

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JAMISON REMIED, individually, and as
Representative of a Class of Participants and
Beneficiaries of the NorthShore University
HealthSystem Tax Deferred Annuity Plan,

Plaintiff,

v.

NORTHSHORE UNIVERSITY
HEALTHSYSTEM, *et al.*,

Defendants.

Case No. 1:22-cv-02578

Hon. Steven C. Seeger

NOTICE OF PENDENCY OF CLASS ACTION AND PROPOSED SETTLEMENT

IF YOU WERE A PARTICIPANT IN THE NORTHSHORE UNIVERSITY HEALTHSYSTEM TAX DEFERRED ANNUITY PLAN BETWEEN MAY 16, 2016, AND APRIL 4, 2025, YOU COULD RECEIVE A PAYMENT AND YOUR LEGAL RIGHTS WILL BE AFFECTED BY THIS CLASS ACTION SETTLEMENT.

A Federal Court authorized this Notice. This is not a solicitation from a lawyer.

This Notice advises you of the settlement (the “Settlement”) of a lawsuit against Defendants NorthShore University HealthSystem (n/k/a Endeavor Health Clinical Operations) (collectively, “NorthShore”), Gerald P. Gallagher (“Gallagher”), the Retirement Plan Administrative Committee and the Retirement Plan Investment Committee (“Plan Committees”) (collectively, “Defendants”). In the lawsuit, Plaintiff Jamison Remied (“Plaintiff,” and with Defendants, the “Parties”), alleges that Defendants violated the Employee Retirement Income Security Act of 1974 (“ERISA”) in the administration of the NorthShore University HealthSystem Tax Deferred Annuity Plan (n/k/a the Endeavor Health Legacy 403(b) Tax Deferred Annuity Plan for NorthShore University HealthSystem Employees) (collectively, the “Plan” or “NorthShore Plan”). Defendants deny the allegations and deny that they engaged in any improper conduct. YOU SHOULD READ THIS ENTIRE NOTICE CAREFULLY BECAUSE YOUR LEGAL RIGHTS WILL BE AFFECTED, WHETHER YOU ACT OR NOT.

Your rights and options, and the deadline for you to object if you are opposed to the Settlement, are explained in this Notice.

WHAT THIS NOTICE CONTAINS

1. Why did I get this Notice?

Records indicate that you are or may be a Current Participant, Former Participant, Beneficiary or Alternate Payee of a Participant or Former Participant, of the Plan at any time on or after May 16, 2016, through and including April 4, 2025 (the “Class Period”).¹

You are receiving this Notice because you have a right to know about the proposed settlement of a class action lawsuit in which you are potentially a Class Member before the Court decides whether to approve the Settlement.

This Notice summarizes the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible to receive them, and how to get them (including the applicable deadlines).

The lawsuit is pending in the United States District Court for the Northern District of Illinois (the “Court”). It is known as *Remied, et al. v. NorthShore University HealthSystem, et al.*, Case No. 1:22-cv-02578, and is brought against Defendants.

¹ Capitalized terms not otherwise defined in this Notice shall have the same meaning as in the Settlement Agreement, which is available at www.NorthshoreERISA.com.

2. What is this Lawsuit about?

On May 16, 2022, Plaintiff filed a class action complaint against Defendants, alleging that their administration of the Plan violated ERISA by causing the Plan to incur excessive fees for certain investment options and the Plan's recordkeeping services. Since the filing of the action, the Parties engaged in litigation, including investigating the claims and other developments and briefing motions to dismiss. In July 2024, the district court dismissed Plaintiff's claims based on allegedly excessive investment management fees, but allowed the recordkeeping-fee claims to continue. In December 2024, the Parties mediated the action and were ultimately able to reach the terms of the Settlement explained in this Notice.

Defendants have denied and continue to deny any wrongdoing or liability and will continue to vigorously defend the lawsuit if the proposed Settlement is not approved. Defendants are settling this case solely to avoid the expense, inconvenience, and inherent risk and disruption of litigation.

3. What is a Class Action Lawsuit?

In a class action lawsuit, one or more people (called "class representatives") sue on their own behalf and on behalf of a group of other people who they allege have similar claims. If the class is certified by the court, then one court resolves all the issues for all class members in a single lawsuit. Plaintiff is the proposed class representative in this lawsuit and is sometimes referred to in this Notice as the "Class Representative" or as "Plaintiff."

