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**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT TENNESSEE**

CODDY KENNEY and MELISSA
SKINNER, individual and on behalf of all
similarly situated persons.

Plaintiffs,

vs.

CENTERSTONE OF AMERICA, INC.,
CENTERSTONE OF INDIANA, INC.,
and CENTERSTONE OF TENNESSEE,
INC.,

Defendant.

Case No. 3:20-cv-01007

CLASS ACTION

**DECLARATION OF ANDREW PERRY
RE: NOTICE PROCEDURES**

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I, ANDREW PERRY declare and state as follows:

1. I am a Senior Project Manager with KCC Class Action Services, LLC (“KCC”), located at 462 South 4th Street, Louisville, KY 40202. The Court appointed KCC as the Settlement Administrator in connection with the proposed Settlement of the above-captioned Action. I have personal knowledge of the matters stated herein and, if called upon, could and would testify thereto.

CAFA NOTIFICATION

2. In compliance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. Section 1715, KCC compiled a CD-ROM containing the following documents: Class Action Complaint for Damages, Equitable, Declaratory and Injunctive Relief, Plaintiff’s Unopposed Motion for Preliminary Approval of Class Action Settlement, Memorandum in Support of Plaintiff’s Unopposed Motion for Preliminary Approval of Class Action Settlement, Declaration of David K. Lietz in Support of Plaintiff’s Unopposed Motion for Preliminary Approval of Class Action Settlement, Preliminary Approval Order Granting Motion for Preliminary Approval of Class Settlement and, Postcard Notice, Email Notice, Long Form Notice, Claim Form, Settlement Agreement and Release, [Proposed] Order Granting Final Approval of Class Settlement and a cover letter (collectively, the “CAFA Notice Packet”).

3. On May 10, 2021, KCC caused 61 CAFA Notice Packets to be mailed via Priority Mail to the parties provided, i.e., the U.S. Attorney General, the Attorneys General of each of the 50 states in which Settlement Class Members reside and the District of Columbia, the District of Columbia, and the Office of the Comptroller of the United States.

4. As of the date of this Declaration, KCC has received no responses to the CAFA Notice Packet from any of the recipients identified in paragraph 3 above.

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CLASS LIST

5. On May 10, 2021, KCC received a list of 63,499 persons identified as the Settlement Class List. The Settlement Class List included name, address, and email email address. KCC formatted the mailing list for mailing purposes, removed duplicate records, and processed the names and addresses through the National Change of Address Database (“NCOA”) to update any addresses on file with the United States Postal Service (“USPS”). KCC identified 9 duplicate records and removed them for notice purposes for a total of 63,490 unique Settlement Class Members. KCC updated its proprietary database with the Settlement Class List.

MAILING OF THE NOTICE

6. On June 7, 2021, KCC caused the Postcard Notice to be printed and mailed to the 60,524 names and mailing addresses in the Settlement Class List who did not have an email address. A true and correct copy of the Postcard Notice is attached hereto as Exhibit A.

7. Since mailing the Postcard Notice to the Settlement Class Members, KCC has received 322 Postcard Notices returned by the USPS with forwarding addresses. KCC immediately caused Postcard Notices to be re-mailed to the forwarding addresses supplied by the USPS.

8. Since mailing the Postcard Notices to the Settlement Class Members, KCC has received 17,258 Postcard Notices returned by the USPS with undeliverable addresses. Through credit bureau and/or other public source databases, KCC performed address searches for these undeliverable Postcard Notices and was able to find updated addresses for 10,693 Settlement Class Members. KCC promptly re-mailed Postcard Notices to the found new addresses.

9. KCC caused a search for the last known email address for 5,676 Settlement Class Members whose Postcard Notice returned as undeliverable and did not have an updated mailing address. KCC was able to find the last-known email address for 3,308 Settlement Class Members

EMAIL NOTICE

10. On June 7, 2021, KCC sent an Email Notice to 2,966 emails for Settlement Class Members for whom Defendants provided a last-known email address. A true and correct copy of the Email Notice is attached hereto as Exhibit B. There were 424 Settlement Class Members whose

1 Email Notice was undeliverable.

2 11. On June 29, 2021, KCC sent a Postcard Notice to the 424 Settlement Class Members
3 whose Email Notice returned as undeliverable.

