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**THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

In re :
Arizona THERANOS, INC. Litigation,

No. 2:16-cv-2138-DGC

(Consolidated with)
No. 2:16-cv-2373- HRH
No. 2:16-cv-2660- HRH
No. 2:16-cv-2775- DGC
-and-
No. 2:16-cv-3599-DGC

**DECLARATION OF JENNIFER
KEOUGH REGARDING NOTICE
ADMINISTRATION**

1 I, Jennifer Keough, hereby declare and state as follows:

2 1. I am the CEO and President of JND Legal Administration LLC (“JND”). I have
3 more than 20 years of experience creating and supervising notice and claims administration
4 programs and have personally overseen well over 1,000 matters.

5 2. JND is serving as the Settlement Administrator¹ in the above-captioned litigation
6 (“Action”), as ordered by the Court in its Order Granting Preliminary Approval of Class Action
7 Settlement (“Preliminary Approval Order”), dated October 10, 2023.

8 3. This declaration is intended to supplement the Declaration of Jennifer Keough filed
9 October 6, 2023 (ECF No. 598-2) (“October Keough Declaration”), which was filed with Plaintiffs’
10 Supplemental Brief in Support of Preliminary Approval.

11 **DIRECT NOTICE CAMPAIGN**

12 4. JND sent direct individual Notice to all Class Members for whom contact
13 information was available within the Class Data List, via email where a valid email address was
14 available. Where a valid email address was unavailable, or when the email notice was returned as
15 undeliverable, JND then sent a Postcard Notice. JND sent separate forms of the email and postcard
16 notices to those who are and are not part of the Walgreens Edison Subclass. The email and postcard
17 notices for class members that are not in the Walgreens Edison Subclass are attached as Exhibits A
18 and B. The email and postcard notices that were sent to Walgreens Edison Subclass Members are
19 attached as Exhibits C and D.

20 5. Prior to emailing the Notice, JND evaluated the email for potential spam language
21 to improve deliverability. This process included running the email through spam testing software,
22 DKIM² for sender identification and authorization, and hostname evaluation. Additionally, we
23 checked the send domain against the 25 most common IPv4 blacklists.³

24 _____
25 ¹ Capitalized terms used and otherwise not defined in this Declaration shall have the meanings
26 given to such terms in the Stipulation of Class Action Settlement and General Release (ECF No.
27 591-2) and the October Keough Declaration.

28 ² DomainKeys Identified Mail, or DKIM, is a technical standard that helps protect email senders
and recipients from spam, spoofing, and phishing.

³ IPv4 address blacklisting is a common practice. To ensure that the addresses being used are not
blacklisted, a verification is performed against well-known IP blacklist databases. A blacklisted

1 6. JND used industry-leading email solutions to achieve the most efficient email
2 notification campaign. JND provided individualized support during the program and managed its
3 sender reputation with the Internet Service Providers (“ISPs”). We analyzed the program’s data and
4 monitored the ongoing effectiveness of the notification program, adjusting the campaign as needed
5 to ensure the highest possible deliverability of the email campaign so that more potential Class
6 Members received Notice.

7 7. JND utilized a verification program to eliminate invalid email and spam traps that
8 would otherwise negatively impact deliverability. JND then cleaned the list of email addresses for
9 formatting and incomplete addresses to further identify all invalid email addresses.

10 8. To ensure readability of the email, JND reviewed and formatted the body content
11 into a structure that is applicable to all email platforms, allowing the email to pass easily to the
12 recipient. Before launching the email campaign, we sent a test email to multiple ISPs and opened
13 and tested the email on multiple devices (iPhones, Android phones, desktop computers, tablets,
14 etc.) to ensure the email opened as expected.

15 9. Additionally, JND included an “unsubscribe” link at the bottom of the email to allow
16 Class Members to remove their email addresses from any additional email notices from JND. This
17 step is essential to maintain JND’s good reputation among the ISPs and reduce complaints relating
18 to the email campaign. JND included a sentence explaining that unsubscribing from the email
19 campaign is not the same as opting out of the class or the Settlement.

20 10. Between October 31, 2023, and November 9, 2023, JND sent Email Notice to
21 41,162 Class Members. JND sent 40,139 Emails to Class Members (who are not within the
22 Walgreens Edison Subclass) (Email A) and 1,023 Emails to Walgreens Edison Subclass members
23 (Email B).

24 11. Emails that are returned to JND are generally characterized as either “Soft Bounces”
25 or “Hard Bounces.” Hard Bounces occur when the ISP rejects the email due to a permanent reason
26 such as the email account is no longer active. Soft Bounces occur when the email is rejected for
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28 _____
address affects the reputation of a company and could cause an acquired IP addresses to be
blocked.

1 temporary reasons, such as the recipient’s email address inbox is full. When an email was returned
2 to JND as a Soft Bounce, JND attempted to re-email the email notice up to three additional times
3 in an attempt to secure deliverability. Where a Soft Bounce was not ultimately delivered, it is
4 considered a Hard Bounce and determined to be undeliverable.

5 12. JND determined that 1,632 email notices from Email A and 53 email notices from
6 Email B that that were returned to JND as undeliverable, totaling 1,685 undeliverable email notices.
7 For these 1,685 undeliverable email notices, JND is promptly mailing the Postcard Notices to these
8 Class Members where a mailing address was available.

9 13. JND commenced sending email notices on October 31, 2023. To maintain our
10 reputation with the ISPs, JND must “warm up” the domain by sending the emails at a low volume
11 and gradually increase the total volume being sent daily. The email notice program was completed
12 on November 9, 2023.

13 14. JND mailed 153,854 Postcard Notices, of which 147,024 were sent to Class
14 Members not within the Walgreens Edison Subclass (Postcard A), and 6,830 where the Class
15 Members were within the Walgreens Edison Subclass (Postcard B).

16 15. There were 18,792 Class Member records where no name was available and JND
17 addressed the notices to “Resident.” In consultation with Counsel, JND sent an edited version of
18 Postcard A to these “Resident” Class Members to advise them they must take action to update their
19 name in order to receive a payment. In order for a Class Member to update their name from
20 “Resident” they must provide their Date of Birth (“DOB”). A DOB is available for all but 44
21 “Resident” Class Members and will be a way to confirm the individual that is updating the name is
22 the Class Member. Prior to updating any names in our database, JND will confirm that the DOB
23 provided by the individual is a match to the DOB found within the Class Data List and perform
24 standard fraud prevention techniques. As of the date of this Declaration, JND has tracked 19,368
25 postcard notices from Postcard A and 1,049 postcard notices Postcard B returned as undeliverable.
26 Of the 20,417 undeliverable postcard notices, JND promptly remailed 916 Postcard A and 34
27 Postcard B to forwarding addresses provided by the USPS. Where a forwarding address was not
28

1 provided, JND will conduct advanced address research to attempt to locate a better address and
2 remail the postcard notices.

