

JANE DOE NO. 1, JANE ROE NO. 1, JANE ROE NO. 2, and JANE ROE NO. 3 Plaintiffs,	:	IN THE  CIRCUIT COURT
v.	:	FOR
THE JOHNS HOPKINS HOSPITAL, JOHNS HOPKINS COMMUNITY PHYSICIANS, and JOHNS HOPKINS HEALTH SYSTEM CORPORATION	:	BALTIMORE CITY  Case No.: 24-C-13-001041
Defendants.	:	

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**NOTICE OF PROPOSED SETTLEMENT**

*A state court directed this notice. This is not a solicitation from a lawyer.*

- A \$190 million dollar proposed Settlement has been reached that offers payments to the “LEVY Settlement Class,” consisting of all former patients of Dr. Nikita A. Levy (“Dr. Levy”) or all such persons’ personal representatives, heirs or assigns, wherever located, who have or may in the future have any claim against (1) Dr. Levy or the Estate of Nikita A. Levy, M.D. or (2) Johns Hopkins arising out of, based upon, related to, or involving injuries and damages claimed as a result of the Dr. Levy's photographing or videotaping activities or boundary violations while he was an actual or apparent agent, servant, or employee of Johns Hopkins.
- The total recovery for each Settlement Class Member will depend on how many of those Class Members submit a valid and timely claim, as well as the severity of each Class Member’s injuries. Each Settlement Class Member who files a valid and timely claim shall be considered to receive a portion of the \$190,000,00.00 after a Court approved deduction of attorneys’ fees and expenses, notice, fees and administration costs, and, if applicable, payment of any liens, including any Medicare/Medicaid liens.
- Plaintiffs alleged that Dr. Nikita Levy improperly photographed and/or videotaped his patients without consent or authorization, and stored those images electronically. The Plaintiffs also alleged that Dr. Levy engaged in doctor-patient boundary violations during the course of his patients’ treatment, including inappropriate physical contact. Plaintiffs also alleged that Johns Hopkins was negligent in its oversight of Dr. Levy and by permitting him to continue the practice of medicine at Johns Hopkins.
- The Court in charge of this case still has to decide whether to approve the Settlement. If it does, and after any appeals are finally resolved, payments will be made to those who have filed a valid claim and suffered compensable damages.

**Your legal rights are affected whether you act or don’t act. Please read this notice carefully.**

**YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:**

<p><b>REGISTER PROPERLY</b></p>	<p>You must register to be considered for payment from this Class Action Settlement.</p> <p><b>If you have NOT previously registered</b>, you may do so by visiting the Dr. Levy website at <a href="http://www.drlevyclassaction.com">www.drlevyclassaction.com</a>, and completing the Registration Form online at that site, or mailing the completed Registration Form attached to this Notice to the following address:</p> <p align="center">Dr. Levy Class Action Heffler Claims Group P.O. Box 58968 Philadelphia, PA 19102-8968</p> <p><b>You must register by November 14, 2014</b> in order to be considered for payment through the Class Action Settlement. Those who fail to register by this date by mail or through the Class Action website will <b>NOT</b> be eligible for compensation.</p> <p><b>If you have previously registered for this Class Action</b>, contact the Heffler Claims Group by phone at 1-855-731-7491, or by email at <a href="mailto:info@drlevyclassaction.com">info@drlevyclassaction.com</a>, to confirm that you are registered and that your information is current and accurate.</p>
<p><b>OBJECT</b></p>	<p>Write to the Court about why you do not like the Settlement on or before August 29, 2014. You must have registered as a member of the class in order to object. However, whether or not you object to the Settlement, you must register if you wish to be considered for compensation from this Settlement should the Settlement be approved.</p>
<p><b>GO TO A HEARING</b></p>	<p>Ask to speak in Court about the fairness of the Settlement if you have filed a timely objection to the proposed Settlement. <b>However, you do not need to come to the hearing or speak to be considered for possible compensation. You only need to register once properly to be considered for compensation.</b></p>
<p><b>DO NOTHING</b></p>	<p>Get no benefits from the Class Action Settlement. Give up any rights you have to sue Nikita Levy, M.D., the Estate of Nikita Levy, M.D., The Johns Hopkins Health System Corporation, The Johns Hopkins Hospital, Johns Hopkins Community Physicians, and any other Johns Hopkins affiliate described in Section 7 of this notice separately.</p>

- These rights and options—**and the deadlines to exercise them**—are explained in this notice.

