

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

NOTICE OF CLASS ACTION SETTLEMENT AND FAIRNESS HEARING

YOUR LEGAL RIGHTS MAY BE AFFECTED IF YOU WERE:

A participant or beneficiary in the Dartmouth-Hitchcock Retirement Plan and/or the Dartmouth-Hitchcock Employee Investment Plan (the “Plans”) at any time between March 18, 2016 and March 25, 2026.

Please read this Notice carefully.

The case is Adams et al. v. Dartmouth-Hitchcock Clinic et al., No. 1:22-cv-00099-LM.

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

- The Court has given its preliminary approval to a proposed settlement (the “Settlement”) of a class action lawsuit brought by certain participants in the Plans against the Dartmouth-Hitchcock Clinic, The Board of Trustees of Dartmouth-Hitchcock Clinic, The Administrative Investment Oversight Committee Of Dartmouth-Hitchcock Clinic and John Does 1-30 (collectively, “Dartmouth Hitchcock”), alleging violations of the Employee Retirement Income Security Act (“ERISA”). The Settlement provides for the allocations of monies directly into the individual accounts of members of the Settlement Class, defined above, who had an account in one or both of the Plans with a balance greater than \$0 as of the time calculations under the Plan of Allocation are made. Class Members who are entitled to a distribution but who no longer had a Plan account with a balance greater than \$0 as of the time calculations under the Plan of Allocation are made, will receive their allocation in the form of a check mailed to their last known address or a rollover, if elected. In the lawsuit, Plaintiffs challenge the operation of the Dartmouth-Hitchcock Retirement Plan and the Dartmouth-Hitchcock Employee Investment Plan (the “Plans”).
- The terms and conditions of the Settlement are set forth in the Settlement Agreement dated June 17, 2025. Capitalized terms used in this Notice but not defined herein have the meanings assigned to them in the Settlement Agreement. The Settlement Agreement is available at www.DartmouthHitchcockERISASettlement.com. Any amendments to the Settlement Agreement or any other settlement documents will be posted on that website. You should visit that website if you would like more information about the Settlement and any possible amendments to the Settlement Agreement or other changes affecting the Settlement.
- Your rights and options – and the deadlines to exercise them – are explained in this Settlement Notice. You should read this entire notice carefully because your legal rights will be affected whether you act or not.
- The Court still has to decide whether to give its final approval to the Settlement. Payments under the Settlement will be made only if the Court finally approves the Settlement and that final approval is upheld in the event of any appeal.
- Any objections to the Settlement or to the petitions for the Class Representatives’ Case Contribution Awards and Attorneys’ Fees and Expenses, must be sent to the Court at the address identified on page 4 of this Notice in the response to Question 13.
- A hearing on the final approval of the Settlement and for approval of the Class Representatives’ Case Contribution Awards and Attorneys’ Fees and Expenses will take place on August 13, 2026 at 2:00 p.m., before Judge Landya B. McCafferty of the United States District Court for the District of New Hampshire, U.S. District Court, 55 Pleasant Street, Room 1, Concord, NH 03301-3941.

QUESTIONS? VISIT WWW.DARTMOUTH-HITCHCOCK-ERISA-SETTLEMENT.COM OR CALL TOLL-FREE 844-286-3944.
DO NOT CONTACT THE COURT OR DARTMOUTH-HITCHCOCK WITH YOUR QUESTIONS.

BASIC INFORMATION

1. Why did I get a notice about the Settlement?

You received a notice about the Settlement because the Plans' records indicate that you were a participant or beneficiary in the Plans at some point between March 18, 2016 and March 25, 2026. Your rights will be affected by the Settlement of this lawsuit.

Please read the following information carefully to find out what the lawsuit is about, what the terms of the proposed Settlement are, what rights you have to object to the proposed Settlement, and the deadline to object.

2. What is this lawsuit about?

A lawsuit was filed in the United States District Court for The District of New Hampshire. The lawsuit alleges that Dartmouth Hitchcock violated ERISA—the federal law that governs most retirement plans in the United States. The people who are pursuing the lawsuit (“Plaintiffs”) claim that Dartmouth Hitchcock paid higher recordkeeping and administrative fees than necessary. Plaintiffs also alleged that Dartmouth Hitchcock failed to monitor the Plan’s Committee that was responsible for monitoring the Plans’ fees.

Dartmouth Hitchcock denies the allegations in the lawsuit and contends that its conduct was entirely proper. Dartmouth Hitchcock has asserted, and would assert if the lawsuit continues, a number of defenses.

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 other people who have similar claims. One court resolves all the issues for all class members in a single lawsuit. Three participants in the Plans are the class representatives in this lawsuit.

