



Blue Cross Blue Shield Settlement NOTICE PLAN

NOTICE PLAN OBJECTIVE

The objective of the proposed Notice Plan is to provide the best notice practicable, consistent with the methods and tools employed in other court-approved notice programs. The Federal Judicial Center's (FJC) *Judges' Class Action Notice and Claims Process Checklist and Plain Language Guide* considers a Notice Plan with a high reach (above 70%) effective.¹

CLASS DEFINITION

The Settlement Agreement provides for two proposed Settlement Classes, a Damages Class (which includes a Self-Funded Sub-Class) and an Injunctive Relief Class (referred to collectively as the "Class Members").

- **Damages Class**: Includes all Individual Members (excluding dependents and beneficiaries), Insured Groups (including employees, but excluding non-employee Members), and Self-Funded Accounts (including employees, but excluding non-employee Members) that purchased or were enrolled in a Blue-Branded Commercial Health Benefit Product (unless the person's or entity's only Blue-Branded Commercial Health Benefit Product during the Settlement Class Period was a stand-alone vision or dental product) sold, underwritten, insured, administered, or issued by any Settling Individual Blue Plan from February 7, 2008 through October 16, 2020 ("Settlement Class Period"), except for members of the Self-Funded Sub-Class, for whom the Class Period is September 1, 2015 through October 16, 2020.

Excluded from the Damages Class are Government Accounts (and individuals covered under them), Medicare Accounts of any kind, Settling Defendants themselves, and any parent or subsidiary of any Settling Defendant (and their covered or enrolled employees). Also excluded from the Damages Class are Opt Outs, the Judge presiding over this matter, and any members of his judicial staff, to the extent such staff were covered by a Commercial Health Benefit Product not purchased by a Government Account during the Settlement Class Period.

- **Self-Funded Sub-Class**: Includes Self-Funded Accounts and their employees. It encompasses any account, employer, health benefit plan, ERISA plan, non-ERISA plan, or group, including all sponsors, administrators, fiduciaries, and Members thereof, that purchased, was covered by, participated in, or was enrolled in a Self-Funded Health Benefit Plan from September 1, 2015 through October 16, 2020 ("Sub-Class Settlement

¹ Reach is the percentage of a specific population group exposed to a media vehicle or a combination of media vehicles containing a notice at least once over the course of a campaign. Reach factors out duplication, representing total different/net persons.



Class Period"). A Self-Funded Health Benefit Plan is any Commercial Health Benefit Product other than Commercial Health Insurance, including administrative services only ("ASO") contracts or accounts, administrative services contracts or accounts ("ASC"), and jointly administered administrative services contracts or accounts ("JAA").

- For associational entities (e.g., trade associations, unions, etc.), this includes any member entity which is covered by, enrolled in, or included in the associational entity's Blue-Branded Commercial Health Benefit Product. A Self-Funded Account that purchases a Blue-Branded Self-Funded Health Benefit Plan and Blue-Branded stop-loss coverage remains a Self-Funded Account. For clarity, a Self-Funded Account also excludes all Government Accounts.
- **Injunctive Relief Class**: Includes all Individual Members, Insured Groups, Self-Funded Accounts, and Members that purchased or were enrolled in a Blue-Branded Commercial Health Benefit Product sold, underwritten, insured, administered, or issued by any Settling Individual Blue Plan during the applicable Settlement Class Period.

CLASS INFORMATION

JND's proposed Notice Plan was designed based on the following information:

1. The precise number of Class Members is currently unknown but is estimated at tens of millions of members.
2. Settling Defendants will be providing JND with direct contact information, where available, for the Damages Class. This contact information will be produced in accord with Paragraph 5 of the Settlement Agreement.
3. A comprehensive media effort will effectively reach all Class Members.

MEDIA RESOURCES

JND utilizes the most reputable advertising media research tools to ensure that the best media is selected and that our reach calculations can withstand the most critical review and challenge. The media research tools we utilized in our analysis and will use to implement the Notice Plan include:

- **MRI | Simmons (MRI)**: JND uses MRI data to analyze the demographics and media usage of Class Members, as well as to determine the reach of our proposed print effort. MRI is a nationally accredited research firm that provides consumer demographics, product and brand usage, and audience/exposure in all forms of advertising media. MRI is the leading producer of media and consumer research in the United States.
- **Comscore, Inc. (Comscore)**: JND uses Comscore data to not only analyze where Class Members are on the internet, but more importantly, for calculating the reach of our proposed digital effort. Comscore's multi-reach platform allows us to analyze unduplicated audiences across desktop, smartphone, and tablet devices and to assess the efficiency and effectiveness of our proposed media plans by reducing waste and improving campaign performance across all devices.