4. Why is there a Settlement?

The Parties agreed to the Settlement after extensive negotiations and a mediation before an respected and experienced mediator. By agreeing to a settlement, the Parties avoid the costs and risks of further litigation, and Plaintiff and the other Class Members will receive compensation. Class Counsel have conducted an extensive review of the evidence in the case and the potential risks and benefits of continued litigation. Plaintiff and Class Counsel agree that the Settlement is in the best interest of the Settlement Class. The Court has not made any finding that Defendants have done anything wrong or violated any law or regulation.

5. How do I get more information about the Settlement?

This Notice summarizes the proposed settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement, which is available at www.NorthshoreERISA.com, by contacting Class Counsel (see answer to question 12 for contact information) or the Settlement Administrator (see answer to question 6 for contact information), or by accessing the Court docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.ilnd.uscourts.gov/>.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIMS PROCESS.

6. Who will administer the Settlement?

The Settlement Administrator, Analytics Consulting, LLC, will administer the Settlement, including the processing of the Former Participant Claim Form, if applicable, that you may need to fill out and send in to receive any settlement payment. You may contact the Settlement Administrator by: (a) sending a letter to NorthShore University HealthSystem Tax Deferred Annuity Plan Settlement Administrator, P.O. Box 2007, Chanhassen, MN 55317-2007; (b) sending an e-mail to NorthshoreERISA@noticeadministrator.com; (c) visiting the Settlement website at www.NorthshoreERISA.com; or (d) calling toll-free at (866) 807-7487.

THE SETTLEMENT BENEFITS – WHAT THE SETTLEMENT PROVIDES

7. What does the Settlement provide?

Defendants have agreed to pay a total of \$850,000 into a Qualified Settlement Fund, which includes amounts for expenses associated with administering the Settlement and other related costs ("Gross Settlement Amount"). Class Counsel also

intends to ask the Court to approve up to 33 1/3% of that amount for attorneys' fees, inclusive of litigation expenses incurred by Class Counsel, as well as Class Representative's Case Contribution Award not to exceed \$8,000 for the Class Representative. The amount that will be available for distribution to Class Members ("Net Settlement Amount") will be the Gross Settlement Amount *minus* the amounts used for other approved settlement purposes (Case Contribution Award, Court-approved Attorneys' Fees and Expenses to Class Counsel, Administrative Expenses, and certain taxes and tax-related costs).

8. How may I benefit from the Settlement?

You may be entitled to payment of a portion of the Net Settlement Amount. The amount paid to each Current Participant, Former Participant, Beneficiary or Alternate Payee will be determined by a Plan of Allocation subject to Court approval.

As explained below, if you are a Current Participant, or a Beneficiary or Alternate Payee of a Participant and you have an Active Account in the Plan, you do not need to take any action in order to receive payment under the Settlement. Payments made to Current Participants, or to Beneficiaries or Alternate Payees of a Participant who have Active Accounts in the Plan, shall be made into these persons' individual accounts in the Plan.

If you are a Former Participant, or a Beneficiary or Alternate Payee of a Former Participant, and you no longer have an Active Account in the Plan, you will need to submit a Former Participant Claim Form by the submission deadline in order to receive payment under the Settlement. Payments made to Former Participants, or to Beneficiaries or Alternate Payees of Former Participants who do not have Active Accounts in the Plan, may be made either by check or a tax-qualified rollover to an individual retirement account or other eligible employer plan.

9. How do I submit a claim for a Settlement Payment?

If you are a Current Participant, or a Beneficiary or Alternate Payee of a Participant and you have an Active Account in the Plan, you do not need to submit a claim to be eligible for a payment under the Settlement. You will receive any payment for which you are eligible automatically in your Plan account.

If you are a Former Participant, or a Beneficiary or an Alternate Payee of a Former Participant and you do not have an Active Account in the Plan, you must submit a Former Participant Claim Form by the submission deadline in order to be eligible for a payment under the Settlement. "Former Participant" means a member of the Settlement Class who does not have an Active Account (*i.e.*, a balance greater than \$0) as of April 4, 2025.

If you are a Former Participant, or a Beneficiary or Alternate Payee of a Former Participant and you do not have an Active Account in the Plan, and want to receive any monetary benefits from the Settlement, you must submit the Former Participant Claim Form by no later than August 2, 2025. You must mail the Former Participant Claim Form to the address shown on the Form.

