# NOTICE OF CLASS ACTION SETTLEMENT
*in*
# MyMichigan Health 403(b) Savings Plan Litigation
***Moffit v. MyMichigan Health*, 1:25-cv-10761-DML-PTM (E.D. Mich.)**

**PLEASE READ THIS SETTLEMENT NOTICE CAREFULLY.**
**This is a notice of a proposed class action settlement in the above-referenced lawsuit.**
**If you are a member of the Class, the settlement will affect your legal rights.**
**This is <u>not</u> a solicitation from a lawyer.**
**You have <u>not</u> been sued.**

- A Settlement has been reached in a class action lawsuit concerning the MyMichigan Health 403(b) Savings Plan (the "Plan"). The class action lawsuit involves whether the Plan was managed by Defendants MyMichigan Health and the MyMichigan Health Pension Governance and Administrative Committee in accordance with certain provisions of the Employee Retirement Income Security Act of 1974 ("ERISA"). Defendants deny all claims, and nothing in the Settlement is an admission or concession on Defendants' part of any fault or liability whatsoever.

- The Settlement will provide for a $1.9 million Qualified Settlement Fund that will be allocated to eligible Settlement Class Members after any Court-approved deductions for Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Case Contribution Awards.

- Settlement Class Members who have an account in the Plan at the time that settlement distributions are made such that their distribution can be deposited into their individualized account in the Plan (referred to herein as "Current Participants") will automatically receive allocations directly to their individualized accounts. Class Members who are not Current Participants have the option to receive their settlement distribution in the form of a check, or in the form of a tax-qualified rollover to an individual retirement account or other eligible employer plan if they elect a rollover. **A Rollover Form allowing you to elect to receive your distribution in the form of a rollover is attached to this Notice.**

- The terms and conditions of the Settlement are set forth in the Settlement Agreement executed April 27, 2026. Capitalized terms used in this Notice but not defined in this Notice have the meanings assigned to them in the Settlement Agreement. The Settlement Agreement is available at www.MyMichiganSettlement.com. Certain other documents also will be posted on that website. You should visit that website if you would like more information about the Settlement or the lawsuit. All papers filed in this lawsuit are also available for review via the Public Access to Court Electronic Records System (PACER), at http://www.pacer.gov.

- The Settlement Class (whose members are "Settlement Class Members") includes All Plan participants who utilized GoalMaker or who chose to direct any part of their account to the GIF from March 18, 2019 through the date the Court grants preliminary approval, along with their beneficiaries and alternate payees of record, excluding any Committee Members.

- Your rights and the choices available to you—and the applicable deadlines to act—are explained in this Notice. Please note that neither MyMichigan Health nor any employees,

attorneys, or representatives of MyMichigan Health may advise you as to what the best choice is for you or how you should proceed.

- 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.

- A Fairness Hearing will take place on November 18, 2026 at 1:00 PM before the Honorable David M. Lawson, United States District Court for the Eastern District of Michigan, Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Detroit, MI 48226, in Courtroom 767, to determine whether to grant final approval of the Settlement and approve the requested Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Case Contribution Awards. If the Fairness Hearing is rescheduled, or if it is held by video conference or telephone, a notice will be posted on the Settlement Website at www.MyMichiganSettlement.com.

- Any objections to the Settlement, or to the requested Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Case Contribution Awards must be filed with the Clerk of Court and served in writing on Class Counsel and Defense counsel, as identified in Item 11 below.

| **YOUR LEGAL RIGHTS AND OPTIONS UNDER THE SETTLEMENT:** | |
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| **IF YOU ARE A CURRENT PARTICIPANT IN THE PLAN:** | You do not need to do anything to receive your share of the Net Settlement Amount. If, however, you do not have an account in the Plan at the time that distributions are made, you will receive your settlement distribution in the form of a check or rollover, if elected. |
| **IF YOU ARE NOT A CURRENT PARTICIPANT IN THE PLAN:** | You do not need to do anything to receive your share of the Net Settlement Amount by check. However, if you wish to receive your share of the Net Settlement Amount via a rollover to an individual retirement account or other tax-qualified employee benefit plan, then you must submit a Rollover Form postmarked on or before **November 18, 2026**. A Rollover Form is attached to this Notice and also may be obtained by calling the Settlement Administrator at **1-800-348-8071** or by accessing **www.MyMichiganSettlement.com**. |