3 16. The mailing of the first round of postcard notices was completed on November 9,
4 2023. Upon receipt of an undeliverable initial Notice with no forwarding address, JND will take
5 reasonable efforts to identify a new mailing address for the Class Member promptly remail the
6 applicable notice to the updated address. JND will continue to perform address research and remail
7 initial Notices to Class Members until the January 8, 2023, inclusion deadline.

8 **PRINT NOTICE**

9 17. To supplement the direct notice effort, JND secured one print notice placement in
10 the Wednesday, November 22, 2023 issue of the *Arizona Republic*. With a daily circulation
11 71,568, the *Arizona Republic* is the state’s largest daily newspaper. A representative copy of the
12 print notice is attached as Exhibit E.

13 **DIGITAL NOTICE**

14 18. To further supplement the direct notice effort, on November 9, 2023, JND
15 launched a 60-day digital campaign. The digital effort is geo-targeted to adults in Arizona and
16 California’s Bay Area/Silicon Valley, the areas in which the Theranos blood tests were primarily
17 purchased. As of November 20, 2023, 851,629 of the total 8.36 million digital impressions
18 planned have successfully delivered through the Google Display Network (“GDN”), Facebook,
19 Instagram, and a programmatic provider⁴. A portion of the GDN impressions have been allocated
20 to a blend of contextual and behavioral targeting to adults who have recently browsed or are
21 currently browsing information related to Theranos, blood testing, lab testing, modern medicine,
22 and personalized medicine. The GDN effort also includes Spanish language digital ads on
23 Spanish language sites. A portion of the Facebook and Instagram impressions have been allocated
24 towards users who have an interest in laboratory, medicine, *Modern Healthcare* (publication),
25 regenerative medicine, health care and/or works in healthcare and medical services. The
26 programmatic display impressions have been targeted to online users through a custom keyword
27

28 ⁴ Programmatic advertising is a system that uses historical browsing habits and online trends to identify and target digital ads to likely Class Members while online.

1 list related to the settlement.

2 19. The digital activity is being served across all devices (desktop, laptop, tablet and
3 mobile), with an emphasis on mobile devices. The digital ads directly link Class Members to the
4 Settlement Website where they can receive more information about the settlement. Screenshots of
5 the digital ads, as they appeared, are attached as Exhibit F.

6 **SETTLEMENT WEBSITE**

7 20. JND updated the case Website, www.TheranosLawsuit.com, so that Class Members
8 may obtain more information about the settlement, their rights, important dates and deadlines, and
9 related information.

10 21. The updated website hosts an electronic estimated payment tool where Class
11 Members may view their estimated payment. The website also provides tools for Class Members
12 to update their address or request inclusion to the Settlement by January 8, 2024. Additionally,
13 Class Members who received a Mailed Notice with no name on file (directed toward “Resident”),
14 may update the name on their record. Finally, the website also provides answers to frequently asked
15 questions, important case documents such as the Long Form Notice (available in English and
16 Spanish), as well as contact information for the Settlement Administrator and Class Counsel.

17 22. Visitors to the Website who did not receive a notice, but who believe they are Class
18 Members, can also provide JND with their contact information, including their DOB, so that JND
19 can determine whether they are included within the Class Data List.

20 23. As of November 20, 2023, the Website has tracked 8,662 unique users with 33,786
21 pageviews. JND will continue to update and maintain the Website throughout the administration
22 process.

23 **SETTLEMENT ADMINISTRATOR CONTACT INFORMATION**

24 24. JND maintains an email address, info@TheranosLawsuit.com, where Class
25 Members may direct any inquiries or provide information to the Settlement Administrator.

26 25. As of November 20, 2023, the settlement inbox has received 1,459 emails.

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26. JND updated the toll-free telephone number, 1-866-615-0978, where callers may obtain more information about the settlement and their rights, and request that a hard copy of the Long Form Notice be mailed to them.

27. As of November 20, 2023, the toll-free telephone number has received 466 calls.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 22nd day of November, 2023, at Seattle, Washington.



Jennifer Keough

EXHIBIT A

From: Theranos Settlement Administrator
To: [Class Member email address]
Subject: Notice of Theranos Settlement

«PERSONAL ID & PIN»

**LEGAL NOTICE BY ORDER OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

**Records indicate that you are eligible for a
payment from a class action settlement related to
Theranos blood testing services.**

You do not need to take any action to receive a payment.

Read this notice and visit www.TheranosLawsuit.com or call (866) 615-0978
for more information or to update your address information.

Para ver este aviso en español, visite
www.TheranosLawsuit.com

*A federal court authorized this notice. This is **not** a solicitation from a lawyer. You
are not being sued.*

What is this notice about? Proposed settlements have been reached in the class action lawsuit *In re Arizona Theranos, Inc., Litigation*, No. 2:16-cv-2138 (D. Ariz.). The lawsuit challenges the defendants' conduct with respect to Theranos blood testing services. The Class Members have reached settlements with defendants Walgreens Boots Alliance, Inc. and Walgreen Arizona Drug Co. (together called "Walgreens"), defendant Ramesh "Sunny" Balwani, and the entity that holds the remaining assets of the now-dissolved Theranos, Inc. (the "Theranos ABC"). Walgreens and Balwani deny they did anything wrong. The Court has not decided who is right or wrong. Instead, the proposed settlements, if approved, will provide benefits to Class Members and resolve all of the Class Members' claims against Walgreens, Balwani, and Theranos, Inc. ("Theranos").

Who is included? The Court previously certified a "Class" that includes: "All purchasers of Theranos testing services, including consumers who paid out-of-pocket, through health insurance, or through any other source (collectively, 'purchasers') between November 2013 and June 2016." Theranos's customer records indicate that you are a Class Member. Visit www.TheranosLawsuit.com for more details.