A Former Participant Claim Form will be deemed submitted when it is actually received by the Settlement Administrator at the address listed in the Former Participant Claim Form.

Even if you do not submit a Former Participant Claim Form, you will be bound by the Settlement. (See answer to question 14 below.)

10. What is the Plaintiff receiving from the Settlement?

Class Counsel intends to ask the Court to award the Class Representative's Case Contribution Award of an amount not to exceed \$8,000 in recognition of the work and effort he expended on behalf of the Class.

THE SETTLEMENT BENEFITS – WHAT YOU GIVE UP

11. What do I give up by participating in the Settlement?

Each Class Member gives Defendants a "release." A release means you give up your rights to sue Defendants or receive any benefits from any other lawsuit against Defendants if the lawsuit asserts similar claims or relates in any way to the practices or decisions at issue in this lawsuit.

For additional details about the scope of the release, consult the Settlement Agreement or contact Class Counsel. (See answer to question 5 for details.)

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in this case?

Yes. The Court has appointed the law firm of Walcheske & Luzi, LLC as Class Counsel. You will not be charged for the work of these lawyers. If you want to be represented by a different lawyer in this case, you may hire one at your own expense.

13. How will the lawyers (Class Counsel) be paid?

Class Counsel will ask the Court for an award of attorneys' fees of up to 33 1/3% of the Gross Settlement Amount, as well as reasonable litigation costs and expenses, based upon the value of the Settlement, the time they have devoted to this engagement, and the costs and expenses they have advanced in prosecuting this matter. Any attorneys' fees and expenses awarded by the Court will be paid to Class Counsel from the Qualified Settlement Fund.

OPTING OUT OF THE SETTLEMENT

14. Can I exclude myself from the Settlement Class?

No. The Settlement Class has been certified under Federal Rule of Civil Procedure 23(b)(1), which does not permit class members to opt out of the Settlement Class. Therefore, as a Class Member, you are bound by any judgments or orders that are entered in the lawsuit for all claims that were asserted in the lawsuit or are otherwise included as Released Claims as defined in the Settlement Agreement. However, if you wish to object to any part of the Settlement, you may (as discussed below) write to the Court and counsel about why you object to the Settlement.

OBJECTING TO THE SETTLEMENT

15. What does it mean to object?

Objecting is simply telling the Court that you do not like something about the Settlement. Objecting will not have any bearing on your right to receive the benefits of the Settlement if it is approved by the Court.

16. What is the procedure for objecting to the Settlement, including any objection to Class Counsel's Motion for Attorneys' Fees and Expenses or Case Contribution Award?

You can ask the Court to deny approval of the Settlement and/or the Motion for Attorneys' Fees and Expenses of Class Counsel or the Case Contribution Award to be requested for the Class Representative by filing an objection. You cannot ask the Court to order a different settlement; the Court can only approve or reject the Settlement presented to it. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object. The Court, however, can award less than the amount requested by Class Counsel for attorneys' fees and expenses or the amount requested for the case contribution award. If the Court does so (because of an objection or in its own discretion) that ruling could affect the timing and/or amount of settlement payments, but any reduction in Class Counsel's attorneys' fees and expenses or the Case Contribution Award to be paid to the Class Representative would not otherwise affect the finality of the Settlement.

Any objection to the proposed Settlement or Motion for Attorneys' Fees and Expenses or Case Contribution Award must be made in writing in accordance with the requirements in the Preliminary Approval Order. If you file a timely written objection, you may, but are not required to, appear at the Fairness Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney.

All written objections and supporting papers must: (a) clearly identify the case name and number as *Remied, et al. v. NorthShore University HealthSystem, et al.*, Case 1:22-cv-02578; (b) be submitted to the Court by mailing them to the Clerk of the Court for the United States District Court for the Northern District of Illinois, Eastern Division (see address below); (c) by filing them in person at any location of the United States District Court for the Northern District of Illinois, Eastern

Division; and (d) be filed or postmarked on or before August 4, 2025. Should you choose to submit an objection, you should also send such objection and any supporting papers to the attorneys for the Parties at the addresses below:

