

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

If you visited an emergency department at a Providence affiliated hospital in Washington after February 2014, your rights may be affected by a class action settlement.

The United States District Court for the Eastern District of Washington authorized this notice. This is not a solicitation from a lawyer.

**Your legal rights may be affected whether or not you act.
Please read this notice carefully.**

- This notice describes a proposed settlement of a class action lawsuit in which the parties who filed the lawsuit, “Plaintiffs”, alleged Providence Health & Services Washington (“PHS-WA”) and Providence Health & Services (“PHS”) and their affiliated hospitals¹ (collectively, “Providence”) did not adequately screen emergency department patients for charity care eligibility in their Washington hospitals. The case is known as *Hofstader v. Emergency Physician Services, P.S., et al.*, No. 2:18-cv-00062 SMJ (the “Action”). The attorneys who filed the lawsuit are called “Class Counsel” and are Abbas Kazerounian and Ryan McBride, Kazerouni Law Group, APC, and Mack Mayo, The Mayo Law Group, PLLC.
- Providence denies all allegations of wrongdoing in the lawsuit. Providence maintains that it fully complied with Washington law by notifying hospital patients about the availability of financial assistance, evaluating patients for eligibility for financial assistance, and granting financial assistance. Providence believes its practices and policies provide a defense to any liability, and as part of the proposed settlement, Providence does not admit to any wrongdoing and denies any liability and the allegations against it.
- The proposed settlement involves the implementation of enhanced charity care eligibility screening procedures by Providence in its Washington emergency departments. If approved, the settlement will bar any future claims for injunctive relief (meaning claims by you or other patients for further changes to Providence’s screening procedures) and will bar further class claims related to Providence’s historical screening practices. **The settlement does not affect any individual claim that you may have for monetary relief.**

¹ The affiliated hospitals are Providence Centralia Hospital, Providence Holy Family Hospital, Providence Mount Carmel Hospital, Providence Regional Medical Center Everett, Providence Sacred Heart Medical Center & Children’s Hospital, Providence St. Joseph’s Hospital, Providence St. Mary Medical Center, Providence St. Peter Hospital Providence Holy Family Hospital, Sacred Heart Medical Center, and Kadlec Medical Center.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

EXCLUDE YOURSELF	You may ask to be excluded from the settlement, in which case you will retain all of your rights against Providence. This is the only option that allows you to be part of any other class action lawsuit against Providence about the legal claims in the case.
OBJECT	Write to the Court about why you don't like the settlement. You can do this only if you don't exclude yourself.
GO TO THE HEARING	Ask to speak in Court about the fairness of the settlement. You can do this only if you don't exclude yourself.
DO NOTHING	If you do nothing, you will be part of the settlement class. You will receive the benefit of the new enhanced screening procedures in the emergency department, and will retain the right to make an individual claim for monetary relief against Providence, but you will forfeit the right to participate in another class action, including a class action seeking monetary relief for Providence's past practices, and the right to seek individual injunctive relief.

- This Notice explains these rights and options—**and the deadlines to exercise them.**
- The Court still has to decide whether to approve the settlement.

1. How can I exclude myself from the class and settlement?

Any Class Member may exclude himself or herself from the Settlement, and from the Settlement's binding effect, by completing an online opt-out form on the Settlement Website by the Opt-Out Deadline.

The request must include the individual's name and address; a statement that he or she wants to be excluded from the settlement in *Hofstader et al v. Emergency Physician Services, P.S., et al.* United States District Court for the Eastern District of Washington, Case No. 2:18-cv-00062-SMJ; and the individual's signature.

2. How can I tell the Court what I think about the settlement?

Any Class Member who does not opt out of the Settlement may object to the Settlement or object to Class Counsel's application for attorneys' fees, costs, and expenses, or Class Counsel's application for a Service Award. You must submit your objections in writing. You must send the original of your objections to the Clerk of the Court and send copies to Class Counsel, and Defendants' counsel, at the following addresses, so that your objections are **received no later than November 23, 2020:**

Ryan L. McBride
Kazerouni Law Group
2633 E. Indian School Road, Suite 460
Phoenix, AZ 85016

Brad Fisher
Davis Wright Tremaine LLP
920 Fifth Avenue, Suite 3300
Seattle, WA 98104

Your objections (a) must include a reference at the beginning to *Hofstader v. Emergency Physician Services, P.S.*, Case No. 2:18-cv-00062 SMJ; (b) must list your name, address, and telephone number; (c) must be signed by you; and (d) must state the basis on which you claim to be a member of the Settlement Class, and your position on the Settlement Agreement and the reasons for your position.

For any objector who did not receive Notice and who claims to be a member of the Settlement Class, the objector must provide (a) a true and correct copy of an admissions agreement to one of Defendants' emergency rooms during the Class Period or medical records proving admission; and (b) attestation that, to the best of the objector's knowledge, the objector is part of the Settlement Class.

You must include copies of any documents you wish the Court to consider. If you do not present your views in writing in compliance with this procedure and deadline, your views will not be considered and you will waive any objections you have.

As described below, the Court will hold a hearing to decide whether to approve the settlement. If you submit written objections or comments and wish to appear and speak at the hearing, your objections or comments must include a statement that you intend to appear and speak at the fairness hearing, set forth the position you intend to present at the hearing, and include copies of any documents you wish the Court to consider.

If you want your own lawyer to appear and speak at the hearing on your behalf, you must also state in your written objections or comments that you intend to have your lawyer appear and speak for you, and list the name, address, and telephone number of your lawyer.

3. When and where will the Court hold a hearing on the fairness of the settlement?

This lawsuit is pending before the Honorable Salvador Mendoza, Jr. of the United States District Court for the Eastern District of Washington. The Court will hold a Settlement Hearing at 1:30 p.m. on February 9, 2021, at the United States District Court for the Eastern District of Washington, 920 West Riverside Ave., Spokane, WA 99201, in Courtroom 755. (Please be advised that the date, time, and location of the Settlement Hearing are subject to change due to the circumstances surrounding COVID-19 and the changing safety procedures at the Courthouse. Changes may include the hearing being converted to a telephonic or zoom hearing depending on the progression of the safety procedures. Please check the website at <https://providencehealthsettlement.com/> periodically for an update regarding the Settlement Hearing). At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. The Court will listen to

people who have asked to speak at the hearing. The Court will also consider how much to pay Class Counsel, which will not exceed \$95,000.00. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take, and you do not have to come to the hearing.

4. How do I get more information?

If you would like more information, please contact Ryan McBride at Kazerouni Law Group, (602) 900-1288.

You should not direct questions to the Court.

Dated: September 12, 2020

By Order of the Court
CLERK OF THE COURT