What can I get? Under the proposed settlement with Walgreens, Walgreens will pay \$44 million, which will be used to pay settlement payments to Class Members, attorneys' fees and expenses, administrative costs, and any service awards for the class representatives. In addition, Balwani has

agreed to withdraw his claims to the remaining assets of Theranos, and the Theranos ABC has agreed to allocate a portion of the limited remaining Theranos assets to the Class, which if approved will add approximately \$1.33 million to the money available for distribution to the Class (in addition to the \$44 million that Walgreens has agreed to pay) and increase the settlement payment amounts for Class Members. Visit www.TheranosLawsuit.com for more details.

If the settlement with Walgreens is approved and becomes final, and you are a Class Member, you will receive a settlement payment (“Class Member Payment”) that is currently estimated to be approximately: (a) two times the total costs of your Theranos blood testing services (based on Theranos’s records); minus (b) any refunds you already received from the 2017 Arizona Attorney General Consent Decree with Theranos; plus (c) an additional base payment of \$10. Depending on the settlement funds available for distribution to the Class, your payment may increase or decrease accordingly.

Visit www.TheranosLawsuit.com for more information, to look up your estimated payment, and to see the detailed Plan of Allocation.

You do not need to file a claim or take any other action to receive a Class Member Payment. If the settlement with Walgreens is approved and becomes final, Class Member Payments will be sent to eligible persons by check thereafter. To ensure prompt and accurate delivery, you may update your address information at www.TheranosLawsuit.com or by contacting the Settlement Administrator at info@TheranosLawsuit.com.

What are my options? You have two options: (1) do nothing; or (2) object or comment on the settlement by **January 8, 2024**. Under either option, if the settlement with Walgreens is approved and becomes final, you will receive a Class Member Payment. Visit www.TheranosLawsuit.com for more information. You can no longer exclude yourself from this case. The instructions and deadline for excluding yourself were provided in a prior notice sent to you in 2022, and the exclusion deadline has now passed.

What about Elizabeth Holmes? Defendant Elizabeth Holmes is not a party to the settlements. Plaintiffs will ask the Court to dismiss the claims against her while preserving the rights of any Class Member to pursue their own claims against Ms. Holmes if they choose—outside of this case and with their own counsel. Please note that any applicable statutes of limitation for any claims you may bring against Ms. Holmes will resume running upon the dismissal of the class claims against her, should the Court approve such dismissal.

What happens next? The Court will hold a Fairness Hearing on **February 6, 2024 at 1:00 p.m.**, at the United States District Court for the District of Arizona, Courtroom 603, 401 West Washington Street, Phoenix, Arizona 85003, to decide whether to approve the settlements, how much attorneys’ fees (up to \$13.2 million) and expenses (estimated to be up to \$1.3 million) to award the attorneys who represent the Class (to be paid from the \$44 million settlement fund), and whether to award service awards of up to \$10,000 each to the Plaintiffs who are representing the Class in this case (also to be paid from the settlement fund). You or your attorney may ask permission to speak at the hearing at your own cost. The hearing may be moved to a different date or time without additional notice and/or may be held remotely or telephonically. Please check www.TheranosLawsuit.com for updates.

Who represents me? The Court has appointed the law firms of Keller Rohrback L.L.P. and Lief Cabraser Heimann & Bernstein LLP to represent the Class (“Class Counsel”). You do not need to pay these lawyers; instead these lawyers will apply to the Court for compensation out of the settlement fund. If you want to be represented by your own lawyer, you may hire one at your own expense.

How do I obtain more information? For more information, including to view copies of case documents including a more detailed notice, the full settlement agreements, the complaint in the lawsuit, and Class Counsel’s motion for attorneys’ fees and expenses, visit www.TheranosLawsuit.com, call (866) 615-0978, or email info@TheranosLawsuit.com.

PLEASE DO NOT CONTACT THE COURT ABOUT THIS NOTICE

To unsubscribe from this list, please click on the following link: [Unsubscribe](#).
Unsubscribing from further emails is **not** the same as opting out of the class or the settlements. The deadline to opt-out in this case has already passed.

EXHIBIT B

**LEGAL NOTICE
BY ORDER OF THE
UNITED STATES
DISTRICT COURT
FOR THE DISTRICT
OF ARIZONA**

In re Arizona Theranos, Inc., Litigation
c/o JND Legal Administration
P.O. Box 91214
Seattle, WA 98111

«Barcode» Unique ID: <MAILER ID>
Postal Service: Please do not mark barcode

«First1» «Last1»
«C/O»
«Addr1»
«Addr2»
«City», «St» «Zip» «Country»

PERSONAL ID:

«PERSONAL ID»

PIN:

«PIN»

Records indicate that you are eligible for a payment from a class action settlement related to Theranos blood testing services.

You do not need to take any action to receive a payment. For more information or to update your address information, visit www.TheranosLawsuit.com or call (866) 615-0978.

Para ver este aviso en español, visite www.TheranosLawsuit.com

*A federal court authorized this notice. This is **not** a solicitation from a lawyer. You are not being sued.*

What is this notice about? Proposed settlements have been reached in a class action lawsuit, *In re Arizona Theranos, Inc., Litigation*, No. 2:16-cv-2138 (D. Ariz.). The lawsuit challenges the defendants' conduct with respect to Theranos blood testing services. The class members have reached settlements with defendant Walgreens, defendant Ramesh "Sunny" Balwani, and the entity that holds the remaining assets of the now-dissolved Theranos, Inc. (the "Theranos ABC"). Walgreens and Balwani deny they did anything wrong. The Court has not decided who is right or wrong. Instead, the proposed settlements, if approved, will provide benefits to Class Members and resolve all claims against Walgreens, Balwani, and Theranos, Inc. ("Theranos").

Who is included? The Court previously certified a "Class" that includes: "All purchasers of Theranos testing services, including consumers who paid out-of-pocket, through health insurance, or through any other source (collectively, 'purchasers') between November 2013 and June 2016." Theranos's customer records indicate that you are a Class Member. Visit www.TheranosLawsuit.com for more details.

What can I get? If the Walgreens settlement is approved and becomes final, you will automatically receive a settlement payment that is currently estimated to be about two times the total cost of your Theranos blood testing services (based on Theranos's records), minus any refunds you already received from the 2017 Arizona Attorney General Consent Decree with Theranos, plus an additional base payment of \$10. The amount of your payment may be higher or lower based on the settlement funds available for distribution. Visit www.TheranosLawsuit.com for more information, to look up your estimated payment amount, and to see the detailed Plan of Allocation.

