

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE SHIELDS HEALTH CARE GROUP,
INC. DATA BREACH LITIGATION

CASE NO. 1:22-cv-10901-PBS

Hon. Patti B. Saris

**DEFENDANT SHIELDS HEALTH CARE GROUP, INC.’S
REQUEST FOR DISTRIBUTION OF REMAINDER FUNDS**

Defendant, Shields Health Care Group, Inc. (“Shields”), moves the Court for an order that 10.5% of any residual funds from this matter’s class-wide settlement, which the Court granted final approval to on December 17, 2025, be provided to the Consumer Federation of America, with the remaining 89.5% distributed pursuant to the order of the Massachusetts Superior Court, Norfolk County, in this matter’s parallel consolidated state court litigation arising out of the same data security incident, titled *Kossifos v. Shields Health Care Group, Inc.*, Case No. 2282-cv-00561, (the “State Court Action”). In further support of this request, Shields states as follows:

1. This matter arises out of a data security incident suffered by Shields in March 2022. On or about May 15, 2025, Plaintiffs filed a motion for preliminary approval of a class-wide settlement of this matter, which would provide benefits to individuals whose personal information was potentially impacted in the data incident. (ECF 156-158).

2. The settlement was reached in both this and the State Court Action. This matter concerns the approximately 249,886 individuals residing outside of Massachusetts of the approximately 2,382,578 individuals determined to have been potentially impacted in the incident, or approximately 10.5%. The State Court Action concerns approximately 2,132,692 individuals residing in Massachusetts of that total impacted group, or approximately 89.5%.

3. The parties' settlement agreement states that any residual funds from the settlement be provided to the Massachusetts Attorney General's Local Consumer Aid Fund ("LCAF").

4. On September 9, 2025, the Court granted preliminary approval to the settlement. (ECF 165).

5. On December 12, 2025, the Massachusetts IOLTA Committee filed an objection in the State Court Action to the LCAF as residual fund recipient, pursuant to Massachusetts Rule of Civil Procedure 23, a courtesy copy of which was filed in this action. (ECF 176).

6. On December 16, 2025, Shields filed its response to the IOLTA Committee's objection in the State Court Action.

7. On December 16, 2025, the Court held a final approval hearing at the Norfolk Superior Court, sitting in session with Judge Rosemary Connolly of the Massachusetts Superior Court, who is presiding over the State Court Action.

8. At the hearing, this Court requested that a portion of any residual funds be distributed to an entity applicable to the non-Massachusetts portion of the settlement class, proportionally to its size.

9. Also at the hearing, Shields and the IOLTA Committee also presented argument as to whether the LCAF is an appropriate residual fund recipient.

10. The Court ordered the parties to submit a revised order as to distribution of any residual funds by January 14, 2026.

11. On December 16, 2025, the Court entered final approval and judgment of the settlement, which did not include an order regarding distribution of any residual funds from the settlement, as such was to be re-submitted and ruled upon separately. (ECF 182).

12. On January 14, 2026, the parties jointly requested until January 28, 2026 to file that revised order, which the Court granted (ECF 181-182).

13. After consultation between the parties, they agreed that the Consumer Federation of America is generally an appropriate recipient of residual funds. Accordingly, Shields requests that 10.5% of any residual funds be distributed to the Consumer Federation of America, commensurate with 10.5% of the total settlement class comprised of non-Massachusetts residents.

14. Shields has filed contemporaneously with this motion a similar motion in the State Court Action requesting distribution of 89.5% of any residual funds to the LCAF, which also addresses the IOLTA Committee's arguments.

15. Shields now requests the Court order 10.5% of any residual funds be distributed to the Consumer Federation of America, which is an association of non-profit consumer organizations that seeks to advance consumer interests nationally.¹

III. CONCLUSION

For the reasons stated above, Defendant Shields Health Care Group, Inc., requests that the Court issue an order that 10.5% of any residual funds from this matter's class-wide settlement be distributed to the Consumer Federation of America.

A proposed order is attached hereto.

¹ <https://consumerfed.org/overview/>

Dated: January 28, 2026

Respectfully submitted,

/s/ Jordan S. O'Donnell

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CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2026, a copy of this motion was filed electronically and served on all counsel of record through the electronic filing system and email.

/s/ Jordan S. O'Donnell

Jordan S. O'Donnell