

LEGAL NOTICE

If you received a facsimile from Southwest Medical, LLC regarding Molina Healthcare, Inc. on or after April 12, 2013, a class action lawsuit may affect your rights.

Records indicate that you may be a member of a class in the action styled *Dr. Sam LeBarre Horton v. Molina Healthcare, Inc.*, United States District Court for the Northern District of Oklahoma, Case No. 4:17-cv-00266-CVE-JFJ, which has been settled subject to court approval. The purpose of this Notice is to inform Settlement Class Members of the terms of the proposed settlement and important deadlines relating to the settlement, as summarized below and described more fully on the Settlement Website at www.MedicalProviderFaxClass.com.

WHAT IS THE LAWSUIT ABOUT? Plaintiff alleges that Molina Healthcare, Inc. (“Defendant” or “Molina”) violated the federal Telephone Consumer Protection Act, 47 U.S.C. § 227, et seq., by sending facsimile transmissions through a third-party entity, Southwest Medical Consulting, LLC, on or after April 12, 2013, concerning Defendant’s building of its provider networks. Molina denies all liability and wrongdoing whatsoever. The Court has not ruled on the merits of Plaintiffs’ claims or Defendant’s defenses.

WHAT ARE THE TERMS OF THE PROPOSED SETTLEMENT? Defendant has agreed to pay \$3,500,000.00 into a Settlement Fund, from which, subject to court approval, payments to Settlement Class Members, Settlement Administration Costs, an incentive award to the Class Representative, and Class Counsel’s Fee and Cost Request (“Fee Request”) will be paid.

WHO REPRESENTS YOU? Branstetter, Stranch & Jennings, PLLC, Streett Law Firm, P.A., and Indian and Environmental Law Group represent you as “Class Counsel.” You do not have to pay any money to Class Counsel directly. However, Class Counsel is requesting attorneys’ fees of up to one-third of the settlement amount plus litigation expenses and costs of the case that will be paid from the Settlement Fund. Class Counsel’s Fee Request and documents in support of the Fee Request will be available for viewing on the Settlement Website by July 28, 2019.

WHAT ARE YOUR RIGHTS AND OPTIONS? You can do nothing and stay in the Class, or you can exclude yourself from the Class as set forth below. You may also file an objection and appear at the final approval hearing.

- A Claim Form is included with this Notice, which may also be accessed on the Settlement Website, www.MedicalProviderFaxClass.com. If you believe the information on the Claim Form is accurate, including the number of unsolicited facsimiles you received, you do not need to take any further action, as a claim will be submitted on your behalf by Class Counsel. If you believe you did not receive unsolicited faxes but are listed as having received a facsimile, that you received a different number of unsolicited facsimiles than reflected on the Claim Form, and/or if your mailing address needs to be updated, then you will need to complete the Claim Form, sign the Affirmation and return the Claim Form. The Claim Form may be submitted to the Class Administrator by mail, facsimile transmission, electronically through the settlement website, or by any other means approved by the Court. Please see the settlement website for additional details concerning how to submit a Claim Form. **If you are submitting a claim, the deadline to submit a claim is August 12, 2019.**
- **To exclude yourself from the settlement, submit a written exclusion either by mail, fax, or through the Settlement Website on or before August 12, 2019.** To be valid, the written exclusion request must contain specific information that is described on the Settlement Website at www.MedicalProviderFaxClass.com and in the Settlement Agreement also available on the settlement website at www.MedicalProviderFaxClass.com. If you do not submit a fully executed and timely exclusion request, you will be bound by the terms of the proposed settlement and you will give up your right to sue the Released Parties (as that term is defined in the Settlement Agreement), including Defendant in your individual capacity concerning the legal claims in this case.
- **To object to the proposed settlement or the Fee Request, you must file an objection with the Court and send the objection to counsel postmarked by August 12, 2019** at the addresses listed on the Settlement Website, www.MedicalProviderFaxClass.com. Anyone who files a timely objection to the proposed settlement may ask to appear at the final approval hearing. If your objection is valid and timely, the Court consider it whether or not you appear.
- **If a Claim Form is not submitted by you or on your behalf**, you will not receive any monetary award and you will lose the right to sue The Released Parties (as that term is defined in the Settlement Agreement), including Defendant in your individual capacity regarding the legal claims in this case.

**The Final Approval Hearing will take place on August 28, 2019 at 9:30 a.m. at United States Courthouse,
333 West Fourth Street, Tulsa, OK 74103, in Courtroom 2.**

WANT MORE INFORMATION? Complete details about your rights and options are available on the Settlement Website, www.MedicalProviderFaxClass.com. Do not call the Court.