4 12. On July 23, 2021, utilizing a reverse search for the last-known email address, KCC
5 sent an Email Notice to 3,308 emails associated with Settlement Class Members whose Postcard
6 Notice was returned undeliverable and for whom we could not find a new mailing address.

7 13. To date, it appears that individual notice reached 94.9% of the Settlement Class
8 Members.

9
10 **SETTLEMENT WEBSITE**

11 14. On or before June 7, 2021, KCC established the Settlement Website
12 www.centerstonesettlement.com dedicated to this matter to provide information to the Settlement
13 Class Members, to answer frequently asked questions and file a claim. The website URL was set
14 forth in the Notice. Visitors of the Settlement Website can download copies of the Long Notice
15 and other case-related documents.

16 **TELEPHONE HOTLINE**

17 15. KCC established and continues to maintain a toll-free telephone 1-866-204-9286 for
18 potential Settlement Class Members to call and obtain information about the Settlement, request a
19 Notice, and/or seek assistance from a live operator during regular business hours. The telephone
20 hotline became operational on June 7, 2021, and is accessible 24 hours a day, 7 days a week.

21
22 **REPORT ON EXCLUSION REQUESTS RECEIVED TO DATE**

23 16. The Notice informs Settlement Class Members that requests for exclusion from the
24 Class must be postmarked no later than July 22, 2021. As of the date of this declaration, KCC has
25 received 6 requests for exclusion. A list of the Settlement Class Members requesting to be excluded
26 is attached hereto as Exhibit C.

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OBJECTIONS TO THE SETTLEMENT

17. The Objection Deadline for Settlement Class Members to object to the settlement is July 22, 2021. As of the date of this declaration, KCC has received no objections to the settlement.

CLAIM FORMS

18. The deadline to submit a Claim Form is August 21, 2021. To date, KCC has received 577 claims.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 26, 2021.



ANDREW PERRY

EXHIBIT A

**If you were mailed a Notice by Centerstone on or about October 22, 2020
regarding a Data Breach, you may be eligible for compensation and credit monitoring.**

Si desea recibir esta notificación en español, llámenos o visite nuestra página web.

A settlement has been reached in a class action lawsuit against Centerstone of America, Inc., Centerstone of Indiana, Inc., and Centerstone of Tennessee, Inc. (collectively “Centerstone”) relating to the unauthorized access of certain of Centerstone’s employees’ email accounts in December 2019 (the “Data Breach”). The computer systems possibly affected by the Data Breach potentially contained certain personal and protected health information relating to current and former Centerstone patients. The Plaintiffs claim that Centerstone was responsible for the Data Breach and assert claims including: negligence, negligence *per se*, breach of implied contract, violation of the Tennessee Consumer Protection Act, intrusion upon seclusion/invasion of privacy, breach of confidence, and unjust enrichment. Centerstone denies all of the claims and says it did not do anything wrong.

WHO IS INCLUDED? Centerstone records show you are an individual whose private information was potentially impacted by the Data Breach, and who was mailed a notification of the Data Breach on or about October 22, 2020. Therefore, you are included in this Settlement as a “Settlement Class Member.”

SETTLEMENT BENEFITS. There are two types of payments available to people who submit valid claims and have incurred one or both of the following: 1) up to \$500 for out-of-pocket expenses and documented lost time that resulted from the Data Incident; and 2) Reimbursement of up to \$2,500 for extraordinary expenses which were more likely than not caused by the Security Incident. Settlement Class Members can also submit a claim for credit monitoring and identity theft protections. Centerstone has also committed to improved data security measures in the future.

THE ONLY WAY TO RECEIVE A MONETARY BENEFIT OR CREDIT MONITORING IS TO FILE A CLAIM. To get a Claim Form, visit the website or call 1-866-204-9286. The claim deadline is **August 21, 2021**.

