

THIS IS A NOTICE OF A LAWSUIT SETTLEMENT.
You may benefit from this. Please read it carefully. You are not being sued.

If you have a valid claim, you must return a completed Proof of Claim (attached)
if you want to receive a payment.

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

PROGRESSIVE HEALTH AND REHAB CORP.,
individually and as the representative of a
certified class of similarly situated persons,

Plaintiff,

v.

INDEGENE, INC., INDEGENE ENCIMA, INC.,
INDEGENE WINCERE, INCORPORATED, and
INDEGENE HEALTHCARE, LLC,

Defendants.

Civil Action No. 1:20-cv-10106-ESK-AMD

NOTICE OF CLASS ACTION SETTLEMENT
WITH ATTACHED CLAIM FORM

TO: All persons or entities who were successfully sent a Fax, on or about February 7, 2020, that states "Medical Record Review of the Impact of Adverse Events Associated with the Use of Current anti-Parkinson's Disease Medications on Patient Clinical Therapeutics and Outcomes Trajectories in the U.S," and offers an honorarium of \$250 per eligible patient. (Hereinafter referred to as the "Settlement Class"). Excluded from the Class are Defendants, any parent, subsidiary, affiliate or controlled person of Defendants, as well as the officers, directors, members, managers, agents, servants or employees of Defendants and the immediate family members of such persons, and the Court and its officers.

- A. WHY HAVE YOU RECEIVED THIS NOTICE?** The Court ordered us to send you this Notice because your fax number is contained on a list of fax numbers to which an alleged advertisement was sent by fax and you appear to be a member of the Settlement Class defined above.
- B. WHAT IS THIS LAWSUIT ABOUT?** Plaintiff Progressive Health and Rehab Corp. ("Plaintiff") filed this class action lawsuit alleging that Defendants Indegene, Inc., Indegene Encima, Inc., Indegene Wincere Incorporated, and Indegene Healthcare, LLC ("Defendants") violated the federal Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227, by sending advertisements to the Settlement Class by fax without express invitation or permission. The Defendants deny Plaintiff's allegations, deny any wrongdoing occurred, and raised defenses. The Court certified the case as a class action so that the claims about Defendants' faxes sent on or about February 7, 2020, could be resolved class-wide in this single lawsuit. Plaintiff seeks money damages for every Settlement Class member. Your fax number was identified in discovery as having been sent a fax.
- C. WHY IS THERE A SETTLEMENT?** The Court has not decided in favor of Plaintiff or Defendants. Instead, both sides have agreed to a settlement and memorialized such settlement in a Settlement Agreement filed in the above captioned lawsuit. By agreeing to a settlement, the parties avoid the costs and uncertainty of a trial, and if the settlement is approved by the Court, Settlement Class members will receive the benefits set forth in the proposed Settlement Agreement. The proposed settlement does not mean that any law was broken or that Defendants did anything wrong. The Defendants deny all legal claims in this case. The parties, however, believe that the proposed settlement is best for anyone who is affected.

D. WHAT IS THE PROPOSED SETTLEMENT? Without admitting any fault or liability, and in exchange for a release of all claims against them, Defendants have agreed to make up to \$4,717,250 (the “Settlement Fund”) available to pay those Settlement Class members who submit a valid claim form (attached), to pay an incentive award to Plaintiff for serving as the class representative, to pay attorneys’ fees and litigation expenses to Plaintiff’s attorneys, and to pay the costs of class notice and claims administration. The claim form is attached. If the Court approves the settlement, all of the Class members who submit a valid and timely Proof of Claim Form (attached) will be mailed a check for \$250.00, unless the total claims are such that after payment of attorney’s fees, expenses, and incentive payment of \$15,000.00 would exceed the amount of the Settlement Fund, in which case claiming Class member will receive a pro rate share of the fund. The Court has preliminarily approved this settlement, subject to a fairness hearing that will occur on **January 12, 2027**, at **10:00 a.m.**, in Room 4D, United States District Court for the District of New Jersey, Mitchell H. Cohen Building, 4th & Cooper Streets, Camden, New Jersey 08101.