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## BASIC INFORMATION

### 1. Why is there a notice?

A Court authorized this notice because you have a right to know about a proposed settlement of a class action lawsuit known as *Jane Doe No. 1, et al. v. The Johns Hopkins Hospital et. al.*, Case No.: 24-C-13-001041, and about all of your options before the Court decides whether to approve the Settlement. This notice explains the lawsuit, the Settlement, and your legal rights.

Judge Sylvester B. Cox, Jr. of the Circuit Court for Baltimore City is overseeing this case. The people who sued are called the “Plaintiffs.” The Johns Hopkins Hospital, Johns Hopkins Community Physicians, Inc., and Johns Hopkins Health System Corporation are the “Defendants.”

### 2. What is this litigation about?

The lawsuit alleges that Dr. Nikita Levy improperly photographed and/or videotaped his patients without consent or authorization, and stored those images electronically. The Plaintiffs also alleged that Dr. Levy engaged in doctor-patient boundary violations during the course of his patients’ treatment, including inappropriate physical contact. Plaintiffs also alleged that the Defendants were negligent in their oversight of Dr. Levy, and by continuing to permit him to continue the practice of medicine at Johns Hopkins.

### 3. Why is this a class action?

In a class action, one or more people called “Class Representatives” sue on behalf of themselves and other people with similar claims. Together, all the people with similar claims are members of a “Settlement Class.” This matter was pursued as a class action in an effort to efficiently resolve this litigation with respect to all victims of Nikita Levy, M.D.

### 4. Why is there a Settlement?

The Court has not decided in favor of the Plaintiffs or the Defendants. Instead, both sides have agreed to a proposed Settlement. By agreeing to the proposed Settlement, the parties avoid the costs and uncertainty of a trial, and if the Settlement is approved by the Court, Settlement Class Members who have timely registered will be considered for compensation. The Class Representatives and Class Counsel think the proposed Settlement is best for everyone who is affected.

## WHO IS PART OF THE SETTLEMENT

### 5. Who is included in the Settlement?

The Parties seek final approval of a Settlement Class that includes all former patients of Dr. Nikita A. Levy (“Dr. Levy”) or all such persons’ personal representatives, heirs or assigns, wherever located, who have or may in the future have any claim arising out of, based upon, related to, or involving injuries and damages claimed as a result of Dr. Levy's photographing or videotaping activities or boundary violations while he was an actual or apparent agent, servant, or employee of Johns Hopkins. To participate in this settlement, and potentially qualify for compensation, you must register properly.

### 6. What if I am not sure whether I am included in the Settlement?

If you are not sure whether you are in the Settlement Class, or if you have any other questions about the proposed Settlement, visit the Settlement website at [www.DrLevyClassAction.com](http://www.DrLevyClassAction.com). You also may contact Class Counsel. (See question 17 for contact information). Please do not call or write the Circuit Court for Baltimore City.

## THE SETTLEMENT BENEFITS

### 7. What does the Settlement provide?

The Johns Hopkins Hospital, Johns Hopkins Community Physicians, Inc., and Johns Hopkins Health System Corporation have agreed to pay \$190,000,000.00 (the “Class Action Settlement Amount”) to resolve the Settlement Class Members’ claims. In exchange for this payment, Settlement Class Members will not be permitted to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against The Johns Hopkins Hospital, Johns Hopkins Community Physicians, Johns Hopkins Health System Corporation, The Johns Hopkins University, their insurers and reinsurers, as well as any other entities or persons relating to Johns Hopkins, for the claims described in Section 2 of this notice relating to Dr. Levy.

The amount of Settlement funds paid out to each individual will depend on the number of valid and timely claims made by Settlement Class Members (See question 8 below), and the severity of damages suffered by each Class Member.

The Class Action Settlement Amount will be used to pay eligible Claimants as approved by the Court; the fund will also be used to pay attorneys’ fees, costs and expenses approved by the Court. The Class Action Settlement Amount is an all-in figure and reflects the total amount that Defendants will pay in this matter.

## 8. How much compensation will I receive?

Each Settlement Class Member who files a valid and timely claim as described herein shall be considered for possible compensation by an impartial third party arbitrator who will consider the facts of your claim. Your allocation will be paid from the Settlement Fund after a Court approves the allocation and deduction of attorneys' fees, notice and administration, and related fees and expenses and/or payment of any liens.

## 9. How do I register?

If you have not already registered, you must do so by November 14, 2014.

**If you have NOT previously registered**, you may do so by visiting the Dr. Levy website at [www.drlevyclassaction.com](http://www.drlevyclassaction.com), and completing the Registration Form online at that site, or mailing the completed Registration Form attached to this Notice to the following address:

Dr. Levy Class Action  
Heffler Claims Group  
P.O. Box 58968  
Philadelphia, PA 19102-8968

**You must register by November 14, 2014** in order to be considered for payment through the Class Action Settlement. Those who fail to register by mail or through the Class Action website will **NOT** be eligible for compensation.<sup>1</sup>

**If you have previously registered for this Class Action**, contact the Heffler Claims Group by phone at 1-855-731-7491, or by email at [info@drlevyclassaction.com](mailto:info@drlevyclassaction.com), to confirm that you are registered and that your information is current and accurate.

