

## **NOTICE BY PUBLICATION OF CLASS ACTION SETTLEMENT**

**To all persons and entities who, at any time between January 18, 2008 and June 5, 2014, requested, and paid for, medical records from West Virginia University Hospital.**

Please read to learn your rights.

A proposed class action settlement has been reached with West Virginia University Hospitals, Inc., and West Virginia United Health System, Inc. (“Defendants”), regarding medical records requests between January 18, 2008 and June 5, 2014. The settlement resolves a lawsuit entitled Thomack, et al. v. West Virginia University Hospitals, Inc., Civil Action No. 13-C-53 (the “Lawsuit”), West Virginia Circuit Court of Monongalia County, West Virginia (the “Court”). The Court authorized this notice.

The Lawsuit alleges that Defendants violated West Virginia Code § 16-29-1, by excessively charging to provide copies of patients' medical records by charging \$0.40 "per page" for copies of their already existing medical records, as well as a flat search fee. Defendants deny all allegations and claims. The Court has not decided the Lawsuit, but the parties have agreed to a class settlement to resolve the dispute.

While all Class Members known to the parties will receive an individual postcard settlement notice, in case Class Members' contact information has changed, notice of the settlement is also being posted in this publication.

**If you are a member of the Class and requested medical records in writing from January 18, 2008 through June 5, 2014, from West Virginia University Hospitals or Health Systems, you may be eligible to receive a reimbursement for a prorated portion of your payment for these medical records. The settlement makes up to \$1,440,000 available for reimbursement of medical record request payments.**

**To see a more detailed notice of the terms of the settlement, answers to frequently asked questions, and other information about the Lawsuit, please visit the settlement website: [WVUMedicalRecordsOvercharge.com](http://WVUMedicalRecordsOvercharge.com).**

If you cannot access the website, you can obtain the detailed notice by contacting the Claims Administrator by mail at 501 Riverchase Parkway East, Ste. 100, Hoover, AL 35244 or by phone at 855-711-2079.

If the settlement is approved by the Court, any legal claims you have against the Defendants that were or could have been raised in the Lawsuit will be released that (1) seek injunctive, declaratory, equitable, or non-monetary relief; (2) arise under West Virginia Code § 16-29-1; and/or (3) are brought in a representative or collective capacity.

You have the right to object to the settlement. Your objection must be received by September 8, 2024. For details on how to object, visit the settlement website at [WVUMedicalRecordsOvercharge.com](http://WVUMedicalRecordsOvercharge.com).

You have the right to opt out of the settlement. Your opt-out request must be received by September 8, 2024. For details on how to opt-out, visit the settlement website at [WVUMedicalRecordsOvercharge.com](http://WVUMedicalRecordsOvercharge.com).

The Court will hold a final approval hearing on December 11, 2024 at 3:00 PM to consider whether to approve the settlement. Class Counsel will ask the Court to award them \$975,000 in Attorneys' Fees and an incentive award to the individuals who started the Lawsuit. These funds are in addition to the amounts available for reimbursement of medical record request payments. You may appear at the hearing, but you do not have to.

**For more information, please visit the settlement website at  
[WVUMedicalRecordsOvercharge.com](http://WVUMedicalRecordsOvercharge.com).**