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| **YOU CAN OBJECT (NO LATER THAN SEPTEMBER 30, 2026)** | If you wish to object to any part of the Settlement, or to the requested Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Case Contribution Awards, you must file and postmark your objection and any supporting documents with the Clerk of the Court, and mail copies to Class Counsel and Defendant's counsel (as identified under question 11 below) at least twenty-one (21) calendar days before the Fairness Hearing. Please note that you will not be permitted to make an objection to the Settlement if you do not comply with the requirements for making objections. |
| **YOU CAN ATTEND A HEARING ON NOVEMBER 18, 2026.** | You may also attend the Fairness Hearing and speak at the Fairness Hearing on **November 18, 2026**. If you wish to speak at the Hearing, you must provide Class Counsel and Defendant's counsel (as identified under question 11 below) with your notice to appear postmarked by **October 30, 2026**. Please note that you will not be permitted to speak at the Fairness Hearing if you do not comply with the requirements for making objections. |

## The Class Action

The case is called *Moffit et al. v. MyMichigan Health et al.*, 1:25-cv-10761-DML-PTM (E.D. Mich.) (the "Class Action" or "lawsuit"). It has been pending since March 18, 2025. The Court supervising the case is the United States District Court for the Eastern District of Michigan. The individuals who brought this lawsuit are called the Class Representatives, and the parties that were sued are called the Defendants. The Class Representatives—Kevin Moffit and Kevin Meyers—are former participants in the Plan. Defendants are MyMichigan Health and the MyMichigan Health Pension Governance and Administrative Committee. The claims in the lawsuit are described in Item 2 below, and additional information about them, including a copy of the operative Complaint, is available at www.MyMichiganSettlement.com.

## The Settlement

Following negotiations with the Class Representatives, Class Counsel, Defendant, and Defense Counsel, a Settlement has been reached. As part of the Settlement, a Qualified Settlement Fund of $1,900,000.00 will be established to resolve the claims against Defendant in the Action. The "Net Settlement Amount" is $1,900,000.00 minus any Court-Approved Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Case Contribution Awards. The Net Settlement Amount will be allocated to Settlement Class Members according to a Plan of Allocation to be approved by the Court and further described below in Item 5.

## Statement of Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Case Contribution Awards Sought in the Class Action

Class Counsel has devoted significant time to investigating the facts of this case, prosecuting the lawsuit, reviewing documents obtained from Defendants, and negotiating the Settlement. During that time, they also have advanced all costs, including litigation expenses and travel costs, necessary to pursue and resolve the case. Class Counsel took the risk of litigation and have not

been paid for any of their time or for any of these costs throughout the time this case has been pending.

Class Counsel will apply to the Court for payment of Attorneys' Fees for their work in the case. The amount of fees that Class Counsel will request will not exceed one-third of the Qualified Settlement Fund ($633,333.33). In addition, Class Counsel also will seek to recover their litigation costs advanced and Administrative Expenses associated with the Settlement. Any Attorneys' Fees, Costs, and Administrative Expenses awarded by the Court will be paid or reimbursed from the Qualified Settlement Fund.

Class Counsel also will ask the Court to approve payments, not to exceed $5,000, for each Class Representative who aided in the investigation, took on the risk of litigation, prepared for and consulted with his counsel in settlement negotiations, and committed to spend the time necessary to bring the case to conclusion, including testifying at trial. Any Case Contribution Awards awarded by the Court will be paid from the Qualified Settlement Fund.

A full and formal application for Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Case Contribution Awards will be filed with the Court on or before September 15, 2026, and will explain the bases for awarding Attorneys' Fees and Costs, Administrative Expenses, and Class Representative Compensation. This application will be made available at www.MyMichiganSettlement.com. You may also obtain a copy of this application through the Public Access to Court Electronic Records System (PACER) at http://www.pacer.gov, or by appearing in person during regular business hours at the Clerk's Office of the United States District Court for the Eastern District of Michigan, Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Room 599 Detroit, MI 48226.

## 1. Why Did I Receive This Settlement Notice?

The Court caused this Notice to be sent to you because our records indicate that you may be a Settlement Class Member. If you fall within the definition of the Settlement Class, you have a right to know about the Settlement and about all of the options available to you before the Court decides whether to give its final approval to the Settlement. If the Court approves the Settlement, and after any objections and appeals are resolved, the Net Settlement Amount will be allocated among Settlement Class Members according to a Court-approved Plan of Allocation.

## 2. What Is the Class Action About?

In the Class Action, the Class Representative claims that Defendants improperly managed the Plan's stable value investment option. Defendants deny all claims and assert that they have always acted prudently and in the best interests of participants and beneficiaries.

