

**If you received a text message from or on behalf of AeroCare
inviting you to order CPAP supplies, you may qualify
for a \$160 payment from a class action settlement.**

A federal court authorized this Notice. This is not a solicitation from a lawyer.

- A proposed Settlement has been reached with AeroCare Holdings, LLC and AdaptHealth Corp. (together the “AdaptHealth Parties” or “Defendants”) claiming the AdaptHealth Parties initiated telemarketing text messages to persons who previously sent AeroCare a message saying “stop” or its equivalent to one of the AdaptHealth Parties’ text messages, in violation of the Telephone Consumer Protection Act (“TCPA”), Florida Telephone Solicitation Act (“FTSA”), and other federal and state laws.
- You may qualify for a \$160 payment if you received more than one text message from the AdaptHealth Parties inviting you to order CPAP supplies after you had sent the AdaptHealth Parties a message saying “stop” or its equivalent (“Post-Stop Messages”) from November 23, 2018 through the date notice is provided to the Settlement Class (the “Class Period”).
- The Settlement, if it is finally approved, will provide benefits to those who qualify. You will need to submit a valid Claim Form to receive benefits from the Settlement.
- Your legal rights are affected whether you act, or don’t act. Read this Notice carefully.

<u>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</u>	
SUBMIT A CLAIM FORM BY NOVEMBER 21, 2023	If you received a Notice in the mail, simply tear off the double-sided prepaid postcard Claim Form, complete it, and place it in the mail. Claim Forms may also be submitted online at www.AdaptHealthTCPASettlement.com or printed from the website and mailed to the address on the form. Receive a \$160 payment for submitting an Approved Claim.
EXCLUDE YOURSELF BY NOVEMBER 21, 2023	This is the only option that allows you to sue, continue to sue, or be part of another lawsuit against the AdaptHealth Parties related to the legal claims this Settlement resolves. If you exclude yourself, you will no longer be eligible to receive a payment from this Settlement.
OBJECT BY NOVEMBER 21, 2023	Write to the Court about why you do not like the Settlement.
GO TO A HEARING	You may ask to appear and speak to the Court about the fairness of the Settlement.
DO NOTHING	Get no benefits. Give up any rights you might have to sue the AdaptHealth Parties about the legal claims made in this case and resolved by the Settlement.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice. The deadlines may be moved, canceled, or modified. Check the Settlement Website at www.AdaptHealthTCPASettlement.com regularly for updates.
- The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be made only if the Court approves the Settlement and after any appeals are resolved. Please be patient.

BASIC INFORMATION

1. Why is there a notice?

The Court authorized this Notice because you have a right to know about the proposed Settlement of this class action lawsuit, and about your options, before the Court decides whether to approve the Settlement.

Judge Roy Dalton, Jr. of the United States District Court for the Middle District of Florida is overseeing this case. The case is titled *Tyler DeSouza v. AeroCare Holdings, LLC; AdaptHealth Corp.* Case No. 22-cv-1047 (the “Action”). This Notice explains the lawsuit, the Settlement, and your legal rights. The person who filed this lawsuit is called the Plaintiff, and the companies he sued, AeroCare Holdings, LLC and AdaptHealth Corp., are called the Defendants or the AdaptHealth Parties.

2. What is this lawsuit about?

The lawsuit claims the AdaptHealth Parties initiated telemarketing text messages to persons who previously sent AeroCare a message saying “stop” or its equivalent to one of the AdaptHealth Parties’ text messages, in violation of the TCPA, FTSA, and other federal and state laws. The AdaptHealth Parties deny all allegations made in the lawsuit.

More information about the lawsuit can be found in the Fourth Amended Complaint, available at www.AdaptHealthTCPASettlement.com.

3. Why is there a class action?

In a class action, one or more people called “Named Plaintiffs” or “Class Representatives” (in this case, Tyler DeSouza) sue on behalf of themselves and other people who have similar claims. Together, all the people with similar claims (except those who exclude themselves) are members of a “Settlement Class.”

4. Why is there a settlement?

The Court did not decide in favor of the Plaintiff or the Defendant. Instead, both sides agreed to a settlement. The Settlement allows the Plaintiff and Defendants to avoid the risks and costs of litigation and the uncertainty of trial and appeals. The Class Representative and his attorneys believe this Settlement is in the best interests of the Settlement Class.

WHO IS INCLUDED IN THE SETTLEMENT?

