

IF YOU RECEIVED UNSOLICITED ADVERTISING FAXES FROM WM HEALTHCARE SOLUTIONS, INC.,
PLEASE READ THIS NOTICE CAREFULLY
IF YOU WISH TO BE PAID BENEFITS UNDER THIS SETTLEMENT, SUBMIT A CLAIM BY AUGUST 15, 2013

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

*MICHEL, DDS, LAUB, DDS and DR. MARK W. STURDY v. WM HEALTHCARE SOLUTIONS, INC. et al, 10 CV 00638
Chief Judge Susan J. Dlott*

NOTICE OF PENDENCY OF CLASS ACTION AND PROPOSED SETTLEMENT

To: (a) all persons and entities throughout the United States (b) who, on or after August 14, 2006, through August 23, 2012 (c) were sent unsolicited facsimile advertisements by or on behalf of defendant WM Healthcare Solutions, Inc., promoting its goods or services for sale.

***PLEASE READ THIS NOTICE CAREFULLY.
THIS IS NOT A NOTICE OF A LAWSUIT AGAINST YOU.
IF YOU WISH TO RECEIVE A PORTION OF THE CLASS SETTLEMENT PROCEEDS
DESCRIBED BELOW, YOU MUST COMPLETE AND RETURN THE SUMMARY
NOTICE/CLAIM FORM BY AUGUST 15, 2013.***

1. WHY DID YOU GET THIS NOTICE?

You received the Summary Notice/Claim Form because you met all the criteria contained in the class definition set forth in paragraph 3 below and are a member of the Settlement Class. The purpose of this Notice is to advise you of a proposed settlement in the Action, and of a hearing to consider that settlement to be held on September 10, 2013 at 2:00 p.m. before Chief Judge Susan J. Dlott, Room 227 of the U.S. District Court for the Southern District of Ohio, 100 East Fifth Street, Cincinnati, Ohio 45202 (“Fairness Hearing”).

2. WHAT IS THIS LAWSUIT ABOUT?

Plaintiffs, Drs. Michel, Laub and Sturdy, filed this lawsuit (“Action”) on behalf of a putative class. Plaintiffs alleged that the defendants violated the Telephone Consumer Protection Act, 47 U.S.C. §227 (“TCPA”) and state law by sending unsolicited facsimile advertisements. Defendants deny these allegations, including that the putative class can properly be certified, but have agreed to settle to avoid the costs of litigation. Counsel for plaintiffs have conducted an extensive investigation into the relevant facts and law underlying plaintiffs’ claims, and have concluded that the outcome of the lawsuit is uncertain and that a settlement is in the best interests of plaintiffs and the Settlement Class. Defendants deny that they acted unlawfully, deny liability to plaintiffs and the Settlement Class, and deny that class certification is required or appropriate if there was not a settlement. This Notice should not be understood as an expression of any opinion by the Court as to merits of any of the claims asserted by plaintiffs or any of the defenses asserted by defendants.

3. WHO IS IN THE SETTLEMENT?

On April 16, 2013, the Court preliminarily approved the settlement (“Settlement”) and provisionally certified a settlement class (“Settlement Class”) in the Action for purposes of settlement only. The Settlement Class is defined to include: (a) all persons and entities throughout the United States (b) who, on or after August 14, 2006, through August 23, 2012 (c) were sent unsolicited facsimile advertisements by or on behalf of defendant WM Healthcare Solutions, Inc., promoting its goods or services for sale.

4. THE SETTLEMENT BENEFITS - WHAT YOU GET

The Settlement calls for the creation of a \$4,375,000 Settlement Fund which will be reduced by attorney fees awarded by the Court, not to exceed 1/3 of the value of the Settlement Fund and an incentive award to the named plaintiffs for having acted as class representatives, not to exceed \$10,000 for each of the named plaintiffs. The amount remaining in the fund will be divided on a pro rata basis per valid claim among those members of the Settlement Class submitting timely, valid claim forms. The parties estimate that the Settlement Class consists of approximately 386,308 Settlement Class Members, each of whom received one or more WM Healthcare facsimile advertisement(s) to a single facsimile number ("Settlement Class Member"). Each Settlement Class Member who timely submits a valid and completed claim form shall only be entitled to a single claim, regardless of the number of facsimile advertisements he/she/it/they received to a single facsimile number. For example, if Notice is received by the entire Settlement Class and timely and valid claims are submitted by 10% of the Settlement Class, each Settlement Class Member will receive \$74.21. If Notice is received by the entire Settlement Class and timely and valid claims are submitted by 15% of the Settlement Class, each Settlement Class Member will receive \$49.47.