## 3. Why Is There A Settlement?

The Court has not reached a final decision as to the Class Representatives' claims. Instead, the Class Representatives and Defendants have agreed to the Settlement. The Settlement is the product of extensive negotiations between the Class Representatives, Defendants, and their counsel. The parties to the Settlement have taken into account the uncertainty, risks, and costs of litigation and have concluded that it is desirable to settle on the terms and conditions set forth in the Settlement Agreement. The Class Representatives and Class Counsel believe that the Settlement is best for

the Settlement Class. Nothing in the Settlement Agreement is an admission or concession on Defendants' part of any fault or liability whatsoever. They have entered into the Settlement Agreement to avoid the uncertainty, expense, and burden of additional litigation.

## 4. What Does the Settlement Provide?

Under the Settlement, Defendants will pay or cause to be paid $1,900,000.00 into a Qualified Settlement Fund to resolve the claims of the Settlement Class against Defendants. The Net Settlement Amount (after deduction of any Court-approved Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Case Contribution Awards) will be allocated to Settlement Class Members according to a Plan of Allocation to be approved by the Court (as explained further in Item 5, below). Settlement Class Members who are entitled to a distribution may receive their distribution directly into their Plan Account, as a check, or if they choose, as a rollover to a qualified retirement account.

All Settlement Class Members and anyone claiming through them will fully release the Plan as well as Defendants and the Released Parties from certain Released Claims, as defined in the Settlement Agreement. The Released Parties include Defendants and certain other affiliated persons and parties as outlined in the Settlement Agreement. The Released Claims include any claims against any of the Released Parties with respect to the Plan that were asserted in the Action against Defendants or could have been asserted against Defendants.

This is only a summary of the Released Claims and is not a binding description. The governing releases are found within Paragraph 1.40 of the Settlement Agreement, which is available at www.MyMichiganSettlement.com.

## 5. How Much Will My Distribution Be?

The amount, if any, that will be allocated to you will be calculated by the Settlement Administrator, whose determinations will be final and binding, pursuant to the Court-approved Plan of Allocation.

To receive a distribution from the Net Settlement Amount, you must be a "Settlement Class Member" as described on page 1 of this Notice.

There are approximately 18,000 Settlement Class Members according to preliminary review of Plan records. Pursuant to the proposed Plan of Allocation, the Net Settlement Amount will be divided *pro rata* among Settlement Class Members. Each Settlement Class Member will have the opportunity to receive a share of the Net Settlement Amount (defined in the Settlement Agreement as their "Settlement Credit Amount") based on their average balance in the Plan's stable value investment option relative to all Settlement Class Members' average balances in the Plan's stable value investment option.

A more complete description regarding the details of the Plan of Allocation can be found in Article 5 of the Settlement Agreement, which is available at www.MyMichiganSettlement.com.

## 6. How Can I Receive My Distribution?

**If you are a Current Participant, you do not need to do anything to receive your share of the Net Settlement Amount.** If, however, you do not have an account in the Plan at the time that

distributions are made, you will receive your settlement distribution in the form of a check or rollover, if elected.

**If you are <u>not</u> a Current Participant, you can receive your share of the Net Settlement Amount via a rollover to an individual retirement account or other tax-qualified retirement account. To do so, you must submit a Rollover Form.** A Rollover Form is enclosed with this Notice and explains the steps necessary to receive your share of the Settlement via direct rollover to an individual retirement account or qualified employee benefit plan. You may also obtain the Rollover Form on the Settlement Website at **www.MyMichiganSettlement.com** or by calling the Settlement Administrator at **1-800-348-8071** Rollover Forms should be submitted prior to the date set forth above for the Fairness Hearing. Settlement payments distributed via direct rollover will not be subject to automatic withholdings. Further information regarding rollovers can be found at the end of this notice on page 10.

Alternatively, you can receive payment by check. You do not need to do anything to receive a check. However, because checks will be sent by mail, it is important to notify the Settlement Administrator (**1-800-348-8071** or via email at **MyMichiganSettlement@AtticusAdmin.com**) of any changes to your mailing address. You may also notify Class Counsel (identified in Item 11, below) of any changes to your mailing address.

Payments made directly to Settlement Class Members by check are subject to automatic tax withholding and tax reporting, as required by law and the Settlement Agreement. Any tax withheld by the Settlement Administrator may not constitute all tax that you may owe in connection with your settlement payment. You will be responsible for determining and paying any tax that is due but was not automatically withheld in connection with your settlement payment.