- **Google Active View:** At the time of implementation, our digital media placement experts will take the necessary steps to ensure that all notice placements appear exactly as planned, meeting our high standards of quality and positioning. Verification and monitoring will be used to enhance the digital buy — For instance, Google Active View is accredited by the Media Rating Council (MRC) and will be used to measure viewable impressions across the web and in apps. Google Active View supports the Interactive Advertising Bureau (IAB) and MRC definition of viewability — a minimum of 50% of the ad is in view for a minimum of one second for display ads.
- **Trust Metrics:** In addition to Google Active View, Trust Metrics will be used during the digital effort implementation process to ensure that the banner impressions are not served to poor quality sites and are only displayed on brand safe websites, further ensuring the greatest degree of visibility and dissemination to the Class Members. Sites that are deemed “unsafe” are blocked during implementation, using brand safety parameters such as site content and keywords.
- **Nielsen:** JND uses Nielsen to measure the reach of our tv and radio efforts. Nielsen currently manages more television audience measurement (TAM) panel households than any other international television audience ratings provider. Nielsen is the definitive source for comprehensive audio metrics and insights. Using a combination of listener panels and electronic measurement technology, Nielsen has been measuring radio tune-in since 1936 and has been amplifying its capabilities ever since.

TARGET ANALYSIS²

JND analyzed the demographics and media usage of Class Members to determine how best to reach them. MRI data was studied among adults 18 years of age or older (“Adults 18+”) who have Blue Cross or Blue Shield medical insurance (“BCBS Insurance Members”).

MRI data indicates that most BCBS Insurance Members are: 25 years of age or older (90%—however, given the class period, an even greater percentage are older today); white (83%); homeowners (75%); from higher income households (73% have a household income of \$60,000+); educated (69% attended college or beyond); working full time (61%); and married (61%).

JND considered these key demographics when selecting media. For instance, *Better Homes & Gardens* extends reach to homeowners, Sirius XM radio extends reach among the higher income and educated demographic segments, and network morning news extends reach among older age groups. Other media were selected for their broad-based reach offering (*People*, Google), while others were selected to extend reach to a narrow audience (e.g., Spanish digital/radio, syndicated radio in top African American markets, industry media).

MRI data also indicated that BCBS Insurance Members are active internet users, with 92% using the internet and 69% visiting Facebook in a 30-day period. In terms of devices, 85% use their cellphone or smartphone to access the internet.

Considering this data and the large diverse Class, a Notice Plan that uses multiple channels and sources was created.

² Researching and analyzing the demographics and media usage of likely class members to assist in determining the best media strategies for reaching them.



NOTICE PLAN STRATEGIES

Direct notice will be sent to all Damages Class Members for whom contact information is available. Email notice will be sent to Damages Class Members who have provided their email addresses to the Settling Defendants in the ordinary course of business with Damages Class Members. Postcard notice will be sent to Damages Class Members for whom the Class Member Data does not contain such an email address or for whom the email notice was deemed ultimately undeliverable.

In addition to the direct notice effort, an extensive **media campaign** has been designed to reach 85% of all Settlement Class Members on its own. The media reach campaign includes digital, print, radio and television:

1. **Digital:** Digital ads will be served on the leading digital network (Google Display – “GDN”) and the top social network platform (Facebook).
2. **Print:** Notice will be published in color once each in two popular consumer magazines (*People* and *Better Homes & Gardens*).
3. **Radio:** ~9,700 30-second radio spots will broadcast through Sirius XM satellite radio, two premiere radio networks (iHeart Radio – Scope and Spectrum networks), highly rated syndicated programming in the top ten African American markets (e.g., Rickey Smiley, Steve Harvey), and two leading Spanish providers (Spanish Broadcasting System “SBS” and Univision Radio) in the top ten Hispanic markets. Additional audio streaming will be placed through Pandora and Spotify.
4. **Television:** ~969 30-second television spots will broadcast on a variety of cable and syndicated networks, as well as network morning news programming.