You do not need to file a claim or take any other action to receive a settlement payment. If the Walgreens settlement is approved and becomes final, payments will be sent to eligible persons by check thereafter. If your name or address is different from the one on this form, update your address information at www.TheranosLawsuit.com or by contacting the Settlement Administrator at info@TheranosLawsuit.com.

What are my options? You have two options: (1) do nothing; or (2) object or comment on the settlement by **January 8, 2024**. Under either option, you will receive a payment if the Walgreens settlement is approved and becomes final. Visit www.TheranosLawsuit.com for more information. You can no longer exclude yourself from this case. The instructions and deadline for excluding yourself were provided in a prior notice sent to Class Members in 2022, and the deadline has now passed.

What about Elizabeth Holmes? Defendant Elizabeth Holmes is not a party to the settlements. Plaintiffs will ask the Court to dismiss the claims against her while preserving the rights of any Class Member to pursue their own claims against Ms. Holmes if they choose—outside of this case and with their own counsel. Please note that any applicable statutes of limitation for any claims you may bring against Ms. Holmes will resume running upon the dismissal of the class claims against her, should the Court approve such dismissal.

What happens next? The Court will hold a hearing on **February 6, 2024 at 1:00 p.m.**, at the United States District Court for the District of Arizona, Courtroom 603, 401 West Washington Street, Phoenix, AZ 85003 and/or may be held remotely or telephonically. Please check www.TheranosLawsuit.com for updates. At the hearing, the Court will decide whether to approve the settlements, as well as the amount to be paid for attorneys' fees (up to \$13.2 million) and expenses (estimated to be up to \$1.3 million) and service awards (up to \$10,000 each to the plaintiffs), all to be paid from the Walgreens settlement fund of \$44 million. You or your attorney may ask permission to speak at the hearing at your own cost.

Who represents me? The Court has appointed the law firms of Keller Rohrbach L.L.P. and Lief Cabraser Heimann & Bernstein LLP to represent the Class ("Class Counsel"). If you want to be represented by your own lawyer, you may hire one at your own expense.

How do I obtain more information? For more information, including to view copies of case documents including a detailed notice, the full settlement agreements, the complaint in the lawsuit, and Class Counsel's motion for attorneys' fees and expenses, visit www.TheranosLawsuit.com, call (866) 615-0978, or email info@TheranosLawsuit.com.

PLEASE DO NOT CONTACT THE COURT ABOUT THIS NOTICE

Carefully separate this Address Change Form at the perforation.

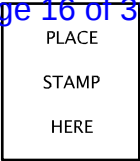
Name: _____

Current Address: _____

Unique ID: <MAILER ID>

Address Change Form

To make sure your information remains up-to-date in our records, please confirm your address by filling in the above information and depositing this postcard in the U.S. Mail.



In re Arizona Theranos, Inc., Litigation
c/o JND Legal Administration
PO Box 91214
Seattle WA 98111

EXHIBIT C

From: Theranos Settlement Administrator
To: [Class Member email address]
Subject: Notice of Theranos Settlement

«PERSONAL ID & PIN»
LEGAL NOTICE BY ORDER OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Records indicate that you are eligible for a payment from a class action settlement related to Theranos blood testing services.

You do not need to take any action to receive a payment.

Read this notice and visit www.TheranosLawsuit.com or call (866) 615-0978 for more information or to update your address information.

Para ver este aviso en español, visite
www.TheranosLawsuit.com

*A federal court authorized this notice. This is **not** a solicitation from a lawyer. You are not being sued.*

What is this notice about? Proposed settlements have been reached in the class action lawsuit *In re Arizona Theranos, Inc., Litigation*, No. 2:16-cv-2138 (D. Ariz.). The lawsuit challenges the defendants' conduct with respect to Theranos blood testing services. The Class Members have reached settlements with defendants Walgreens Boots Alliance, Inc. and Walgreen Arizona Drug Co. (together called "Walgreens"), defendant Ramesh "Sunny" Balwani, and the entity that holds the remaining assets of the now-dissolved Theranos, Inc. (the "Theranos ABC"). Walgreens and Balwani deny they did anything wrong. The Court has not decided who is right or wrong. Instead, the proposed settlements, if approved, will provide benefits to Class Members and resolve all of the Class Members' claims against Walgreens, Balwani, and Theranos, Inc. ("Theranos").

Who is included? The Court previously certified a "Class" that includes: "All purchasers of Theranos testing services, including consumers who paid out-of-pocket, through health insurance, or through any other source (collectively, 'purchasers') between November 2013 and June 2016." The Court also certified subclasses, including a Walgreens Edison Subclass that includes: "All purchasers of Theranos testing services who were subjected to 'tiny' blood draws (fingerpricks) by a Walgreens employee between November 2013 and March 2015." Theranos's customer records indicate that you are a Class Member and a Walgreens Edison Subclass Member. Visit www.TheranosLawsuit.com for more details.

What can I get? Under the proposed settlement with Walgreens, Walgreens will pay \$44 million, which will be used to pay settlement payments to Class Members, attorneys' fees and expenses, administrative costs, and any service awards for the class representatives. In addition, Balwani has agreed to withdraw his claims to the remaining assets of Theranos, and the Theranos ABC has agreed to allocate a portion of the limited remaining Theranos assets to the Class, which if approved will add approximately \$1.33 million to the money available for distribution to the Class (in addition to the \$44 million that Walgreens has agreed to pay) and increase the settlement payment amounts for Class Members. Visit www.TheranosLawsuit.com for more details. If the settlement with Walgreens is approved and becomes final, each Class Member will receive a settlement payment. As a Walgreens Edison Subclass Member, you are entitled to two payments from the settlement with Walgreens.

First, you will receive a Walgreens Edison Subclass Member Payment. It is currently estimated that this payment will be between approximately \$700 and \$1,000, but the actual amount may be higher or lower.

Second, in addition to the Walgreens Edison Subclass Member Payment, you will also receive a Class Member Payment that is currently estimated to be approximately: (a) two times the total cost of your Theranos blood testing services (based on Theranos's records); minus (b) any refunds you already received from the 2017 Arizona Attorney General Consent Decree with Theranos; plus (c) an additional base payment of \$10. Depending on the settlement funds available for distribution to the Class, the Class Member Payments may increase or decrease accordingly.