5. WHAT AM I GIVING UP AS PART OF THE SETTLEMENT?

If the Settlement becomes final, you will be releasing WM Healthcare Solutions, Inc. and SK&A Information Services, Inc. of any claims relating in any way to their sending of advertisements related to WM Healthcare Solutions, Inc. by fax. This release is more fully explained in paragraph 20 of the Class Settlement Agreement Contingent Upon Court Approval ("Agreement"). The Agreement is available at the Clerk's Office, U.S. District Court for the Southern District of Ohio, 100 East Fifth Street, Cincinnati, Ohio 45202 during regular business hours. The Agreement specifically describes the released claims in necessarily legal terminology. You may speak with Class Counsel or your own lawyer if you have questions about the release.

6. HOW DO I SUBMIT A CLAIM?

To ask for a cash payment, you must complete and return the attached Claim Form by facsimile to (866) 405-4752 or by U.S. Mail to the address for Class Counsel listed below in paragraph 8. The deadline for Claim Forms is August 15, 2013; Claim forms **MUST BE** faxed or postmarked by August 15, 2013.

7. WHEN WOULD I GET MY PAYMENT?

Payments will be mailed to Settlement Class Members after the Court grants "final approval" of the Settlement and any appeals are resolved. The deadline for Claim Forms is August 15, 2013; Claim forms **MUST BE** faxed or postmarked by August 15, 2013. The Court is scheduled to consider final approval at a hearing on September 10, 2013 at 2:00 p.m.

8. EXCLUDING YOURSELF FROM THE SETTLEMENT

If you fall within the Settlement Class definition set forth in paragraph 3 above, you will be a member of the Settlement Class unless you exclude yourself from the Settlement Class. If you want to keep the right to sue WM Healthcare Solutions, Inc. and SK&A Information Services, Inc. over the legal issues in this case, then you must take steps to get out of the Settlement Class. This is called asking to be excluded from - or sometimes called "opting out" of - the Settlement Class. If you opt out of the Settlement Class, you will not receive any payment or other benefit from the Settlement Fund, you cannot object to the Settlement and you will not be bound by anything that happens in this lawsuit. You must exclude yourself from *this* case to start or continue your own lawsuit against WM Healthcare Solutions, Inc. and SK&A Information Services, Inc. To opt out, you must complete and mail or fax a notice of intention to opt-out ("Opt-Out"), which contains the following: (a) your full legal name or business name if the facsimile number was one owned or controlled by a business, address, and telephone number; (b) the telephone number for the facsimile machine on which you were sent the Fax; (c) your signature or that of the class member's representative (such as a business' officer or manager); and (d) a statement that expressly states

an intent of the class member not to participate in the Settlement and to waive all rights to the benefits of the Settlement. In addition, for your Opt-Out to be valid, it must be faxed to (866) 405-4752 by August 15, 2013 or mailed to the following address postmarked no later than August 15, 2013:

Edelman, Combs, Lattuner & Goodwin, LLC c/o Julie Clark
120 S. LaSalle Street, Chicago, IL 60603, (312) 252-3667; (866) 405-4752 (FAX)

9. WHO ARE COUNSEL FOR PLAINTIFFS AND CLASS COUNSEL?

The Court has appointed the following attorneys to represent you and other members of the Settlement Class in this lawsuit:

Edelman, Combs, Lattuner & Goodwin, LLC
Julie Clark
120 S. LaSalle Street, 18th Floor
Chicago, IL 60603
(312) 252-3667; (866) 405-4752 (FAX)
www.edcombs.com

Montgomery, Rennie & Jonson, LPA
George D. Jonson
36 E. Seventh Street, Suite 2100
Cincinnati, Ohio 45202
(513) 241-4722; (513) 241-8775 (fax)
www.mrjlaw.com

These attorneys (“Class Counsel”) represent your interests in this lawsuit. You may contact them with any questions that you have about the lawsuit or the Settlement. You may also hire your own attorney at your own cost to enter an appearance on your behalf in this matter.