A **supplemental industry media campaign** will extend reach beyond the 85% media reach plan, particularly among entity Class Members. The proposed industry media includes the leading professional social media platform (LinkedIn); digital ads served with top business websites and two leading HR websites; and multiple placements in e-Newsletters targeting both business owners and the HR industry.

Additional efforts include a third-party outreach effort, an internet search campaign and a multichannel news release. A link to the settlement website will also be placed on BCBSA.com. These efforts will extend notice beyond the 85% media reach plan.

The deliverable success rate of the Notice Program will be monitored, and data subsequently will be used for a **claims stimulation effort** consisting of a targeted digital effort and a content update to the multichannel news release. These efforts will remind Class Members of the approaching claims deadline. The claims stimulation effort may be bolstered, if necessary.

DIRECT NOTICE EFFORT	DETAILS
	<ul style="list-style-type: none"> • Send email notice to Damages Class Members where the Settling Defendants have been provided email addresses in the ordinary course of business
	<ul style="list-style-type: none"> • Send postcard notice to Damages Class Members for whom an email address is not in the data produced by the Settling Defendants or for whom email notice is returned as undeliverable



DIGITAL EFFORT	DETAILS
	<ul style="list-style-type: none"> • Largest digital network comprised of more than two million websites reaching 90% of internet users worldwide • Efficient at reaching vast audiences • Targeting Adults 18+ • 10% of impressions allocated to Spanish language sites • Served across all devices (desktop, laptop, tablet and mobile), with an emphasis on mobile • 398 million impressions
	<ul style="list-style-type: none"> • World's largest social networking site • Over 223 million accounts in the U.S. • Targeting Adults 18+ • 10% of impressions allocated to Spanish speaking accounts • 100% mobile newsfeed placements • Served across mobile devices • 30 million impressions
<p>TOTAL</p>	<p>~428 million impressions³ over 10 weeks (~ 10% allocated to Spanish)</p>

PRINT EFFORT	DETAILS
	<ul style="list-style-type: none"> • Weekly entertainment magazine • Largest consumer magazine with a circulation of over 3.4 million and a readership of over 34.9 million • Reaches 14% of Adults 18+ • Extends reach to a broad demographic segment, including those who may not frequent the internet, particularly older consumers • One Full page color insertion
	<ul style="list-style-type: none"> • Monthly lifestyle magazine • Provides a circulation of over 7.6 million and a readership of over 29.8 million • Reaches 13% of Adults 18+ • Extends reach to older women, including those who may not frequent the internet • One Full page color insertion
<p>TOTAL</p>	<p>TWO Full page color insertions</p>

³ Impressions or Exposures are the total number of opportunities to be exposed to a media vehicle or combination of media vehicles containing a notice. Impressions are a gross or cumulative number that may include the same person more than once. As a result, impressions can and often do exceed the population size.

RADIO EFFORT	DETAILS
	<ul style="list-style-type: none"> • One of the largest subscription service radio providers • Offers over 32.7 million subscribers, reaching over 65.4 million radio listeners • Includes programming such as Fox News, MSNBC, HLN, Fox Business, Howard Stern, ESPN, NFL, Mad Dog, Road Dog Trucking, Today Show, Comedy Central Radio, Jeff & Larry's Comedy Roundup • ~1,100 spots
	<ul style="list-style-type: none"> • Top radio syndicator in the U.S. • 245 million monthly listeners • THE SCOPE: ~575+ Station Affiliates; Dominant Formats: AC/Adult Hits/Country; M-Su 5a-8p; 50% Male / 50% Female; 28M Weekly Listenership • SPECTRUM: ~800+ Station Affiliates; Dominant Formats: Country, as well as Urban Contemporary, Gospel, Hip Hop, Jazz, Rhythmic CHR; M-Sun 6a-12mid; 55% Male / 45% Female; 30M Weekly Listenership • ~8,250 spots
	<ul style="list-style-type: none"> • Top music streaming service provider • 96 million total U.S. subscribers • Listeners can tune into established genre stations, other users' stations or create their own stations based on their musical interests • Provides an interactive service whereas the user can give a "thumbs up" or "thumbs down" to a musical track which will determine whether similar songs should be played, or even eliminate an artist from their station altogether • ~5 million impressions
	<ul style="list-style-type: none"> • A leading digital music streaming service provider • Provides access to millions of songs, podcasts and videos from artists all over the world • 90 million monthly active users in the U.S. and 58.5 million ad supported users • ~5 million impressions
	<ul style="list-style-type: none"> • Targets top ten African Americans markets • Includes programming such as Rickey Smiley (stand-up comedian and radio personality) and Steve Harvey (host of his own morning show) • ~100 spots