If you submit a Rollover Form but your requested rollover is not effectuated for any reason (for example, because your Rollover Form was submitted too late, the information that you provided was not sufficient, or the financial institution that you designated did not accept the rollover), the Settlement Administrator will attempt to mail you a check. Such checks will be subject to automatic tax withholding and reporting, as determined by the Settlement Administrator, and all other terms of the Settlement Agreement that apply to payments by check.

## 7. When Will I Receive My Distribution?

The timing of the distribution of the Net Settlement Amount is conditioned on several matters, including the Court's final approval of the Settlement and any approval becoming final and no longer subject to any appeals in any court. An appeal of the final approval order may take several years. If the Settlement is approved by the Court and there are no appeals, the Settlement distribution likely will occur within approximately four months of the Court's Final Approval Order, unless there are unforeseen circumstances. There will be no payments under the Settlement if the Settlement Agreement is terminated.

## 8. Can I Exclude Myself from The Settlement?

No. The Class has been certified for Settlement purposes under Federal Rule of Civil Procedure 23(b)(1). Therefore, as a Settlement Class Member, you are bound by the Settlement (if it receives final Court approval) and any judgments or orders that are entered in the Action. If you wish to object to any part of the Settlement, you may file an objection with the Clerk of the Court and

write to Class Counsel and Defense Counsel about why you object to the Settlement, as discussed below.

## 9. Do I Have a Lawyer in The Case?

The Court has appointed as Class Counsel the law firms of Engstrom Lee LLC in Minneapolis, Minnesota, and The James White Firm LLC in Birmingham, Alabama. If you want to be represented by your own lawyer, you may hire one at your own expense.

## 10. How Will the Lawyers Be Paid?

Class Counsel will file a motion for an award of Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Case Contribution Awards prior to the objection deadline. This motion will be considered at the Fairness Hearing. Class Counsel will limit their application for Attorneys' Fees to not more than one-third of the Gross Settlement Amount. In addition, Class Counsel will seek to recover all actual and anticipated litigation costs and administrative expenses associated with the Settlement. The Court will determine the amount of fees, costs, and administrative expenses that will be awarded, if any. All papers filed in this Action, including Attorneys' Fees and Costs, Administrative Expenses, and Class Representative Compensation will be available for review on the Settlement Website www.MyMichiganSettlement.com and via the Public Access to Court Electronic Records System (PACER), available online at http://www.pacer.gov.

## 11. How Do I Tell the Court If I Don't Like the Settlement?

If you are a Settlement Class Member, you can object to the Settlement by mailing to Class Counsel and to Defense Counsel at the addresses below a written objection explaining why you object and enclosing any supporting documents. Your written objection must (1) clearly identify the case name and number: *Moffit et al. v. MyMichigan Health et al.*, 1:25-cv-10761-DML-PTM (E.D. Mich.); (2) include your full name, current address, and telephone number; (3) describe the position you wish to assert, including the factual and legal grounds for the position; (4) provide copies of all documents that you wish to submit in support of your position; (5) provide the name(s), address(es) and phone number(s) of any attorney(s) representing you; and (6) include your signature. Your written objection and supporting documents must be mailed to Class Counsel and Defendants' counsel and postmarked no later than September 30, 2026 to be considered. Class Counsel and Defendants' counsel will have an opportunity to respond to your objection. You also must file your objection with the Court by mailing or hand delivering it to the Clerk's Office of the United States District Court for the Eastern District of Michigan, Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Room 599 Detroit, MI 48226. You can also find information about electronic filing on the Court's website, https://www.cacd.uscourts.gov/case-info/cm-ecf-case-info.

| CLASS COUNSEL | DEFENSE COUNSEL |
|---|---|
| Jennifer K. Lee<br>Carl F. Engstrom<br>**ENGSTROM LEE LLC**<br>323 N. Washington Ave., Ste. 200<br>Minneapolis, MN 55401 | Howard Shapiro<br>Charles Seemann<br>**JACKSON LEWIS, P.C.**<br>601 Poydras Street, Ste. 1400<br>New Orleans, LA 70130 |

## 12. When and Where Will the Court Decide Whether to Approve the Settlement?

The Court will hold a Fairness Hearing at **1:00 PM** on **November 18, 2026** before the Honorable David M. Lawson, United States District Court for the Eastern District of Michigan, Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Detroit, MI 48226, in Courtroom 767. At the Fairness Hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court also will consider the motion for Attorneys' Fees and Costs, Administrative Expenses, and Class Representatives' Case Contribution Awards. If there are objections, the Court will consider them then. You do not have to appear at the Fairness Hearing in order to have your objection considered by the Court. Please note that if the Fairness Hearing is rescheduled, or if it is held by video conference or telephone, a notice will be posted on the Settlement Website at www.MyMichiganSettlement.com.