5. How do I know if I am included in the Settlement?

The Settlement includes, from November 23, 2018 through the date notice is provided to the Settlement Class, all persons to whose telephone number the AdaptHealth Parties initiated, or had initiated on their behalf, more than one text message in a 12-month period for the purpose of inviting the recipient to order CPAP supplies, after the recipient had replied “stop” or its equivalent to one of the AdaptHealth Parties’ text messages (“Settlement Class Members”). If you’re receiving this Notice, our records indicate you are likely a Class Member.

6. Are there exceptions to being included?

Yes, excluded from the Class are the AdaptHealth Parties and any entities in which they have a controlling interest; the AdaptHealth Parties’ agents and employees; any Judge and Magistrate Judge to whom this action is assigned and any member of their staffs and immediate families; and any claims for personal injury, wrongful death, and/or emotional distress.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

7. What does the Settlement provide?

If the proposed Settlement is approved and becomes final, the AdaptHealth Parties will pay \$160 to each Settlement Class Member who submits a valid claim.

8. What can I get from the Settlement?

Settlement Class Members who submit an Approved Claim will receive a Cash Award payment of \$160.

9. What am I giving up to receive a payment or stay in the Settlement Class?

Unless you exclude yourself, you are choosing to stay in the Settlement Class. If the Settlement is approved and becomes final, all of the Court's orders will apply to you and legally bind you. You won't be able to sue, continue to sue, or be part of any other lawsuit against the AdaptHealth Parties and the Released Persons. The rights you are giving up are called Released Claims.

10. What are the Released Claims?

Generally, if and when the Settlement becomes final, each member of the Settlement Class shall, by operation of the Judgment, be deemed to have fully, conclusively, irrevocably, forever, and finally released, relinquished, and discharged the Released Persons (AdaptHealth Parties and each of their respective divisions, parents (including AdaptHealth Corp.), subsidiaries, affiliates, predecessors, investors, and parent companies, any direct or indirect subsidiary of the AdaptHealth Parties and their insurers and each of their respective divisions, parents, subsidiaries, predecessors, investors, parent companies, and all of the past or present officers, directors, employees, agents, brokers, distributors, contractors, representatives, owners, and attorneys of all such entities) in all capacities, including individual and trustee capacities, from any and all claims, causes of action, suits, obligations, debts, demands, agreements, promises, liabilities, damages, losses, controversies, costs, expenses and attorneys' fees of any nature whatsoever, whether based on any federal law, state law, common law, territorial law, foreign law, contract, rule, regulation, any regulatory promulgation (including, but not limited to, any opinion or declaratory ruling), common law or equity, whether known or unknown, suspected or unsuspected, asserted or unasserted, foreseen or unforeseen, actual or contingent, liquidated or unliquidated, punitive or compensatory, as of the date of Final Approval, that relate to or arise out of the Post-Stop texts that were sent during the Class Period, the records of which AdaptHealth maintains. This release includes any and all claims for violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227 and the regulations promulgated thereunder, and any and all claims for violation of any laws of any state, including the Florida Telephone Solicitation Act, § 501.059 *et seq.*, that regulate, govern, prohibit or restrict the making, placing, dialing or initiating of texts to persons who asked not to be called or to be placed on an internal do-not-call list.

Complete details regarding the Released Claims can be found in the Class Action Settlement Agreement and Release, available at www.AdaptHealthTCPASettlement.com.

HOW TO GET A PAYMENT

11. How do I get a payment from the Settlement?

To receive a payment, you must submit a valid Claim Form. If you received a Notice in the mail, simply tear off the double-sided prepaid postcard Claim Form, complete it, and place it in the mail. Claim Forms may also be submitted online at www.AdaptHealthTCPASettlement.com or printed from the website and mailed to the address on the form. Claim Forms must be submitted online or postmarked by **November 21, 2023**.

12. When will I receive my payment?

The Court will hold a Final Approval Hearing on January 25, 2024 to decide whether to grant final approval to the Settlement. If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them. Payments will be distributed to Settlement Class Members who submit valid Claim Forms if and when the Court grants final approval to the Settlement and after any appeals are resolved. Please be patient.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in this case?

Yes, Jeremy Glapion of Glapion Law Firm and Bradford R. Sohn of Brad Sohn Law Firm PLLC have been appointed as “Class Counsel” to represent you and other Settlement Class Members. You will not be personally charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

14. How will the lawyers be paid?

Class Counsel will ask the Court for attorneys’ fees and expenses of not more than 25% of the amount calculated by multiplying the Cash Award (\$160) by the number of Settlement Class Members (currently understood to be 32,025), plus their actual costs. If approved, these amounts, as well as the costs of notice and administration, will be paid separately by the AdaptHealth Parties and not reduce the amount of money available to Settlement Class Members.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you want to keep the right to sue the Defendants or the Released Parties about the legal claims resolved by this Settlement, and you do not want to receive a Settlement payment, you must take steps to get out of the Settlement. This is called excluding yourself or opting out of the Settlement.

