

Tesky et al. v. Bone & Joint Clinic, S.C.
c/o Settlement Administrator
P.O. Box 2568
Portland, OR 97208-2568

NOTICE OF CLASS ACTION
SETTLEMENT

If you received a notice of a Data Incident from Bone & Joint Clinic, S.C., you are entitled to submit a claim for monetary compensation under a class action settlement.

BoneJointSettlement.com

1-877-389-4282

WHO IS A CLASS MEMBER? You are a Class Member in *Keith Tesky et al. vs. Bone & Joint Clinic, S.C.*, Case No. 23-cv-184 (W.D. Wis.), if your personal information was potentially compromised as a result of the Data Incident that Bone & Joint Clinic, S.C. (“Bone & Joint”), experienced in January 2023.

WHAT ARE THE SETTLEMENT BENEFITS AND TERMS?

Bone & Joint has agreed to pay \$575,000 into a Settlement Fund to be distributed to Class Members who submit valid claims after deducting attorneys’ fees and expenses, service awards, and settlement administration notice and administration costs, if approved by the Court. Bone & Joint has agreed to settle the lawsuit to avoid the burden and expense of litigation. The Settlement should not be construed as an admission of liability, wrongdoing, or fault by Bone & Joint. Class Members who believe they suffered out-of-pocket expenses as a result of the Data Incident may claim up to \$5,000 (subject to pro rata adjustment) for the reimbursement of sufficiently documented expenses. An estimated \$75 pro rata cash payment may be made to claimants if there is a remaining balance in the Settlement Fund after payments for valid Claims, settlement administration costs and expenses, service awards, and attorneys’ fees and expenses. These cash payments will be adjusted upwards or downwards, depending on the amount of valid Claims.

WHAT ARE YOUR RIGHTS AND OPTIONS?

Submit a Claim Form. To qualify for a cash payment, you must return the Claim Form attached to this notice or submit a Claim Form online at **BoneJointSettlement.com**. Your Claim Form must be postmarked or submitted online by **October 15, 2025**.

Opt out. You may exclude yourself from the Settlement by mailing a written request for exclusion to the Settlement Administrator, postmarked by **September 15, 2025**. If you do not exclude yourself, you will be bound by the Settlement and give up your right to sue regarding the Released Claims.

Object. If you do not exclude yourself, you may object to the

Settlement. Written objections must be signed, postmarked by **September 15, 2025**, and provide the reasons for the objection.

Do nothing. If you do nothing, you will not receive a Settlement payment and will lose the right to sue regarding the released claims. You will be bound by the Court’s decision.

Attend the Final Approval Hearing. The Court will hold a **Final Approval Hearing at 10:00 a.m. on January 7, 2026**, to determine whether the Settlement is fair, reasonable, and adequate. All persons who timely object to the Settlement may appear at the Final Approval Hearing.

WHO ARE THE ATTORNEYS FOR THE PLAINTIFFS

AND THE PROPOSED CLASS? The Court appointed Raina Borrelli of Strauss Borrelli PLLC; Danielle L. Perry of Mason LLP; and Ken Grunfeld of Kopelowitz Ostrow Ferguson Weiselberg Gilbert as Class Counsel.

WILL I HAVE TO PAY THE ATTORNEYS’ FEES OR

EXPENSES? No. The attorneys’ fees and expenses will be paid exclusively from the Settlement Fund. The attorneys’ fees will be in an amount of up to \$191,475, and the expenses will not exceed \$20,000. The Fee and Expense Application will be posted on the Settlement Website after it is filed with the Court.

HOW MUCH ARE THE CLASS REPRESENTATIVE

SERVICE AWARDS? The named plaintiffs, Keith Tesky, Mark Tessmer, Christopher Vangoethem, Kal Tesky, and Ken Ollerman will each seek Service Awards in the amount of \$2,000 for their efforts in this case.

WHO IS THE JUDGE OVERSEEING THE SETTLEMENT?

District Judge James D. Peterson of the United States District Court for the Western District of Wisconsin will serve as judge in this case.

To locate a copy of the Settlement Agreement, learn more about the case, or learn more about submitting a claim, visit **BoneJointSettlement.com**.

This Notice is a summary of the proposed Settlement.