After you register, it is important to notify the Heffler Claims Group by phone or email of any change in your address or phone number.

**After you have registered, and if this settlement is approved by the Court, you may be required to submit additional information and documentation to support your claim.** You will be contacted to provide this information at a later date. You should also check the Dr. Levy website at [www.drlevyclassaction.com](http://www.drlevyclassaction.com) for any updates.

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<sup>1</sup> A portion of the settlement proceeds may be set aside for eligible claimants who fail to timely register due to exigent circumstances. The claims adjudicator will have the discretion to consider such claims, with any award subject to Court approval.

## THE LAWYERS REPRESENTING YOU

### 10. Do I have a lawyer in the case?

The Court has appointed a number of lawyers as “Class Counsel” to represent all members of the Settlement Class. They include:

**Jonathan Schochor, Esq.**

Schochor, Federico and Staton, P.A.,  
*Chairman of the Plaintiffs’ Steering Committee*

**Howard Janet, Esq.**

Janet, Jenner & Suggs, LLC  
*Vice-Chairman of the Plaintiffs’ Steering Committee*

Additional members of the Steering Committee include: **David E. Haynes, Esq.** of The Cochran Firm; **Gary A. Wais, Esq.** of the firm Wais, Vogelstein and Forman; **Andrew G. Slutkin, Esq.** of the firm of Silverman, Thompson, Slutkin and White; **Thomas C. Cardaro, Esq.** of the firm of Cardaro and Peek, LLC; **Stephen L. Snyder, Esq.** of the firm of Snyder and Snyder; and **A. Dwight Pettit, Esq.** of the firm of A. Dwight Pettit, P.A.

The court-approved fees for these lawyers will be paid out of the settlement fund (see question 11). You may hire another attorney at your own expense to object to the Settlement or for any other purpose related to this notice. You do not need to have an attorney to participate in this Settlement. You only need to properly register once to be eligible for possible compensation.

### 11. How will the lawyers be paid?

Class Counsel intend to request a legal fee of up to 35 percent of the Class Action Settlement Amount, plus reimbursement of reasonable, actual out-of-pocket expenses incurred in prosecuting the Class Action. The fees and expenses must be approved by the Court and will be paid out of the total settlement fund that the Defendants will pay under the Settlement Agreement. The Court will decide the amount of fees to be paid.

## OBJECTING TO THE SETTLEMENT

### 12. How do I tell the Court if I do not like the Settlement?

If you have properly registered and are a member of the Settlement Class, you can object to any part of the proposed Settlement, or the Settlement as a whole. To object, you must submit a letter or other written document that includes the following:

- 1) Your full name, address and telephone number. If you have or if you hire your own attorney, your attorney’s full name, address and telephone number;

- 2) A written statement of all grounds for your objection accompanied by any legal support for the objection (if any);
- 3) A statement of whether you intend to appear at the Final Fairness (Approval) Hearing;
- 4) Proof of membership in the Class; and
- 5) Your signature or that of your attorney (if you have one or if you hire one).

You must mail your objection to each of the following four (4) addresses, **and** your objection must be postmarked no later than **August 29, 2014**:

<p><b>CLERK OF THE COURT</b>  Circuit Court for Baltimore City  RE: <i>Levy</i> Class Action  Courthouse East  111 N. Calvert Street  Room 462  Baltimore, Maryland 21202</p>	<p><b>CLASS COUNSEL</b>  Jonathan Schochor, Esquire  Schochor, Federico &amp; Staton, P.A.  Chairman, Plaintiffs Steering  Committee  RE: <i>Levy</i> Class Action  1211 St. Paul Street  Baltimore, MD 21212</p>	<p><b>DEFENDANTS' COUNSEL</b>  Donald L. DeVries, Jr., Esq.  Goodell, DeVries, Leech &amp; Dann  LLP  One South Street  20th Floor  Baltimore, MD 21202</p> <p>and</p> <p>Laurence Z. Shiekman, Esq.  Pepper Hamilton LLP  3000 Two Logan Square  18<sup>th</sup> &amp; Arch Streets  Philadelphia, PA 19103</p>
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## **THE FINAL FAIRNESS (APPROVAL) HEARING**

The Court will hold a hearing to decide whether to approve the proposed Settlement and any requests for fees and expenses (“Final Fairness Hearing”).