10. OBJECTING TO THE SETTLEMENT

You can tell the Court that you don’t agree with the Settlement or some part of it. You must give reasons why you think the Court should not approve the Settlement. The Court will consider your views if you properly submit an objection on time. Objecting is simply telling the Court that you don’t like something about the Settlement. You can object ONLY if you stay in the Settlement Class. If you wish to object to the Settlement or to any awards to plaintiff or class counsel, then you must mail or fax a written objection to the Settlement (“Objection”) to Class Counsel and counsel for defendant at the addresses set forth below sent by fax or postmarked no later than August 15, 2013, and contemporaneously file the objection with the Clerk’s Office, U.S. District Court for the Southern District of Ohio, 100 East Fifth Street, Cincinnati, Ohio 45202:

Class Counsel

Cathleen M. Combs
Julie Clark
Edelman, Combs, Lattuner
& Goodwin LLC
120 South LaSalle Street, Suite 1800
Chicago, IL 60603
(866) 405-4752 fax

Defendants’ Counsel

Amanda Martinsek
Diane E. Citrino
Marquettes D. Robinson
Thacker Martinsek LPA
2330 One Cleveland Center
1375 E. 9th St.
Cleveland, OH 44114
(216) 456-3850 fax

Defendants’ Counsel

Kevin M. O’Hagan
Edward C. Eberspacher IV
O’Hagan LLC
One East Wacker Drive
Suite 3400
Chicago, Illinois 60601
(312) 422-6110 fax

Each objection must (a) set forth the case name and number (*Michel, DDS, et.al. v. WM Healthcare Solutions, Inc.*, No. 10CV638); (b); set forth the objector’s full legal name or business name, (if the objector is an entity), address and telephone number; (c) set forth the telephone number for the facsimile machine on which the Settlement Class Member was sent the fax; (d) state the Objection to the settlement; (e) set forth a statement of the legal and factual basis for the Objection; and (f) provide copies of any documents in support of the Objection. If you do not submit a timely Objection in accordance with the requirements set forth above, you will not be treated as having filed a valid Objection to the settlement. If you do file an objection and would like it to be considered, you may also appear at the

hearing before Chief Judge Susan J. Dlott, Room 227 of the U.S. District Court for the Southern District of Ohio, 100 East Fifth Street, Cincinnati, Ohio 45202 (“Fairness Hearing”). **YOU ARE NOT REQUIRED TO ATTEND THIS HEARING.** Please note that it is not sufficient to simply state that you object. You must state reasons why the Settlement should not be approved.

11. THE COURT’S FAIRNESS HEARING

The Court will hold a hearing on the Settlement before Chief Judge Susan J. Dlott, Room 227 of the U.S. District Court for the Southern District of Ohio, 100 East Fifth Street, Cincinnati, Ohio 45202 (“Fairness Hearing”) September 10, 2013 at 2:00 p.m. The purpose of the Fairness Hearing is to determine, among other things, (i) whether the Settlement will be approved as fair, adequate and reasonable; (ii) what amount, if any, to award Class Counsel for attorney’s fees and costs in the Action; and (iii) what amount, if any, to award to the three plaintiffs for their services as class representatives. **YOU ARE NOT REQUIRED TO ATTEND THIS HEARING.** The hearing may be continued by the Court without further notice to Settlement Class Members. If the Court does not approve the Settlement, the class action will proceed, and you may or may not receive any money from this action in the future.

12. WHERE CAN I OBTAIN ADDITIONAL INFORMATION?

The description of the lawsuit and Settlement that is contained in this Notice is only general in nature. All papers filed in this case, including the full Agreement, are available for you to inspect and copy (at your expense) at the Clerk’s Office of the U.S. District Court for the Southern District of Ohio, 100 East Fifth Street, Cincinnati, Ohio 45202. You must bring the name of the case and case number with you, since the Clerk will need to know this information in order to obtain the court file for you to inspect. If you or your attorney requires additional information, you should write or call Class Counsel at the addresses and telephone numbers listed above in paragraph 9 during regular business hours. Please include the case name and number, your name and your current return address on any letters, not just the envelopes. Please do not contact the defendants’ attorneys; they are not in a position to give you any advice about this Settlement.

PLEASE DO NOT CONTACT THE COURT OR DEFENDANT’S COUNSEL FOR INFORMATION.

Dated: April 16, 2013

**BY ORDER OF THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**