Visit www.TheranosLawsuit.com for more information, to look up your estimated Walgreens Edison Subclass Member Payment and Class Member Payment amounts, and to see the detailed Plan of Allocation.

You do not need to file a claim or take any other action to receive a settlement payment. If the settlement with Walgreens is approved and becomes final, Walgreens Edison Subclass Member Payments and Class Member Payments will be sent to eligible persons by check thereafter. To ensure prompt and accurate delivery, you may update your address information at www.TheranosLawsuit.com or by contacting the Settlement Administrator at info@TheranosLawsuit.com.

What are my options? You have two options: (1) do nothing; or (2) object or comment on the settlement by **January 8, 2024**. Under either option, if the settlement with Walgreens is approved and becomes final, you will receive a Walgreens Edison Subclass Member Payment and a Class Member Payment. Visit www.TheranosLawsuit.com for more information. You can no longer exclude yourself from this case. The instructions and deadline for excluding yourself were provided in a prior notice sent to you in 2022, and the exclusion deadline has now passed.

What about Elizabeth Holmes? Defendant Elizabeth Holmes is not a party to the settlements. Plaintiffs will ask the Court to dismiss the claims against her while preserving the rights of any Class Member to pursue their own claims against Ms. Holmes if they choose—outside of this case and with their own counsel. Please note that any applicable statutes of limitation for any claims you may bring against Ms. Holmes will resume running upon the dismissal of the class claims against her, should the Court approve such dismissal.

What happens next? The Court will hold a Fairness Hearing on **February 6, 2024 at 1:00 p.m.**, at the United States District Court for the District of Arizona, Courtroom 603, 401 West Washington Street, Phoenix, Arizona 85003, to decide whether to approve the settlements, how much attorneys' fees (up to \$13.2 million) and expenses (estimated to be up to \$1.3 million) to award the attorneys who represent the Class (to be paid from the \$44 million settlement fund), and whether to award service awards of up to \$10,000 each to the Plaintiffs who are representing the Class in this case (also to be paid from the settlement fund). You or your attorney may ask permission to speak at the hearing at your own cost. The hearing may be moved to a different date or time without additional notice and/or may be held remotely or telephonically. Please check www.TheranosLawsuit.com for updates.

Who represents me? The Court has appointed the law firms of Keller Rohrback L.L.P. and Lief Cabraser Heimann & Bernstein LLP to represent the Class ("Class Counsel"). You do not need to pay these lawyers; instead these lawyers will apply to the Court for compensation out of the settlement fund. If you want to be represented by your own lawyer, you may hire one at your own expense.

How do I obtain more information? For more information, including to view copies of case documents including a more detailed notice, the full settlement agreements, the complaint in the lawsuit, and Class Counsel's motion for attorneys' fees and expenses, visit www.TheranosLawsuit.com, call (866) 615-0978, or email info@TheranosLawsuit.com.

PLEASE DO NOT CONTACT THE COURT ABOUT THIS NOTICE

To unsubscribe from this list, please click on the following link: [Unsubscribe](#).
Unsubscribing from further emails is **not** the same as opting out of the class or the settlements. The deadline to opt-out in this case has already passed.

EXHIBIT D

**LEGAL NOTICE
BY ORDER OF THE
UNITED STATES
DISTRICT COURT
FOR THE DISTRICT
OF ARIZONA**

In re Arizona Theranos, Inc., Litigation
c/o JND Legal Administration
P.O. Box 91214
Seattle, WA 98111

«Barcode» Unique ID: <MAILER ID>
Postal Service: Please do not mark barcode

«First1» «Last1»
«C/O»
«Addr1»
«Addr2»
«City», «St» «Zip» «Country»

You do not need to file a claim or take any other action to receive a settlement payment. If the Walgreens settlement is approved and becomes final, payments will be sent to eligible persons by check thereafter. If your name or address is different from the one on this form, update your address information at www.TheranosLawsuit.com or by contacting the Settlement Administrator at info@TheranosLawsuit.com.

What are my options? You have two options: (1) do nothing; or (2) object or comment on the settlement by **January 8, 2024**. Under either option, you will receive payments if the Walgreens settlement is approved and becomes final. Visit www.TheranosLawsuit.com for more information. You can no longer exclude yourself from this case. The instructions and deadline for excluding yourself were provided in a prior notice sent to you in 2022, and the deadline has now passed.

What about Elizabeth Holmes? Defendant Elizabeth Holmes is not a party to the settlements. Plaintiffs will ask the Court to dismiss the claims against her while preserving the rights of any Class Member to pursue their own claims against her if they choose—outside of this case and with their own counsel. Please note that any applicable statutes of limitation for any claims you may bring against Ms. Holmes will resume running upon the dismissal of the class claims against her, should the Court approve such dismissal.

What happens next? The Court will hold a hearing on **February 6, 2024 at 1:00 p.m.**, at the United States District Court for the District of Arizona, Courtroom 603, 401 West Washington Street, Phoenix, AZ 85003 and/or may be held remotely or telephonically. Please check www.TheranosLawsuit.com for updates. At the hearing, the Court will decide whether to approve the settlements, as well as the amount to be paid for attorneys' fees (up to \$13.2 million) and expenses (estimated to be up to \$1.3 million) and service awards (up to \$10,000 each to the plaintiffs), all to be paid from the Walgreens settlement fund of \$44 million. You or your attorney may ask permission to speak at the hearing at your own cost.

Who represents me? The Court has appointed the law firms of Keller Rohrback L.L.P. and Lief Cabraser Heimann & Bernstein LLP to represent the Class ("Class Counsel"). If you want to be represented by your own lawyer, you may hire one at your own expense.

How do I get more information? For more information, including to view copies of case documents including a detailed long-form notice, the full settlement agreements, the complaint in the lawsuit, and Class Counsel's motion for attorneys' fees and expenses, visit www.TheranosLawsuit.com, call (866) 615-0978, or email info@TheranosLawsuit.com.

PLEASE DO NOT CONTACT THE COURT ABOUT THIS NOTICE

PERSONAL ID: «PERSONAL ID»

PIN: «PIN»

Records indicate that you are eligible for a payment from a class action settlement related to Theranos blood testing services.

You do not need to take any action to receive a payment. For more information or to update your address information, visit www.TheranosLawsuit.com or call (866) 615-0978.

