

IN THE CIRCUIT COURT OF JASPER COUNTY, MISSOURI

SAMUEL R. CARTER, M.D.,)	
Individually and on behalf of all others)	
similarly situated,)	
)	
Plaintiff,)	Case No.: 23AO-CC00118
)	
-vs-)	Division 3
)	
MERCY HEALTH, <i>et al</i> ,)	
)	
Defendants.)	

**PLAINTIFF’S STATUS UPDATE
ON PROPOSED CLASS ACTION NOTICE**

Plaintiff submits the following status update on the Class Action Notice in this matter.

1. Pursuant to the Court’s July 9, 2025 Order Granting Plaintiff’s Motion for Class Certification, on July 30, 2025, Plaintiff filed his proposed class action notice with the Court. In that filing, Plaintiff informed the Court that the parties would update the Court by today, August 15, on the method of notice. This status report contains that update.

2. Since Plaintiff’s July 30 filing, the Mercy Defendants have provided Plaintiff the names and known contact information for the Aetna Class members. Plaintiff has also been working on matters related to the Humana Class and expects to have the mailing information for those class members in the coming week.

3. Plaintiff has edited the proposed Class Action Notice to include the following:

- a. The website address where class members can obtain information on this case;
- b. The fax number and mailing address of the settlement administrator, where any class member can send a request for exclusion; and
- c. The contact information for class counsel so that class members can contact counsel if they have questions about the case.

The amended proposed Class Action Notice is attached hereto as Exhibit 1.

4. Regarding the method of notice, Plaintiff has decided that notice should be carried out by mailing the entire Class Action Notice directly to the class members, and not by mailing only a postcard.

5. Plaintiff has also been working with RG/2 Claims Administration on how that notice will be carried out. Attached hereto as Exhibit 2 is the affidavit of the administrator, RG/2 Claims Administration, providing details on the direct mail notice plan, which is the best notice practicable under the circumstances, and which is intended to provide individual notice to all class members who can be identified through reasonable effort, in accordance with Rule 52.08.

6. As set forth in the Exhibit 1 Class Action Notice, Plaintiff anticipates mailing the notices to the individual class members on or around September 4, 2025 and setting an exclusion request deadline of November 4, 2025. That allows for a 60-day notice period, which should be sufficient for the direct mailed notice to known individual class members.

7. In the next 2 weeks, Plaintiff intends to send the Court any updates or amendments to the proposed notice process. In that period, Plaintiff also intends to file the

final notice along with a proposed order for the Court to sign approving the notice so that it can be sent to class members beginning on or about September 4, 2025.

8. If the Court has any questions in the meantime, the parties are available to discuss the notice plan at the Court's convenience.

Dated: August 15, 2025

Respectfully submitted,

BOULWARE LAW LLC

By: /s/ Brandon J.B. Boulware

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was e-filed with the Court this 15th day of August 2025, using the Court's e-filing system which sent notification to all counsel of record.

/s/ Brandon J.B. Boulware
Attorney for Plaintiff