	<ul style="list-style-type: none"> • Target top ten Hispanic markets • Includes two dominant Hispanic radio providers (SBS and Univision Radio) • Broadcasts will be in Spanish • ~250 spots
<p>TOTAL</p>	<p>~9,700 :30 Broadcast Radio Spots 10 million audio impressions (Pandora/Spotify)</p>

TELEVISION EFFORT	DETAILS
	<ul style="list-style-type: none"> • Cable TV spots purchased on a variety of networks • Includes a variety of news, sports, entertainment and lifestyle programming on leading cable networks • Broadens reach to a variety of demographic segments • ~925 spots
	<ul style="list-style-type: none"> • Syndicated television spots airing on a variety of shows such as Wheel of Fortune, Family Feud, Wendy Williams Show, Tamron Hall • Broadens reach to the African American population • ~20 spots
	<ul style="list-style-type: none"> • Network morning news spots purchased on leading morning news shows such as Good Morning America, Today Show and CBS This Morning • Extends reach to older segment of the Class • ~24 spots
<p>TOTAL</p>	<p>~969 :30 Television Spots</p>

ENTITY DIGITAL EFFORT ⁴	DETAILS
	<ul style="list-style-type: none"> • Leading professional social network platform • Targeting two key professional groups – HR employees and executive staff • Target #1: <ul style="list-style-type: none"> ○ <u>Job Seniority:</u> Senior, Manager, Director, VP ○ <u>Member Skills:</u> HR Consulting ○ <u>Member Groups:</u> HR Specialist, HR Professionals, Employee Benefits & HR, Employee Health & Wellness, Insurance ○ <u>Company Industries:</u> Human Resources ○ <u>Job Functions:</u> Human Resources • Target #2: CEO, Owner, and Partners • Ads will be placed on the right-hand side or top of the desktop feed • Text ads serving 915,000 impressions
	<ul style="list-style-type: none"> • Ads will be placed on leading business websites, e.g.: <ul style="list-style-type: none"> ○ Yahoo Business ○ CNBC.com ○ FastCompany.com ○ Forbes.com ○ Bloomberg.com ○ Entrepreneur.com ○ WJS.com ○ BusinessInsider.com ○ AllBusiness.com • Banner ads serving 1,000,000 impressions
	<ul style="list-style-type: none"> • News and information source for the franchising industry • Popular features include franchisor and franchisee success stories, family business matters and interviews with celebrities involved in franchising • 4 digital placements in Franchise Times e-Newsletter (issued 2x/month) – 26K sends each, 104,000 total sends
	<ul style="list-style-type: none"> • Connects with business owners, creators and thought leaders building exciting ventures and reshaping entire industries • Helps entrepreneurs grow their businesses through inspiring stories of real people, valuable resources, how-to content, books, podcasts, videos, coaching and more • 4 digital placements in Entrepreneur Daily e-Newsletter – 145K sends each, 580,000 total sends

⁴ Industry media is limited in terms of availability. Publishers also have a right of refusal when it comes to ad placements. If industry media is unavailable or they do not accept our ad at the time of placement, JND will seek comparable alternatives.

	<ul style="list-style-type: none"> • Reaches senior business strategists who have power, influence, and potential • 4 digital placements in Harvard Business Review Management Tip of the day e-Newsletter (issued Monday-Friday) – 100K sends each, 400K total sends
	<ul style="list-style-type: none"> • The Society for Human Resource Management (SHRM) is the largest human resources organization • More than 275,000 members worldwide • Dedicated to HR management and the needs of HR professionals • Provides information on benefits, compensation, employee and labor relations and other HR policies • Banner ads serving 100,000 impressions on shrm.org • 4 digital placements in SHRM HR Weekly e-Newsletter (issued Mondays) - 430,000 sends each, 1,720,000 total sends
	<ul style="list-style-type: none"> • Written for Vice Presidents and Directors of human resources • Provides key decision-makers with news, profiles of HR visionaries and success stories of human resource innovators • Banner ads serving 100,000 impressions on hrexecutive.com home page and 50,000 impressions on the benefit category page • 4 digital placements in HRE Benefits e-Newsletter – 100K sends each, 400K total sends
	<ul style="list-style-type: none"> • The National Association of African Americans in Human Resources (NAAHR) is a career development and networking powerhouse for Black and African American human resources practitioners • Provides networking, career opportunities, educational and professional development, mentorship and coaching and tools, tips and resources • Over 15,000 HR members and affiliates • Operates over 25 chapters and interest groups throughout the nation • Banner ads serving 7,300 impressions on NAAHR.org • TWO digital placements in NAAHR e-Newsletter (issued first Tuesday of month) – 13K sends each month, 26K total sends