Para ver este aviso en español, visite www.TheranosLawsuit.com

*A federal court authorized this notice. This is **not** a solicitation from a lawyer. You are not being sued.*

What is this notice about? Proposed settlements have been reached in a class action lawsuit, *In re Arizona Theranos, Inc., Litigation*, No. 2:16-cv-2138 (D. Ariz.). The class members have reached settlements with defendant Walgreens, defendant Ramesh “Sunny” Balwani, and the entity that holds the remaining assets of the now-dissolved Theranos, Inc. (the “Theranos ABC”). Walgreens and Balwani deny they did anything wrong. The Court has not decided who is right or wrong. Instead, the proposed settlements, if approved, will provide benefits to Class Members and resolve all claims against Walgreens, Balwani, and Theranos, Inc. (“Theranos”).

Who is included? The Court previously certified a “Class” that includes: “All purchasers of Theranos testing services, including consumers who paid out-of-pocket, through health insurance, or through any other source (collectively, ‘purchasers’) between November 2013 and June 2016.” The Court also certified subclasses, including a Walgreens Edison Subclass that includes: “All purchasers of Theranos testing services who were subjected to ‘tiny’ blood draws (fingerpricks) by a Walgreens employee between November 2013 and March 2015.” Theranos’s customer records indicate that you are a Class Member and also are a Walgreens Edison Subclass Member. Visit www.TheranosLawsuit.com for more details.

What can I get? If the Walgreens settlement is approved and becomes final, you will receive a Walgreens Edison Subclass Member Payment, estimated to be between approximately \$700 and \$1,000, but the actual amount may be higher or lower. You will also receive a Class Member Payment that is currently estimated to be about two times the total cost of your Theranos blood testing services (based on Theranos’s records), minus any refunds you already received from the 2017 Arizona Attorney General Consent Decree with Theranos, plus an additional base payment of \$10. The amount of your payments may be higher or lower based on the settlement funds available for distribution. Visit www.TheranosLawsuit.com for more information, to look up your estimated payment amounts, and to see the detailed Plan of Allocation.

Carefully separate this Address Change Form at the perforation

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Unique ID: <MAILER ID>

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In re Arizona Theranos, Inc., Litigation
c/o JND Legal Administration
PO Box 91214
Seattle WA 98111

EXHIBIT E

LEGAL NOTICE

NOTICE OF PROPOSED SETTLEMENT

If you purchased Theranos blood testing services, you may be entitled to a cash payment from a class action settlement.

If you received a post-card or e-mail notice, you do not need to take any action to receive a payment. If you believe that you are a member of the class but did not receive a post-card or e-mail notice, you must call (866) 615-0978 or email info@TheranosLawsuit.com before January 8, 2024 to request inclusion in the class.

Para ver este aviso en español, visite www.TheranosLawsuit.com

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

What is this notice about? Proposed settlements have been reached in the class action lawsuit *In re Arizona Theranos, Inc., Litigation*, No. 2:16-cv-2138 (D. Ariz.). The lawsuit challenges the defendants' conduct with respect to Theranos blood testing services. The Class Members have reached settlements with defendants Walgreens Boots Alliance, Inc. and Walgreen Arizona Drug Co. (together called "Walgreens"), defendant Ramesh "Sunny" Balwani, and the entity that holds the remaining assets of the now-dissolved Theranos, Inc. (the "Theranos ABC"). Walgreens and Balwani deny they did anything wrong. The proposed settlements, if approved, will provide benefits to Class Members and resolve all of the Class Members' claims against Walgreens, Balwani, and Theranos, Inc. ("Theranos").

Who is included? The Court previously certified a "Class" that includes: "All purchasers of Theranos testing services, including consumers who paid out-of-pocket, through health insurance, or through any other source (collectively, 'purchasers') between November 2013 and June 2016." The Court also certified a "Walgreens Edison Subclass" that includes: "All purchasers of Theranos testing services who were subjected to 'tiny' blood draws (fingerpricks) by a Walgreens employee between November 2013 and March 2015."

What can I get? Under the proposed settlement with Walgreens, Walgreens will pay \$44 million, which will be used to pay settlement payments to Class Members, attorneys' fees and expenses, administrative costs, and any service awards for the class representatives. In addition, Balwani has agreed to withdraw his claims to the remaining assets of Theranos, and the Theranos ABC has agreed to allocate a portion of the limited remaining Theranos assets to the Class, which if approved will add approximately \$1.33 million to the money available for distribution to the Class (in addition to the \$44 million that Walgreens has agreed to pay) and increase the settlement payment amounts for Class Members. Visit www.TheranosLawsuit.com for more details.

If the settlement with Walgreens is approved and becomes final and you are a Class Member, you will receive a settlement payment ("Class Member Payment") that is currently estimated to be approximately equal to: (a) two times the total costs of your Theranos blood testing services (based on Theranos's records), minus (b) any refunds you already received from a 2017 Arizona Attorney General Consent Decree with Theranos; plus (c) an additional base payment of \$10. If the settlement with Walgreens is approved and becomes final and you are a Walgreens Edison Subclass Member, you will receive an additional payment ("Walgreens Edison Subclass Payment") on top of the Class Member Payment. Depending on the settlement funds available for distribution to the Class, your payment may increase or decrease accordingly.

Visit www.TheranosLawsuit.com for more information and to see the detailed Plan of Allocation.

If you DID NOT receive a post-card or e-mail notice directly, but believe that you are a member of the Class, you must call (866) 615-0978 or email info@TheranosLawsuit.com before January 8, 2024 to request inclusion in the Class.

If you received a post-card or e-mail notice directly, Theranos's customer records indicate that you are a Class Member and you do not need to file a claim or take any other action to receive a settlement payment. If the settlements are approved and become final, Class Member Payments and Walgreens Edison Subclass Member Payments will be sent to eligible persons by check thereafter. To ensure prompt and accurate delivery, you may update your address information at www.TheranosLawsuit.com or by contacting the Settlement Administrator at info@TheranosLawsuit.com.

What are my options? If you received a post-card or e-mail notice directly, you have two options: (1) do nothing; or (2) object or comment on the settlement by January 8, 2024. Under either option, if the settlement with Walgreens is approved and becomes final, you will receive a payment. Visit www.TheranosLawsuit.com for more information. You can no longer exclude yourself from this case. The instructions and deadline for excluding yourself were provided in a prior notice in 2022, and the deadline for exclusion has now passed.

