

**NOTICE OF PENDENCY OF CLASS ACTION AND PROPOSED SETTLEMENT**

Re: *Hockfield & Kasher, PA v. Star Med, LLC*, Docket No.: CAM-L-813-17, Superior Court of New Jersey, Law Division, Camden County

YOU MAY BE ENTITLED TO A SETTLEMENT IF:

- A. You are a law firm, with a New Jersey office, that:
  - i. Received from Star Med, LLC a patient's hospital medical records via electronic means (i.e. CD or online portal);
  - ii. Requested the medical records in the course of representing the patient (i.e. not a defense law firm or other law firm not acting on behalf of the patient) and was authorized by the patient to request and receive the medical records; AND
  - iii. Paid the bill from Star Med, LLC for the medical records and was not reimbursed for said payment.

**OR**

- A. You are a patient, who is a New Jersey citizen, who or whose attorney received from Star Med, LLC your hospital medical records via electronic means (i.e. CD or online portal); AND
- B. The bill from Star Med, LLC for the medical records was paid:
  - i. Directly by you and you were not reimbursed for said payment; OR
  - ii. Indirectly by you through reimbursement of your attorney by any means (i.e. retainer, direct payment, deduction from settlement proceeds, or cost judgment) for the payment of Star Med, LLC's bill.

WHAT IS THIS NOTICE ABOUT? A proposed class action lawsuit, captioned *Hockfield & Kasher, PA v. Star Med, LLC*, Docket No.: CAM-L-813-17, was filed in the Superior Court of New Jersey, Law Division, Camden County, on behalf of all New Jersey law firms and patients who paid Star Med, LLC for the production of medical records in electronic format. The Complaint alleged that the fees charged by Star Med, LLC exceeded the limits set forth in N.J.A.C. 8:43G-15.3(d). Star Med, LLC denies any wrongdoing and denies the claims and allegations asserted in the Complaint. 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 (1) a patient who is a New Jersey citizen that received from Star Med, LLC a copy of your hospital medical records via electronic means, received a bill from Star Med, LLC, and paid Star Med, LLC's bill and was not reimbursed for said payment; (2) a patient who is a New Jersey citizen whose attorney received from Star Med LLC a copy of their medical records from a hospital via electronic means and received and paid a bill from Star Med LLC for the medical records, and who reimbursed, by any means, their attorney (i.e. retainer, direct payment, deduction from settlement proceeds, or cost judgment) for the payment of Star Med LLC's bill for the medical records; or (3) a law firm with a New Jersey office who received from Star Med, LLC a copy of a patient's hospital medical records via electronic means, requested the medical records

in the course of representing the patient and was authorized by the patient to request and receive the medical records, received a bill from Star Med, LLC, and paid Star Med, LLC's bill and was not reimbursed for said payment.

Please note that if a law firm requested and obtained medical records via electronic means (i.e. CD or online portal) from Star Med, LLC, this Notice is being sent to both the law firm requestor and the patient whose records were requested. Both the law firm requestor and the patient, however, cannot recover for the same production of medical records. If the patient did reimburse the law firm for the payment of Star Med, LLC's bill for the medical records, only the patient is potentially eligible to recover under this settlement. If the patient did not reimburse the law firm for the payment of Star Med, LLC's bill for the medical records, only the law firm is potentially eligible to recover under this settlement.

You can obtain more information about the proposed class and/or settlement by visiting class counsel's website at [www.denittislaw.com](http://www.denittislaw.com).

WHAT ARE THE TERMS OF THE SETTLEMENT? The proposed settlement provides that class members who submit a valid timely claim can receive for each qualifying request for medical records \$0.50 per page for the first 100 pages of documents produced by Star Med, LLC via electronic means, with a cap of \$50.00 per qualifying request for medical records. Each class member can recover on up to five (5) qualifying requests for medical records that resulted in the production of medical records by Star Med, LLC via electronic means, with a total claim cap per class member of \$250.00. All claims are subject to a settlement cap of \$50,000.00. If the total amount of valid claims by class members exceeds \$50,000.00, valid claims shall be paid on a pro rata basis.

Star Med LLC 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. These payments shall not come from the class settlement funds and, instead will be paid separately by to Star Med LLC. 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](http://www.denittislaw.com).

HOW TO SUBMIT A CLAIM? A Claim Form is included with the distribution of this Notice for use in submitting a claim and is also available at [www.denittislaw.com](http://www.denittislaw.com). You must complete all portions of the Claim Form, sign the Claim Form under penalty of perjury, attach all documents required therein, and mail or fax the signed, completed Claim Form to:

**First Class, Inc./ J13893-Star Med**  
**5410 W. Roosevelt Rd., Ste 222**  
**Chicago, IL 60644-1490**  
**OR**  
**877-250-9986**

The completed Claim Form must be postmarked or faxed no later than **November 26, 2018**.

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 **November 26, 2018**. 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, John D. Shea, at Litchfield Cavo, LLP, 1800 Chapel Avenue, Suite 360, Cherry Hill, NJ 08002. The request must be postmarked on or before **November 19, 2018**, and contain: the name of the lawsuit; name, address and telephone number of the person requesting exclusion; documentation demonstrating the payment for the medical records produced via electronic means or any reimbursement thereof; contain a statement communicating that such person elects to be excluded from the settlement class and any judgment entered pursuant to the proposed settlement; and the signature of the person requesting exclusion. 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 in writing and filed with the Court, and served on class counsel and counsel for Defendant to the addresses listed above, no later than **November 19, 2018**. Any objection must contain (1) the case name and docket number of this lawsuit; (2) your full name, current address and telephone number; (3) proof of your membership in the settlement class; (4) a statement of the legal and factual basis for each objection; (5) a statement of whether you intend to appear at the Final Approval hearing; (6) a description of any and all evidence you intend to offer in support of its objection; and (7) the signature of the person objecting.

On **December 3, 2018**, at **1:30 PM**, the Superior Court of New Jersey, Law Division, Camden County, the Honorable **Anthony M. Pugliese, J.S.C., Courtroom 43**, 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](http://www.denittislaw.com).

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