	<ul style="list-style-type: none"> • Primary media resource that benefit professionals rely on to navigate the complexities of employee benefit planning and delivery • Serves senior-level benefits decision-makers, including HR executives and benefits Directors whose responsibility includes health plans • 4 digital placements in Employee Benefit News Healthcare e-Newsletter (issued Tuesdays) – 22K sends each, 88K total sends
	<ul style="list-style-type: none"> • Provides benefits brokers/consultants, benefits managers and retirement advisors with news, resources, and tools • 4 digital placements in Benefits Pro Daily e-Newsletter – 59K sends each, 236K total sends
	<ul style="list-style-type: none"> • Provides in-depth insight into the news and trends shaping healthcare. • Covers topics such as health IT, policy & regulation, insurance, digital health, payer-provider partnerships, value-based care and more • 4 digital placements in Healthcare Dive Top Payer e-Newsletter and Email Blast (daily) – 14K sends each, 56K total sends
<p>TOTAL</p>	<p>~2.1 million impressions ~3.6 million e-Newsletter sends</p>



ADDITIONAL EFFORTS	DETAILS
	<ul style="list-style-type: none"> • Purchase list of companies (main headquarters) that employ individuals with an HR/Employee Benefit title (150K postal addresses, 55K emails) • Purchase list of companies (main headquarters) that employ individuals with Health and Accident Insurance Broker related titles (396 postal addresses, 904 emails) • Send notice about the Settlement
	<ul style="list-style-type: none"> • Google is by far the most popular search engine (78% market share worldwide), followed by Bing (8% market share worldwide) • Web browsers frequently default to a search engine page, making search engines a common source to get to a specific website (i.e., as opposed to typing the desired URL in the navigation bar) • When purchased keywords related to this Settlement are searched, a paid search ad with a hyperlink to the case website may appear on the search engine results page • Efforts will be monitored and optimized
	<ul style="list-style-type: none"> • Multichannel News Release • Launched at the start of the campaign • Distributed into newsrooms, online syndication, and PR Newswire for Journalists, an exclusive members-only community of more than 41,000 influential journalists and bloggers • Encourages journalists to visit a microsite and review the press release, television spot, radio spot and other information about the Settlement.

CLAIMS STIMULATION EFFORT

The claims stimulation is designed to remind Damages Class Members of the approaching claims deadline. Prior to the claims deadline, JND’s team will initiate a wide-ranging media effort to encourage Class Members to submit claims and to remind them of the impending deadline.

The claims stimulation effort will include a digital campaign consisting of (1) an audience custom list, (2) retargeting and (3) look-alike targeting. An audience custom list will be derived from emails of Damages Class Members who have not yet opted out or filed a claim. The emails will be matched with Facebook and Instagram accounts and ads will be served across Facebook and Instagram to active matched accounts. Digital banner ads will also be served to Damages Class Members who visited the Settlement website but did not complete a claim submission (retargeting), as well as to individuals who demographically/geographically match with those Damages Class Members who have already filed online claims (look-alike targeting).



In addition to these efforts, the multichannel news release will be updated to include a claim deadline reminder message.

Based on the success of the initial media campaign, television and radio spots may be added and broadcast to key markets with high claims filing results. Additional print insertions may also be published.

The claims stimulation message will deliver a simple reminder of the approaching claims deadline.

PLAN DELIVERY

The media campaign alone is designed to reach 85% of Class Members.

The 85% reach will be further extended by:

1. the direct notice effort,
2. the supplemental industry media,
3. the additional efforts, including the third-party outreach effort, internet search campaign, the multichannel news release, and
4. the claims stimulation effort.

The proposed notice effort exceeds that of other court approved programs and meets the high-end of the reach standard set forth by the FJC.