What about Elizabeth Holmes? Defendant Elizabeth Holmes is not a party to the settlements. Plaintiffs will ask the Court to dismiss the claims against her while preserving the rights of any Class Member to pursue their own claims against Ms. Holmes if they choose—outside of this case and with their own counsel. Please note that any applicable statutes of limitation for any claims you may bring against Ms. Holmes will resume running upon the dismissal of the claims against her, should the Court approve such dismissal.

What happens next? The Court will hold a Fairness Hearing on February 6, 2024 at 1:00 p.m., at the United States District Court for the District of Arizona, Courtroom 603, 401 West Washington Street, Phoenix, AZ 85003, to decide whether to approve the settlements, how much attorneys' fees (up to \$13.2 million) and expenses (estimated to be up to \$1.3 million) to award the attorneys who represented the Class (to be paid from the \$44 million settlement fund), and whether to award service awards of up to \$10,000 each to the Plaintiffs who are representing the Class (also to be paid from the settlement fund). You or your attorney may ask permission to speak at the hearing at your own cost. The hearing may be moved to a different date or time without additional notice and/or may be held remotely or telephonically. Please check www.TheranosLawsuit.com for updates.

Who represents me? The Court has appointed the law firms of Keller Rohrback L.L.P. and Lief Cabraser Heimann & Bernstein LLP to represent the Class ("Class Counsel"). You do not need to pay these lawyers; instead these lawyers will apply to the Court for compensation out of the settlement fund. If you want to be represented by your own lawyer, you may hire one at your own expense.

How do I get more information? For more information, visit www.TheranosLawsuit.com, call (866) 615-0978, or email info@TheranosLawsuit.com.

PLEASE DO NOT CONTACT THE COURT ABOUT THIS NOTICE

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(866) 615-0978



A critically ill patient is moved to an ambulance during a medical evacuation from Napaskiak to Bethel, Alaska. BALINDA O'NEAL/ALASKA NATIONAL GUARD VIA AP

Alaska guard performs mission with Santa, elves

ASSOCIATED PRESS

JOINT BASE ELMENDORF-RICHARDSON, Alaska – Santa Claus' sleigh took on new responsibilities in rural Alaska last week when delivering gifts to an Alaska Native village.

Santa's ride, an Alaska Army National Guard UH-60 Black Hawk helicopter, was shuttling Santa, Mrs. Claus, volunteer elves and gifts in shifts Wednesday to provide the children of Tuluksak some Christmas cheer. The flights originated about 35 miles southwest, from the hub community of Bethel, the guard said in a release.

However, after the first trip to Tuluksak, the helicopter crew got an urgent call seeking help for a medical evacuation in the nearby village of Napaskiak, located about 5 miles south of Bethel on the other side of the Kuskokwim River.

The river in the winter serves as an ice road, but there was only enough ice at this time of the year to prevent boats from operating. The ice wasn't thick enough to support vehicles, and bad weather prevented small planes from landing at the village air strip.

Helicopter pilots Colton Bell and David Berg, both chief warrant officers, shifted focus, adding two paramedics

and medical equipment to the flight and the remaining gifts for children.

They flew the five minutes to Napaskiak and dropped off the paramedics, who said they would need about 40 minutes to stabilize the patient. That gave the pilots time to take the 15-minute flight to Tuluksak to drop off the gifts and volunteers.

They then returned to the other village to pick up the patient and paramedics and flew them to an awaiting ambulance in Bethel. The patient was in stable condition Thursday and awaiting transport to an Anchorage hospital.

The Alaska National Guard for decades has delivered gifts, supplies and sometimes Christmas itself to tiny rural communities dotting the nation's largest and largely roadless state. The program began in 1956 when residents of St. Mary's village had to choose between buying gifts for children or food to make it through winter after flooding, followed by drought, wiped out hunting and fishing opportunities.

The guard stepped up, taking donated gifts and supplies to the village. Now they attempt every year to visit two or three villages that have experienced hardships.

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CNN

Video shows Colorado officer fatally shooting man trying to flee in suspicious vehicle

Newly obtained police body-camera footage shows a Colorado police officer in his third day on the job fatally shoot a man attempting to flee in a suspicious vehicle.



Associated Press

Police say 2 Jewish schools in Montreal were hit by gunshots; no injuries reported

Two Jewish schools in Montreal were hit overnight by gunshots, police said Thursday. Staff members discovered bullet holes on the exterior of the buildings when they arrived Th...

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LA Times

Man accused of attacking Nancy Pelosi's husband goes on trial in San Francisco

The federal trial of David DePape, the man accused of attacking Paul Pelosi and attempting to kidnap Rep. Nancy Pelosi, begins Thursday in San Francisco.



Fox News

Virginia 'bird bandit' suspect arrested after robbing victim while parrots sat on hat, shoulder

A man in Virginia accused of robbing another at knifepoint while accompanied by three parrots has been arrested, according to officials.



USA TODAY

Other News

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Melissa Rivers is engaged! Mom Joan 'would have approved of the ring'



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Mortgage rates drop for the second week in a row, unleashing more homebuyer demand



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Apple co-founder Steve Wozniak reportedly hospitalized in Mexico City



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Carson Daly makes this 'perfect steak' for his family: Learn his go-to method



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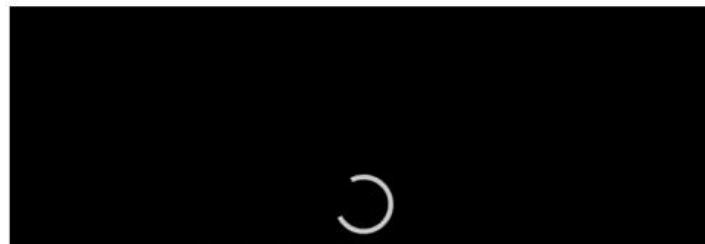
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Kyler Murray's Future in Arizona Could Be Determined in the Next Nine Weeks

Riding out the 2023 regular season with the quarterback is a much cleaner way to get to his eventual departure from the Cardinals. Plus, answers to your questions on Kenny Pickett, Vance Joseph, Josh McDaniels, Frank Reich and more in Albert Breer's mailbag.

