

**STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG**

**IN THE COURT OF COMMON PLEAS
SEVENTH JUDICIAL CIRCUIT**

Jo Ann Blackwell, Michelene Brooks, And
Samuel H. Owens, Jr., Individually and on
behalf of all others similarly-situated,

Plaintiffs,

v.

Mary Black Health System, LLC, d/b/a Mary
Black Memorial Hospital; CHSPSC, LLC; and
Professional Account Services, Inc.,

Defendants.

C.A. No. 2017-CP-42-00219

CLASS ACTION

NOTICE OF PENDENCY OF A CLASS ACTION

**If you received healthcare treatment in South Carolina since January 1,
2014, a class action lawsuit may affect your rights.**

The Court of Common Pleas, Spartanburg County, authorized this Notice. This is not a solicitation from a lawyer.

1. Why You Should Read This Notice?

The purpose of this notice is to inform you that the Court has certified a class action lawsuit that may affect you. The lawsuit is known as *Blackwell, et al. v. Mary Black Health System, LLC et al.*, C. A. No. 2017-CP-42-00219, and it is currently pending before the Honorable J. Mark Hayes, II of the Court of Common Pleas, Spartanburg County, South Carolina. This Notice is also to apprise you of the nature of the lawsuit, to describe who is a member of the certified Class, and to explain your legal rights and options. Finally, this Notice describes how you can request to be excluded if you do not want to be a member of the Class.

2. Who are the Defendants?

- Mary Black Health System, LLC, d/b/a Mary Black Memorial Hospital
- CHSPSC, LLC
- Professional Account Services, Inc.

3. Who is in the Class?

The Court has certified the following Class: All individuals who, since January 1, 2014, received any type of healthcare treatment from any entity located in South Carolina that is owned or affiliated with Defendants, while being covered by valid health insurance other than Cigna, and whose medical bills resulting from that treatment were not submitted to their health insurance carrier for potential payment.

4. What is this case about?

The class action lawsuit asserts that the Defendants had a policy and practice of refusing to bill health insurance that impacted every member of the Class by interfering with Class Members' own relationships with their insurance companies. The lawsuit also alleges that the Defendants attempted to collect larger payments from Class Members than what the Defendants separately contracted for with the insurance companies. The Defendants deny the lawsuit's allegations. The Court has not decided whether the Defendants are liable or whether the allegations of the lawsuit are true. The Court has only decided that the case should proceed as a class action. The lawsuit is thus ongoing.

5. What is a Class Action?

In a class action lawsuit, one or more people called "Class Representatives" (in this case Jo Ann Blackwell, Michelene Brooks, and Samuel H. Owens, Jr.) sue on behalf of other people who have similar claims. The people together are a "Class" or "Class Members."

6. Can Class Members receive payment now?

No. Payment to Class Members is not available at this time. There currently is no settlement and no judgment in this case. There is no guarantee that any money or other relief will be awarded to the Class.

7. Who represents the Class?

The Court appointed the following attorneys as Class Counsel:

Class Counsel	
John B. White, Jr. Marghretta H. Shisko John B. White, Jr. P.A. 291 S. Pine Street Spartanburg, SC 29302	John S. Simmons Rachel G. Peavy Simmons Law Firm, LLC 1711 Pickens Street Columbia, SC 29201

8. Are Class Members responsible for paying Class Counsel?

No. If Class Counsel gets money or benefits for the Class, they may ask the Court for fees and expenses. Class Members will not have to pay these fees and expenses. If the Court grants Class Counsels' request, the fees and expenses would be either deducted from any money obtained for the Class or paid separately by the Defendants.

9. How do you remain a Class Member?

If you are a member of the certified Class, you are not required to do anything to remain a Class Member. If you remain a Class Member, you will be legally bound by the rulings of the Court. Class Members will be notified how to claim their share of a monetary award if Class Counsel prevails. If

you remain in the Class, you may not pursue a lawsuit on your own against the Defendants for legal claims that are the subject of this lawsuit. By remaining in the Class, you will be represented by Class Counsel; however, if you prefer, you may have your own attorney appear on your behalf to represent you in the Class Action, at your own expense.

10. How do you request exclusion from this Class Action?

If you do not wish to be a Class Member, and thus want to be excluded, which is sometimes referred to as “opting out,” you must make your request in writing. The court will exclude from the Class any member who requests exclusion. To be valid, a request for exclusion must include the following:

- a. Your full name and address;
- b. The statement “I want to be excluded from the class in Blackwell v. Mary Black Health System, LLC.”;
- c. Be dated and signed by you or your legal representative; and
- d. Be postmarked on or before OCTOBER 2, 2023, and sent to the Class Administrator at the following address:

Mary Black Exclusions
c/o The Notice Company
P.O. Box 455
Hingham, MA 02043

If you choose to opt-out of the Class Action, the decisions of the Court and the results of trial will not be binding on you. **Do not request exclusion if you wish to remain a Class Member.**

11. Will there be a trial and do you have to come to Court?

Currently, no trial date has been set by the Court to decide who is right in this case. As long as the case isn’t resolved by a settlement or otherwise, Class Counsel will have to prove the Plaintiffs’ claims at a trial at the Spartanburg County Judicial Center. You do not need to attend the trial. Class Counsel will present the case for the Class. You or your own lawyer are welcome to come at your own expense.

12. Further Information.

This Notice does not fully describe all of the claims, defenses, or allegations of the parties. If you have any questions about this Notice of the Class Action, or if you want to review the Complaint or other important filings in the lawsuit, you may:

- go to www.MaryBlackClassAction.com
- call 1-800-789-6490 or
- contact Class Counsel at the addresses provided in Section 7 above.

Please do NOT telephone or contact the Court or the Clerk of the Court about this notice.

Dated: July 12, 2023

By Order of the Court
The Honorable J. Mark Hayes, II
Circuit Court Judge, 7th Judicial Circuit