Clerk of Court	Class Counsel	Defendants' Counsel
United States District Court Northern District of Illinois Everett McKinley Dirksen U.S. Courthouse 219 South Dearborn Street Chicago, IL, 60604	Paul M. Secunda WALCHESKE & LUZI, LLC 125 S. Wacker Drive, Ste. 300 Chicago, Illinois 53005 Tel: (414) 828-2372 psecunda@walcheskeluzi.com	Matthew A. Russell MORGAN, LEWIS & BOCKIUS LLP 110 N. Wacker Drive Chicago, IL 60601 matthew.russell@morganlewis.com

Your objection must also include: (1) your full name, current address, and current telephone number, and, if represented by counsel, any of your counsel's names and contact information; (2) a written statement of your objection(s), specifying the reason(s) for each objection, including any supporting evidence, and whether the objection applies only to you, to a specific subset of the Settlement Class, or to the entire Settlement Class; (3) copies of any papers, brief, or other documents upon which the objection is based; (4) a list of all persons who will be called to testify in support of the objection; (5) a list of any other objections to any class action settlements you or anyone acting on your behalf has submitted in any court (whether state, federal, or otherwise) in the United States in the previous five years; and (6) your signature, even if you are represented by counsel.

Any party may file a response to an objection by a Class Member at least seven (7) calendar days before the Fairness Hearing.

ANY CLASS MEMBER WHO DOES NOT OBJECT IN THE MANNER DESCRIBED ABOVE SHALL BE DEEMED TO HAVE WAIVED ANY OBJECTION AND SHALL NOT HAVE ANY RIGHT TO OBJECT TO THE FAIRNESS OR ADEQUACY OF THE SETTLEMENT.

THE COURT'S FAIRNESS HEARING

17. When/where will the Court decide whether to approve the Settlement?

On September 3, 2025, at 10:00 a.m., in the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, IL, 60604, the Court will hold a Fairness Hearing to determine whether the proposed Settlement is fair, reasonable, and adequate and whether it should be approved. The hearing may be continued from time to time by the Court without further notice, and may be held via teleconference or videoconference. Please check the settlement website or contact Class Counsel if you wish to confirm that the hearing time has not been changed and to determine if it is occurring in person or by video or teleconference.

18. Do I have to attend the Fairness Hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you submit an objection to the Settlement, you do not have to go to Court to talk about it. As long as your objection is filed or postmarked by August 4, 2025, and you comply with the requirements in the answer to question 16 above, the Court will consider your objection. You may also send your own lawyer at your expense to attend the Fairness Hearing.

19. May I speak at the Fairness Hearing?

If you are a Settlement Class Member, you may ask the Court for permission to speak at the hearing. Anyone wishing to appear must state in their written objection that they intend to appear at the Fairness Hearing, at their own expense.

Objectors or their attorneys intending to participate at the Fairness Hearing also must file a notice of intention to participate (and, if applicable, the name, address, and telephone number of the objector's attorney) with the Court no later than August 25, 2025. Any objectors, or their counsel, who do not timely file a notice of intention to participate in accordance with this Paragraph shall not be permitted to speak at the Fairness Hearing, except for good cause shown.

IF YOU DO NOTHING

20. What happens if I do nothing at all?

If you are a Current Participant, or a Beneficiary or Alternate Payee of a Participant and you have an Active Account in the Plan, you do not need to take any action to be eligible to receive the Settlement benefits. If you do nothing, you still will participate in the Settlement, and you will release any claims you may have against Defendants concerning the conduct Plaintiffs allege in their complaint. You may also receive a payment as described above.

If you are a Former Participant, or a Beneficiary or Alternate Payee of a Former Participant and you do not have an Active Account in the Plan, you must submit a Former Participant Claim Form by the submission deadline or you will not receive any of the settlement payments described above in the answers to questions 7 and 8. If you do nothing, you will still be bound by the Settlement as described in this Settlement Notice, if the Settlement is finally approved, **BUT YOU WILL NOT RECEIVE ANY MONEY UNLESS YOU SUBMIT A FORMER PARTICIPANT CLAIM FORM, SENT TO OR FILED WITH THE COURT BY THE DEADLINE ESTABLISHED BY THE COURT AND STATED IN PARAGRAPH 9 ABOVE.**

DATED: May 5, 2025

**THIS NOTICE HAS BEEN SENT TO YOU BY ORDER OF THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**