4. Why is there a Settlement?

The Parties have agreed to the Settlement after extensive negotiations. By agreeing to the Settlement, the Parties avoid the costs and risks of further litigation, and Plaintiffs and other members of the Settlement Class will receive compensation. Class Counsel have reviewed the evidence in the case and the risks and benefits of continued litigation, and they believe the Settlement is in the best interest of the class. The Court has not decided that Dartmouth Hitchcock has done anything wrong. The Plans have hired an independent fiduciary to evaluate the fairness of the Settlement.

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

This notice is only a summary of the lawsuit and the proposed Settlement. You can read the pleadings and other papers that have been filed in this lawsuit at the office of the Clerk of the United States District Court for The District of New Hampshire, which is located at 55 Pleasant Street, Room 110, Concord, NH 03301-3941. You may also review documents electronically through Public Access to Court Records, which is available at <https://ecf.nhd.uscourts.gov>.

If you have questions about this notice or the proposed Settlement, you may contact Class Counsel (see answer to Question 10 for contact information).

Do not contact the Court, Defendants, or Dartmouth Hitchcock for information about the Settlement. The Settlement Administrator or Class Counsel can answer any questions you may have about the proposed Settlement.

THE SETTLEMENT BENEFITS – WHAT YOU MAY GET

6. What does the Settlement provide?

Plaintiffs and Dartmouth Hitchcock have agreed to a settlement that involves payments to participants. These and other terms of the Settlement are described in the Settlement Agreement dated June 17, 2025 and described briefly below.

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As part of the Settlement, Dartmouth Hitchcock has agreed to make a one-time payment of \$850,000 (the “Settlement Amount”). After deduction of any amounts the Court approves to pay settlement-related expenses (including Attorneys’ Fees and Expenses to Class Counsel, fees for hiring an Independent Fiduciary, Administration Costs, and Taxes and Tax-Related Costs), and any amounts to the Class Representatives as case contribution awards, the remaining amount (known as the “Net Settlement Amount”) will be paid to Settlement Class Members. Settlement Class Members are people (except Defendants and their immediate family members) who were participants in or beneficiaries of the Plans from March 18, 2016 to March 25, 2026. The Parties have agreed that no distribution will be made to Settlement Class Members who are no longer participants in the Plans and would otherwise be entitled to a payment of \$5 or less. Settlement Class Members who are current participants in the Plans are *not* subject to this restriction. The Plan of Allocation is posted on the Settlement Website.

7. If I am entitled to a distribution, how will I receive it?

Settlement Class Members who have money in their Dartmouth Hitchcock Plan account(s) at the time of the distribution will receive any distribution through a deposit into their Dartmouth Hitchcock Plan account(s). To the extent feasible, that money will be invested in accordance with each Settlement Class Member’s instructions for investment of new contributions at the time the distribution is made, or, if no such instructions are in effect, to the applicable qualified default investment option. Settlement Class Members who do not have money in their Dartmouth Hitchcock Plan account(s) as of the date of distribution (“Former Participants”) will receive a check from the Settlement Administrator.

Distributions to Settlement Class Members will be calculated by the Settlement Administrator according to the Plan of Allocation approved by the Court and available at www.DartmouthHitchcockERISASettlement.com.

8. What are the Class Representatives receiving from the Settlement?

The Class Representatives will be entitled to receive benefits of the Settlement because they are Settlement Class Members. Each of the three Plaintiffs will apply to the Court for an award of case contribution awards not to exceed \$10,000 each for their service in the Action. It is up to the Court to decide whether to grant any or all of the requested amount.

THE SETTLEMENT– WHAT YOU GIVE UP

9. What do I give up in the Settlement?

All Settlement Class Members will release any claims they have related to the lawsuit and will be prohibited from bringing or pursuing any other lawsuits or other actions against Dartmouth Hitchcock and other Released Parties based on those claims or other claims that could have been asserted in the lawsuit. This is only a summary of the Released Claims and not a binding description of the Released Claims. The actual governing release is found within the Settlement Agreement at www.DartmouthHitchcockERISASettlement.com.

THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in this case?

Yes. In granting preliminary approval of the proposed Settlement, the Court appointed the Plaintiffs’ lawyers to serve as “Class Counsel” for the Settlement Class. The attorneys for the Settlement Class are as follows:

Mark K. Gyandoh
Capozzi Adler P.C.
312 Old Lancaster Road
Merion Station, PA 19066
Telephone: (610) 890-0200

You will not be charged separately for the work of these lawyers; their compensation will come from the Settlement Amount and will be determined by the Court. If you want to be represented by a different lawyer in this case, you may hire one at your own expense.