## 13. Do I Have to Attend the Fairness Hearing?

No, but you are welcome to come at your own expense. You may also make an appearance through an attorney at your own expense. If you send an objection, you do not have to come to the Court to talk about it. As long as you filed and mailed your written objection on time, the Court will consider it.

## 14. May I Speak at the Fairness Hearing?

Yes. If you wish to attend and speak at the Fairness Hearing, you must file with the Clerk of the Court and mail to Class Counsel and Defense Counsel (as identified in Item 11 above) a notice of intent to appear postmarked by October 30, 2026. In order to speak at the Fairness Hearing, you must also comply with the requirements for making an objection (described above in Item 11, above) if you wish to object to the Settlement.

## 15. What Happens If I Do Nothing at All?

If you are a "Current Participant" as described on page 1 and you do nothing, you will receive your *pro rata* share of the Net Settlement Amount deposited into your individual account in the Plan if the Settlement is finally approved.

If you are not a Current Participant and you do nothing, you will receive your *pro rata* share of the Net Settlement Amount via check if you do not submit a Rollover Form and the Settlement is finally approved.

## 16. How Do I Get More Information?

If you have questions regarding the Settlement, you can visit www.MyMichiganSettlement.com, call **1-800-348-8071** , or write to the Settlement Administrator at **Moffit v MyMichigan Health, c/o Settlement Administrator, P.O. Box 64053, Saint Paul, MN 55164**. All papers filed in this lawsuit are also available for review via the Public Access to Court Electronic Records System (PACER), at http://www.pacer.gov, and can be reviewed in person during regular business hours at the Clerk's Office of the United States District Court for the Eastern District of Michigan, Theodore Levin U.S. Courthouse, 231 W. Lafayette Blvd., Room 599 Detroit, MI 48226. Please note that neither MyMichigan Health nor any employees, attorneys, or representatives of MyMichigan Health may advise you regarding the Settlement or how you should proceed.

## YOUR ROLLOVER OPTIONS

The Settlement Administrator has determined that the payment you are receiving from the Qualified Settlement Fund ("Fund") is eligible to be rolled over to an IRA or an employee benefit plan. This Q&A is intended to help you decide whether to do such a rollover. This notice describes the rollover rules that apply to payments from the Fund.

## GENERAL INFORMATION ABOUT ROLLOVERS

**How can a rollover affect my taxes?** You will be taxed on a payment from the Fund if you do not roll it over. If you are under age 59½ and do not do a rollover, you will also have to pay a 10% additional income tax on early distributions (generally, distributions made before age 59½), unless an exception applies. However, if you do a rollover, you will not have to pay tax until you receive payments later and the 10% additional income tax will not apply if those payments are made after you are age 59½ (or if an exception to the 10% additional income tax applies).

**What types of retirement accounts and plans may accept my rollover?** You may roll over the payment to either an IRA (an individual retirement account or individual retirement annuity) or an employee benefit plan (a 401(k), section 403(b) plan, or governmental section 457(b) plan) that will accept the rollover. The rules of the IRA or employee benefit plan that holds the rollover will determine your investment options, fees, and rights to payment from the IRA or employer plan (for example, IRAs are not subject to spousal consent rules, and IRAs may not provide loans). Further, the amount rolled over will become subject to the tax rules that apply to the IRA or employer plan.

**How do I do a rollover?** There are two ways to do a rollover. You can do either a direct rollover or a 60-day rollover.

**If you do a direct rollover,** the Fund will make the payment directly to your IRA or an employee benefit plan. You should contact the IRA sponsor or the administrator of the employee benefit plan for information on how to do a direct rollover. The information they give you can then be used to complete the settlement administration form. You generally need to have an account opened (even if it's not funded) for an institution to process your rollover.

**If you do not do a direct rollover,** you may still do a rollover by making a deposit into an IRA or eligible employee benefit plan that will accept it. Generally, you will have 60 days after you receive the payment to make the deposit. If you do not do a direct rollover, the Fund is required to withhold 20% of the payment for federal income taxes (up to the amount of cash and property received other than employer stock). This means that, in order to roll over the entire payment in a 60-day rollover, you must use other funds to make up for the 20% withheld. If you do not roll over the entire amount of the payment, the portion not rolled over will be taxed and will be subject to the 10% additional income tax on early distributions if you are under age 59½ (unless an exception applies).