ALBERT BREER • 23 HOURS AGO



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If you purchased **Theranos blood testing services**, including at **Walgreens stores**, you may qualify for a payment

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BIG TROUBLE IN LITTLE TOWNSHIP

The entire local government of a small Michigan township was removed by voters this week, in a recall election over their support of a Chinese-affiliated company's plans to build a electric vehicle battery plant. Tuesday's recall election in Green Charter Township followed backlash over plans announced a year ago for Gotion to open a \$2.3 billion EV plant there, which is expected to create 2,350 jobs. Hours after the vote, the town's new leaders wasted no time, changing the locks (left) on the township's main government building, according to *NewNation*.

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CMA AWARDS

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'Hamas terrorists gang-raped Israeli woman before one shot her in the back of the head as he was having sex with her': Horrifying account revealed as police gather evidence of sex results

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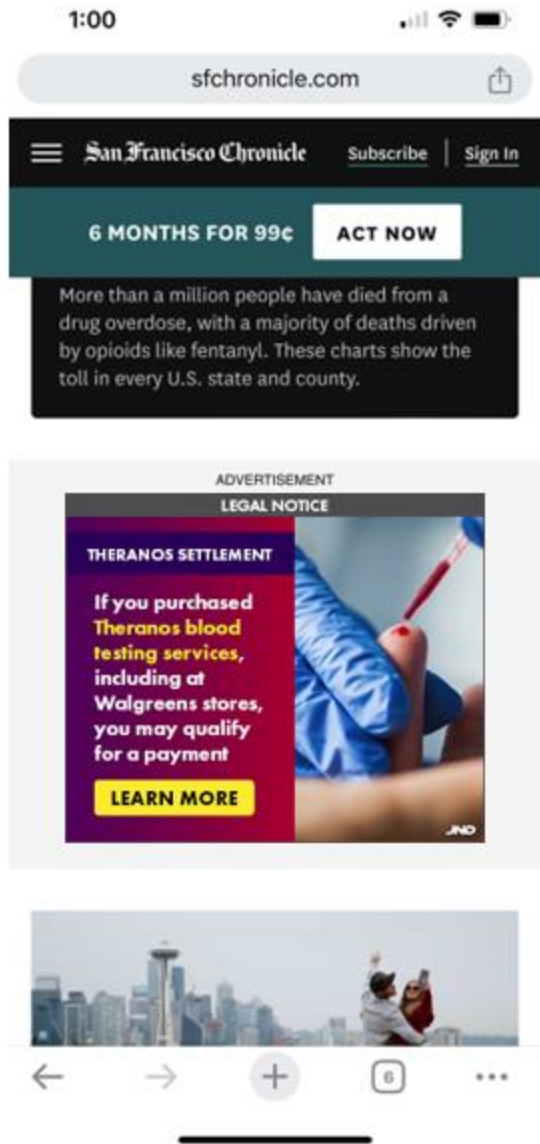
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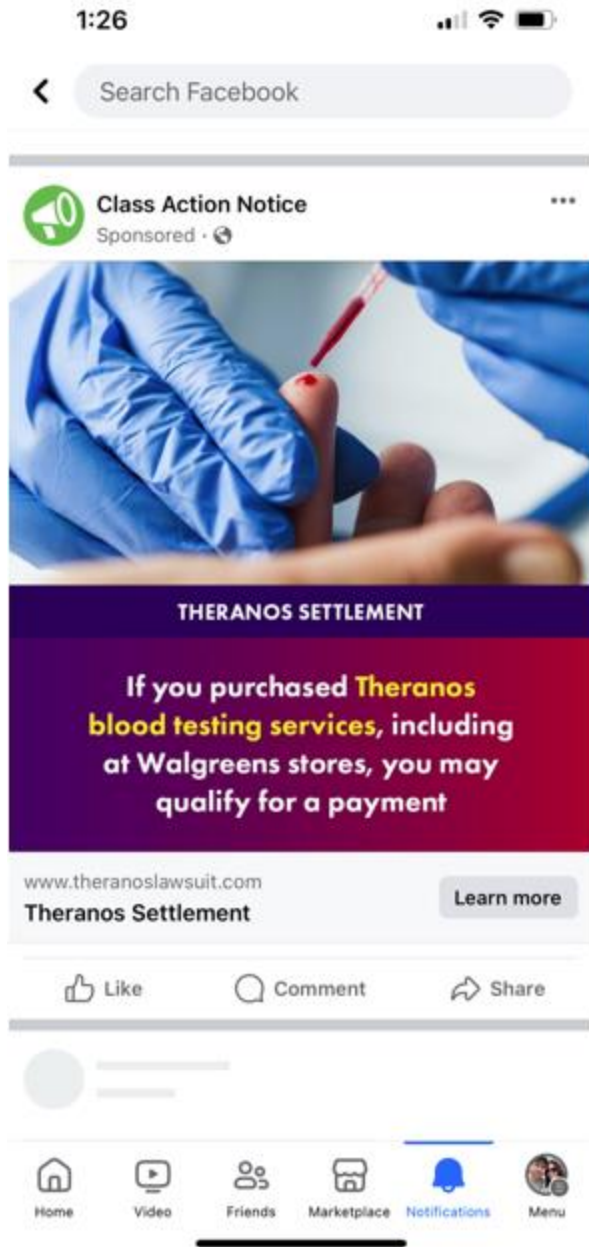
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5:55

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EN DIRECTO

ACTUALIDAD

Liberado el padre de Luis Díaz: últimas noticias en vivo

Mane Díaz ya se encuentra en libertad tras más de una semana en el poder de la guerrilla del ELN. Últimas noticias y actualidad de lo que sucede con él y su familia.

SERGIO CASALLAS / ANGEL IBAÑEZ 09/11/2023 12:46



ENTREVISTA | as

CAPITANES CDMX

"Si pudiera volver en el tiempo y cambiar algo, cuidaría más de mi cuerpo"

El guardia, elegido Rookie del Año de la NBA en 2014, ha tenido una carrera de altibajos por culpa de las lesiones. Con Capitanes CDMX podrá soñar con volver al gran escenario.

EDUARDO LÓPEZ 09/11/2023 07:34



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El ranking de quarterbacks despu\u00e9s de la Semana 9


Cinco pasadores al alza y cinco a la baja despu\u00e9s de la novena jornada de la campa\u00f1a regular del 2023.

16h \u2022 Rafael Zamorano



Predicciones acertadas y desacertadas a media temporada de NFL

6h \u2022 ESPN



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