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

Class Counsel will file a motion with the Court seeking approval of their compensation, which will consist of (a) attorneys' fees and (b) reimbursement of the expenses they incurred in prosecuting the case. Class Counsel intend to seek attorneys' fees equal to one-third of the Settlement Amount which amounts to \$283,333.33 plus expenses, not to exceed \$150,000. The motion and supporting papers will be filed on or before **June 14, 2026**. After that date, you may review the motion and supporting papers at www.DartmouthHitchcockERISASettlement.com. Any attorneys' fees and expenses will be paid from the Settlement Amount.

OBJECTING TO THE SETTLEMENT

12. What does it mean to object?

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

13. What is the procedure for objecting to the Settlement?

Settlement Class Members can object to the Settlement and give reasons why they believe that the Court should not approve it. To object, you must send a written statement explaining that you object to the Settlement in *Adams et al. v. Dartmouth-Hitchcock Clinic et al.*, No. 1:22-cv-00099-LM to the Clerk of the Court, United States District Court for The District of New Hampshire, 55 Pleasant Street, Room 110, Concord, NH 03301. Please note that the Court's Order Granting Preliminary Approval of this Settlement provides that any party to the litigation may, but is not required to, serve discovery requests, including requests for documents and notice of deposition not to exceed two hours in length, on any objector. Any responses to discovery, or any depositions, must be completed within ten days of the request being served on the objector.

Objections must be filed with the Court Clerk on or before July 14, 2026. Objections filed after that date will not be considered. Any Settlement Class Member who fails to submit a timely objection will be deemed to have waived any objection, and any untimely objection will be barred absent an order from the Court. Objections must include: (1) the case name and number; (2) your full name, current address, telephone number, and signature; (3) a statement that you are a Settlement Class Member and an explanation of why you claim to be a Settlement Class Member; (4) all grounds for the objection, accompanied by any legal support known to you or your counsel; (5) a statement as to whether you or your counsel intends to personally appear at the Final Approval Hearing; and (6) a list of anyone you or your counsel may call to testify at the Final Approval Hearing.

14. What if I do not want to be part of the lawsuit and want to exclude myself?

The Settlement does not allow Settlement Class Members to exclude themselves from the settlement or decide not to be a part of the Settlement because the Class was certified under Federal Rule of Civil Procedure 23(b)(1) for the purposes of settlement only. Therefore, as a Settlement Class Member, you are bound by any judgments or orders that are entered in the Class Action for all claims that were asserted in the Class Action or are otherwise included as Released Claims under the Settlement. While some class action settlements allow class members to "opt out" of the settlement, because of the nature of the claims Plaintiffs have asserted in this lawsuit, Settlement Class Members in this case do not have a right to opt out. If you dislike some portion of the Settlement, your only recourse is to object to the Settlement.

THE COURT'S FINAL APPROVAL HEARING

15. What is a final approval hearing?

The Court has granted preliminary approval of the proposed Settlement, finding that it is sufficiently reasonable to warrant preliminary approval, and has approved delivery of this notice to Settlement Class Members. But the Settlement will not take effect unless it receives final approval from the Court following an opportunity for Settlement Class Members to

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object. The Court will hold a Final Approval Hearing on August 13, 2026 at 2:00 p.m. to consider any objections. The Final Approval Hearing will take place in the courtroom of Judge Landya B. McCafferty of the United States District Court for the District of New Hampshire, U.S. District Court, 55 Pleasant Street, Room 1, Concord, NH 03301. The date and location of the Final Approval Hearing is subject to change by order of the Court, which will appear on the Court's docket for this case and on the Settlement Website.

16. Can I attend the Final Approval Hearing?

Yes, but you do not have to. Anyone can attend the Final Approval Hearing. If the Court approves of the Settlement, you will get a share of the Settlement benefits to which you are entitled, regardless of whether you attend. But the Court will only allow those who file a timely written objection to speak at the Final Approval Hearing either in person or through counsel retained at his or her own expense. Anyone intending to speak at the Final Approval Hearing must file their notice of intention to do so with the Court Clerk by no later than July 14, 2026. The notice must include: (1) the name, address, and telephone number of the Settlement Class Member, and (2) if applicable, the name, address, and telephone number of that Settlement Class Member's attorney. Anyone who does not timely file a notice of intention to appear will not be permitted to speak at the Final Approval Hearing, except by Order of the Court. Any objection that is timely filed will be considered by the Court even without a personal appearance by the Settlement Class Member or that Settlement Class Member's counsel.

17. Where can I get more information?

You can visit the website at www.DartmouthHitchcockERISASettlement.com where you will find the full Settlement Agreement, the Court's order granting preliminary approval, this notice, and other relevant pleadings and documents. If you cannot find the information you need on the website, you may also contact Class Counsel for more information. Do not contact the Court or Dartmouth Hitchcock to get additional information.