OTHER OPTIONS. If you do nothing, you will remain in the Class, you will not be eligible for benefits, and you will be bound by the decisions of the Court and give up your rights to sue Centerstone for the claims resolved by this Settlement. If you do not want to be legally bound by the Settlement, you must exclude yourself by **July 22, 2021**. If you stay in the Settlement, you may object to it by **July 22, 2021**. A more detailed Notice is available to explain how to exclude yourself or object. Please visit the website or call 1-866-204-9286 for a copy of the more detailed Notice. On **August 9, 2021**, the Court will hold a Final Fairness Hearing to determine whether to approve the Settlement, Class Counsel’s request for attorneys’ fees, costs, and expenses of \$410,000 and a service award of \$2,500 for each of the Representative Plaintiffs. The Motion for attorneys’ fees will be posted on the website after it is filed. You or your own lawyer, if you have one, may ask to appear and speak at the hearing at your own cost, but you do not have to. This is only a summary. For more information, call or visit the website below.

www.centerstonesettlement.com

1-866-204-9286

EXHIBIT B

Claim ID: <<Claim8>>

PIN: <<PIN>>

To <<First>> <<Last>>,

If you were mailed a Notice by Centerstone on or about October 22, 2020 regarding a Data Breach, you may be eligible for compensation and credit monitoring.

Si desea recibir esta notificación en español, llámenos o visite nuestra página web.

A settlement has been reached in a class action lawsuit against Centerstone of America, Inc., Centerstone of Indiana, Inc., and Centerstone of Tennessee, Inc. (collectively “Centerstone”) relating to the unauthorized access of certain of Centerstone’s employees’ email accounts in December 2019 (the “Data Breach”). The computer systems possibly affected by the Data Breach potentially contained certain personal and protected health information relating to current and former Centerstone patients. The Plaintiffs claim that Centerstone was responsible for the Data Breach and assert claims including: negligence, negligence *per se*, breach of implied contract, violation of the Tennessee Consumer Protection Act, intrusion upon seclusion/invasion of privacy, breach of confidence, and unjust enrichment. Centerstone denies all of the claims and says it did not do anything wrong.

WHO IS INCLUDED? Centerstone records show you are an individual whose private information was potentially impacted by the Data Breach, and who was mailed a notification of the Data Breach on or about October 22, 2020. Therefore, you are included in this Settlement as a “Settlement Class Member.”

SETTLEMENT BENEFITS. The Settlement provides for payments, credit monitoring, and equitable relief. There are two types of payments available to people who submit valid claims and have incurred one or both of the following: 1) up to \$500 for out-of-pocket expenses and documented lost time that resulted from the Data Incident; and 2) Reimbursement of up to \$2,500 for extraordinary expenses which were more likely than not caused by the Security Incident. Settlement Class Members can also submit a claim for credit monitoring and identity theft protections. Centerstone has also committed to improved data security measures in the future.

THE ONLY WAY TO RECEIVE A MONETARY BENEFIT OR CREDIT MONITORING IS TO FILE A CLAIM. To get a Claim Form, visit the website or call 1-866-204-9286. The claim deadline is **August 21, 2021**.

OTHER OPTIONS. If you do nothing, you will remain in the Class, you will not be eligible for benefits, and you will be bound by the decisions of the Court and give up your rights to sue Centerstone for the claims resolved by this Settlement. If you do not want to be legally bound by the Settlement, you must exclude yourself by **July 22, 2021**. If you stay in the Settlement, you may object to it by **July 22, 2021**. A more detailed Notice is available to explain how to exclude yourself or object. Please visit the website or call 1-866-204-9286 for a copy of the more detailed Notice. On **August 9, 2021**, the Court will hold a Final Fairness Hearing to determine whether to approve the Settlement, Class Counsel’s request for attorneys’ fees, costs, and expenses of \$410,000 and a service award of \$2,500 for each of the Representative Plaintiffs. The Motion for attorneys’ fees will be posted on the website after it is filed. You or your own lawyer, if you have one, may ask to appear and speak at the hearing at your own cost, but you do not have to. This is only a summary. For more information, call or visit the website below.

1-866-204-9286 www.centerstonesettlement.com

EXHIBIT C

Kenney et al v Centerstone of America

Exclusion Requests

ClaimID	FirstName	LastName
C4K-100212905	PATSY GAIL	OMALLEY
C4K-100339441	TYKA	RILEY
C4K-100488633	RHONDA A	SWENSGARD
C4K-100507840	ELEANOR J	TERRELL
C4K-100544673	DAVID R	GLASGOW
C4K-800000013	NECIE	HUNTER