**13. When and where will the Court decide whether to approve the proposed Settlement?**

The Court has scheduled a Final Fairness Hearing on September 19, 2014 at 3:00 pm, at the Circuit Court for Baltimore City, 111 N. Calvert Street, Baltimore, Maryland 21202. The hearing may be moved to a different date or time without additional notice. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider the requests by Class Counsel for attorneys’ fees, costs and expenses, and for any Enhancement Awards to the Class Representatives. If there are objections, the Court will also consider them at that time. At or after the hearing, the Court will decide whether to approve the Settlement, fees and expenses.



#### 14. Do I have to attend the hearing?

No. Class Counsel will answer any questions the Court may have. If you send an objection, you do not have to come to Court to talk about it. As long as you submitted your written objection on time, to the proper addresses, and it complies with the other requirements set forth above, the Court will consider it.

#### 15. May I speak at the hearing?

If you have properly objected, you may ask the Court for permission to speak at the Final Fairness Hearing. To do so, your filed objection must include a statement of whether you intend to appear at the Final Fairness Hearing.

**HOWEVER, YOU DON'T NEED TO COME TO THE HEARING OR SPEAK TO BE CONSIDERED FOR POSSIBLE COMPENSATION AS A CLASS MEMBER. YOU ONLY NEED TO REGISTER PROPERLY ONCE TO BE CONSIDERED FOR COMPENSATION AS A CLASS MEMBER.**

### IF YOU DO NOT REGISTER

#### 16. What happens if I do not register?

If you **do not** register on or before November 14, 2014, and this proposed Settlement is approved by the Court, you will be bound by the Judgment entered by the Court and you may not receive any benefits whatsoever from the Settlement. This also means that you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit or proceeding against any of the Johns Hopkins entities described in Section 7 of this notice.

As referenced above, if this proposed Settlement is approved, you may be required to submit additional information and documentation to support your claim. You will be contacted to provide this information at a later date. **It is important that you keep your registration information current, by reporting any changes in your address or telephone number to the Heffler Claims Group at the contact information listed on page 6.** Failure to provide that information may also prevent you from being considered for compensation from this Settlement.

## GETTING MORE INFORMATION

### 17. How do I get more information?

This Notice summarizes the proposed Settlement, and is also available at the website [www.drlevyclassaction.com](http://www.drlevyclassaction.com). If you are a member of the Settlement Class and have any questions about the terms of the Settlement Agreement or would like to review the Settlement Agreement or any other documents related to this notice, you may

1. Write or call the Class Action Administrator:

Dr. Levy Class Action  
Heffler Claims Group  
P.O. Box 58968  
Philadelphia, PA 19102-8968  
(855) 731-7491

2. Contact Class Counsel through the Class Action website at [www.drlevyclassaction.com](http://www.drlevyclassaction.com).

3. Write or call Class Counsel:

Jonathan Schochor, Esquire  
Schochor, Federico & Staton, P.A.  
Chairman, Plaintiffs Steering Committee  
RE: *Levy* Class Action  
1211 St. Paul Street  
Baltimore, MD 21212  
(410) 234-1000  
(888) 234-0001

4. Request copies in person at the Clerk's Office at the Circuit Court for Baltimore City:

Circuit Court for Baltimore City  
Courthouse East  
111 North Calvert Street  
Room 462  
Baltimore, Maryland 21202

**Do not call the Circuit Court for Baltimore City or the Johns Hopkins Hospital or its Counsel.**

Registration Number: \_\_\_\_\_

**IF A REGISTRATION NUMBER IS PRINTED ABOVE, THE CLAIMS ADMINISTRATOR HAS RECEIVED YOUR REGISTRATION FORM AND THERE IS NO NEED TO CONTACT THE CLAIMS ADMINISTRATOR UNLESS YOU HAVE A CHANGE OF ADDRESS.**

# LEVY CLASS ACTION REGISTRATION FORM

\_\_\_\_\_  
First Name

\_\_\_\_\_  
Middle Initial

\_\_\_\_\_  
Last Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

Telephone: \_\_\_\_\_

Home

Cell

Work

\_\_\_\_\_  
Email

Date of Birth: \_\_\_ / \_\_\_ / \_\_\_  
MM DD YY

When were you a patient of Dr. Levy? \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

You should complete the "Registration Form" and send it to:

Dr. Levy Class Action  
Heffler Claims Group  
P.O. Box 58968  
Philadelphia, PA 19102-8968

Registration Number: \_\_\_\_\_

Dr. Levy Class Action  
Heffler Claims Group  
P.O. Box 58968  
Philadelphia, PA 19102-8968