR A CD, EMAIL OR ONLINE PORTAL ACCESS, PAID AN INVOICE, AND WERE NOT REIMBURSED FOR THAT PAYMENT FROM THE CLIENT OR THROUGH A RECOVERY.

WHAT IS THIS NOTICE ABOUT? A proposed class action lawsuit, encaptioned Bernetich, Hatzell & Pascu, LLC vs. Medical Records Online Inc d/b/a “MRO”, Docket No. CAM-L-1271-15 was filed in the Superior Court of New Jersey, Camden County, on behalf of all New Jersey attorneys who, between January 25, 2013 and December 31, 2016, purchased copies of their clients’ electronically-stored and transmitted New Jersey medical records on CD, email or via online portal access from MRO. The complaint alleged that MRO had a uniform policy of charging fees for such medical records stored and transmitted electronically via CD, email or online portal access which exceeded the limits set forth in N.J.A.C. 8:43G-15.3(d). MRO denies any wrongdoing and denies the claims and allegations asserted by Plaintiff. The parties nevertheless have agreed to settle the lawsuit.

WHY SHOULD I READ THIS NOTICE? You may be a member of the class. This is a class action lawsuit that the parties have proposed to settle. If the proposed settlement is approved by the Court, your legal rights may be affected. This notice describes what the lawsuit is about, explains the terms of the proposed settlement, tells you who would be covered and what legal claims would be resolved by the settlement if the Court approves it, and explains how class members can obtain benefits under the settlement.

AM I COVERED BY THIS CLASS ACTION LAWSUIT AND THE PROPOSED SETTLEMENT? You will be a member of the proposed class if you are a New Jersey attorney or law firm who, between January 25, 2013 and December 31, 2016, received an invoice in your own name from MRO for copies of client medical records on CD, via email, or via MRO online portal access, and you paid that MRO invoice, and you were not reimbursed for that payment by either the client or through a recovery. You can obtain more information about the proposed class and/or settlement by visiting class counsel's website at www.denittislaw.com.

WHAT ARE THE TERMS OF THE SETTLEMENT? The proposed settlement provides class members to submit a valid timely claim to receive for each transaction the difference between the amount MRO charged the New Jersey attorney Class Member for the first hundred pages of copies provided by MRO via CD, email or online portal access and \$0.25 per page. In most cases this will result in a \$0.75 refund per page for every page of medical records received up to 100 pages. All claims are subject to the settlement cap of \$135,000.00. If the total amount of valid claims exceeds \$135,000.00, valid claims shall be paid on a pro rata basis.

In addition, MRO has also agreed to revise its invoices to remove the requirement that New Jersey purchasers of copies of New Jersey healthcare provider medical records must arbitrate any dispute. MRO has also agreed to separately pay an incentive award to the named plaintiff and an award of attorney's fees and costs to class counsel, subject to Court approval, based on class counsel's current lodestar. These payments shall not come from the class settlement funds and, instead will be paid separately by MRO. Thus, these amounts will not reduce the recovery of any class member.

The foregoing is a summary of the basic settlement terms. The full settlement is set forth in a Settlement Agreement that can be viewed at www.denittislaw.com.

WHAT ARE MY RIGHTS? If you are a member of the class and wish to participate in the settlement, you need to complete and submit a claim form on or before May 18, 2017.

If you are a member of the class and you do NOT want to remain part of the class, you may exclude yourself ("opt-out"). To opt-out, you must mail a written request, postage pre-paid, to class counsel at Stephen DeNittis at DeNittis Osefchen Prince, P.C., Suite 410, 525 Route 73 N., Marlton, NJ 08053, and Defendant's Counsel, Lisa J. Rodriguez at Schnader Harrison Segal & Lewis LLP, Woodland Falls Corporate Park, 220 Lake Drive East, Suite 200, Cherry Hill, NJ 08002. The request must be post-marked on or before April 25, 2017, and contain: the name of the lawsuit; your full name, current address and phone number; your signature; and a specific statement of your intention to exclude yourself from the Settlement Class and any judgment entered pursuant to the proposed Settlement. If you do not opt-out as instructed above, you will be automatically included and bound by any determination of the Court, whether favorable or not, and any claim of yours will be ended by judgment.

You may also file a motion with the Court for permission to intervene in this lawsuit if you wish. You do not have to intervene. If you do not intervene in this case or exclude yourself from the class, your interests will be represented by class counsel.

You may object to the proposed settlement if you wish. Any objection to the settlement must be sent to the addresses listed above and postmarked no later than April 25, 2017. Any objection should contain the name of this lawsuit; your full name, current address and telephone number; your signature; proof of your membership in the class; and the specific reason(s) for your objection.

On May 9, 2017, at 9:00 a.m., the Superior Court of New Jersey, Law Division, Camden County, the Honorable Michael J. Kassel, J.S.C., Camden County Hall of Justice, 101 South Fifth Street, Camden, NJ 08103, will hold a public hearing to determine whether the proposed settlement is fair, adequate, and reasonable and should be approved. Class members who support the proposed settlement do not need to appear at the hearing or take any other action to indicate their approval. Class members who object to the proposed settlement are not required to attend the settlement hearing. If you want to be heard orally in opposition to the settlement, either personally or through counsel, you must indicate your intention to appear at the hearing in your written objection.

HOW DO I GET MORE INFORMATION? Claim forms and further information about the settlement can be obtained by visiting the following website address: www.denittislaw.com.

**PLEASE DO NOT WRITE OR TELEPHONE THE COURT FOR INFORMATION
ABOUT THE PROPOSED SETTLEMENT OR THIS LAWSUIT.**

Dated: March 3, 2017