E. WHAT ARE YOUR OPTIONS?

1. **Return a completed Claim Form:** To receive a share of the Settlement Fund, you must complete and return a signed Claim Form postmarked or submitted on or before **December 9, 2026**. In order to be deemed a member of the Settlement Class, the facsimile number(s) you list on the Claim Form must include a facsimile number that was deemed to have received a successful facsimile from Defendants. The Claim Form is attached as the last page of this Notice. The Claim Form can be submitted by fax, mail, or electronically, and must be completed in full. If approved, you will be mailed a check for your share of the Settlement Fund.
2. **Do nothing.** If you do nothing, you will remain in the Settlement Class, be bound by any judgment entered by the Court, and any claims you may have against Defendants related to the predicate facts alleged in this lawsuit, including Defendants’ faxes sent on or about February 7, 2020 will be deemed released, but you will receive no payment.
3. **Exclude yourself from the Settlement Class and the settlement.** You are not required to participate in the settlement. You have the right to exclude yourself from the Settlement Class and the settlement by sending a written request for exclusion. But your completed, signed statement advising of your election to opt out must be postmarked no later than **December 9, 2026**. If your request is not postmarked by that date, your right to opt out will be deemed waived and you will be bound by all orders and judgments entered in connection with the settlement. Your request must provide your full name, address, and telephone number(s). Further, the written request for exclusion must include a statement that you wish to be excluded from the Settlement (for example, “Exclude me from the Progressive v. Indegene settlement”), and the personal signature of the member of the Settlement Class submitting the request. Any member of the Settlement Class who elects to be excluded shall not: (i) be bound by the Final Approval Order and Judgment; (ii) be entitled to relief under this Settlement Agreement; (iii) gain any rights by virtue of this Agreement; or (iv) be entitled to object to any aspect of this Agreement. You must send your request to the following attorneys, and they will inform the Court of your request.

Class Counsel:

Wallace C. Solberg
Anderson + Wanca
3701 Algonquin Road, Ste 500
Rolling Meadows IL 60008

Defendants’ Attorney:

Justin Penn
Hinshaw & Culbertson LLP
151 North Franklin Street, Ste 2500
Chicago, IL 60606

4. **Object to the settlement in writing.** If you object to the settlement, and wish to file an objection rather than simply exclude yourself, you must send a written objection to the Clerk of the United States District Court for the District of New Jersey, in Room 4D, United States District Court for the District of New Jersey, Mitchell H. Cohen Building, Camden, New Jersey 08101. Your objection must be postmarked by **December 9, 2026**, and must refer to the name and number of this case. Your statement must include your full name, address, fax number(s) that you maintain were faxed; all grounds in detail for the objection, with factual and legal support for each stated ground; the identity of any witnesses you may call to testify; copies of any exhibits that you intend to introduce into evidence; a statement of the identity (including name, address, phone number and email) of any lawyer who was consulted or assisted with respect to your objection. You must also serve copies of your objection on Class Counsel and Defendants’ attorneys (at the addresses above), postmarked by the same date. Additionally, if you want the Court to consider your objection, then you must also appear at the final approval

hearing in Room 4D, on **January 12, 2027**, at **10:00 a.m.** You are not required to attend this hearing unless you object to the settlement.

- F. WHEN WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT?** The Court will hold a final fairness hearing on **January 12, 2027**, at **10:00 a.m.**, in Room 4D, United States District Court for the District of New Jersey, Mitchell H. Cohen Building, 4th & Cooper Streets, Camden, New Jersey 08101, and hear any timely and properly-filed objections and arguments about the settlement. You are not required to attend this hearing unless you object to the settlement. The fairness hearing may be continued to a future date without further notice.
- G. WHO REPRESENTS THE SETTLEMENT CLASS?** The Court appointed Plaintiff Progressive Health and Rehab Corp. to be the “Class Representative” and appointed the law firm of Anderson + Wanca (“A + W”), 3701 Algonquin Road, Rolling Meadows, IL 60008, to be “Class Counsel.” A + W has litigated this matter on a contingency basis and has not yet been paid. As part of the settlement, Class Counsel will request the Court award Class Counsel attorney’s fees and costs equal to thirty-five percent of the Settlement Fund for their legal services (\$1,651,037.50) (\$4,717,250.50 x .35), an incentive award to Plaintiff of \$15,000.00 for its services as the class representative, and the expenses and costs of administration of the Settlement, all from the Settlement Fund. You will not have to pay any money to Class Counsel. You may retain a separate attorney to represent your interests for purposes of the Settlement if you choose; however, the Settlement Agreement does not contemplate payment of any fees other than those outlined above.
- H. WHERE CAN I GET MORE INFORMATION?** If you have questions about this Notice or about the settlement, write to Anderson + Wanca at the address listed above. Include the case number, your name, your fax number, and your current street address on any correspondence. Alternatively, you can call Class Counsel at 1-855-827-2329. This Notice only summarizes the litigation and the settlement. The court files for this case are available for your inspection at the Clerk of the United States District Court for the District of New Jersey, Mitchell H. Cohen Building, 4th & Cooper Streets, Camden, New Jersey 08101.

DO NOT CONTACT THE JUDGE, THE JUDGE’S STAFF, OR THE CLERK OF THE COURT BECAUSE THEY ARE NOT PERMITTED TO ANSWER YOUR QUESTIONS ABOUT THIS SETTLEMENT.