15. How do I exclude myself from the Settlement?

To exclude yourself from the Settlement, you must mail a letter to the Settlement Administrator that includes the following information:

- Your name and address;
- The phone number at which you were sent a Qualifying Text by the AdaptHealth Parties, or someone acting on their behalf, during the Class Period;
- The name of the case (*Tyler DeSouza v. AeroCare Holdings, LLC; AdaptHealth Corp.*, Case No. 22-cv-1047);
- A statement indicating you want to be excluded from this Settlement, and by excluding yourself, you understand that you will not receive any money from this Settlement; e.g., “I request to be excluded from the Settlement in the *DeSouza* action and understand that, by doing so, I will not be entitled to receive any of the benefits from the Settlement.”; and
- Your signature.

You must mail your exclusion request, postmarked no later than **November 21, 2023**, to:

DeSouza v. AeroCare Holdings Settlement Administrator
P.O. Box 8060
San Rafael, CA 94912-8060

16. If I ask to be excluded from the Settlement, can I still get a payment?

No, you will not receive a payment from the Settlement if you exclude yourself.

OBJECTING TO THE SETTLEMENT

17. How do I tell the Court if I do not like the Settlement?

If you do not submit a timely and proper request for exclusion and you wish to object to the fairness, reasonableness, or adequacy of the Settlement, you must timely file a written objection with the Court and send a copy of that written objection by mail to Class Counsel and Defense Counsel at the addresses provided below.

To be valid, your objection must include:

- Your name, address, and telephone number and, if different, the telephone number at which you were sent a Qualifying Text by the AdaptHealth Parties during the Settlement Class Period;
- The reasons for your objection and any evidence supporting those reasons;
- Copies of any other documents you wish to submit in support of your position;
- The name, address, email address, and telephone number of your lawyer, if you have one;
- A statement regarding whether you and/or your lawyer intend to appear at the Final Approval Hearing; and
- Your signature.

Your objection, along with any supporting material you wish to submit, must be received by the Court with a copy sent to Class Counsel and Defense Counsel postmarked no later than **November 21, 2023** at the following addresses:

Clerk of the Court	Class Counsel	Defense Counsel
Clerk of the Court George C. Young Federal Annex Courthouse 401 West Central Boulevard Orlando, FL 32801	Jeremy Glapion Glapion Law Firm 1704 Maxwell Drive Wall, NJ 07719	Joseph Wylie K&L Gates LLP 70 West Madison Street Suite 3300 Chicago, IL 60602

18. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you remain a member of the Settlement Class (that is, do not exclude yourself). Excluding yourself is telling the Court that you don't want to be part of the Settlement. If you exclude yourself, you cannot object because the Settlement no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

19. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing on January 25, 2024 at 10:00 a.m. at the George C. Young Federal Annex Courthouse, 401 West Central Boulevard, Orlando, Florida 32801.

At this hearing, the Court will determine whether the Settlement is fair, reasonable, and adequate and whether to approve Class Counsel's request for attorneys' fees and litigation expenses. If there are objections, the Court will consider them. Judge Dalton will listen to people who have asked to speak at the hearing.

20. Do I have to come to the hearing?

No. Class Counsel will answer any questions that the Court may have, but you may come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as you delivered and mailed your written objection on time to the proper addresses, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

21. May I speak at the hearing?

Yes. You may ask the Court for permission to speak at the Final Approval Hearing by including a statement in your objection indicating that you intend to appear at the Final Approval Hearing (*see* Question 17). You cannot speak at the hearing if you exclude yourself from the Settlement Class.

IF YOU DO NOTHING

22. What happens if I do nothing at all?

If you do nothing, you will not receive a payment from the Settlement and you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendants or the Released Parties about the Released Claims.

GETTING MORE INFORMATION

23. How do I get more information?

This Notice summarizes the proposed Settlement. More details are available in the Class Action Settlement Agreement and Release. The Class Action Settlement Agreement and Release and other related documents are available at www.AdaptHealthTCPASettlement.com. If you have additional questions, you may call the Settlement Administrator at 1-844-635-0258, or write to:

DeSouza v. AeroCare Holdings Settlement Administrator
P.O. Box 8060
San Rafael, CA 94912-8060

**PLEASE DO NOT CONTACT THE COURT, CLERK OF THE COURT
OR DEFENDANT CONCERNING THIS CASE.**