

MedQuist - Frequently Asked Questions Regarding Settlement

Q. Why did I receive a packet of information about a settlement in a lawsuit?

A. You or someone in your family may have been a medical transcriptionist who transcribed for MedQuist from November 29, 1998 to August 11, 2008 and was paid on a line-based unit of measure. The United States District Court, District of New Jersey, sent the packet to you because you have a right to know about a proposed settlement of a class action lawsuit, and about all of your options, before the court decides whether to approve the settlement. This packet explains the lawsuit, the settlement, and your legal rights.

Q. Does this mean that MedQuist lost the lawsuit?

A. No. The court did not decide in favor of either party. Instead, both sides agreed to a settlement to avoid the costs and uncertainty of contested motions and a trial. The settlement is not an admission or concession of wrongdoing or liability by MedQuist. To the contrary, MedQuist denies that it engaged in any wrongful conduct or breached any contractual obligations, and firmly believes that the evidence developed in the case support its position.

Q. Why did the plaintiffs in the case decide to come to a settlement with MedQuist according to the court?

A. The plaintiffs in this case (the people who brought the suit) and their attorneys believe the settlement is the best result they could achieve for all the settlement class members, taking into account the costs, risks and uncertainty of proceeding with motions and a trial, including the possibility of no recovery.

Q. What does the settlement consist of?

A. Under the terms of the settlement, MedQuist has agreed to undertake certain steps to promote transparency in MT pay, including agreeing to implement and disseminate a written policy disclosing the payroll line definitions used by MedQuist to compensate MTs, to post payroll line definitions on MedQuist's website, and to give written notice of any changes in the payroll line definition. MedQuist has also agreed to pay \$1.5 million in cash. This money will be used to reimburse the actual and reasonable out-of-pocket expenses incurred by plaintiffs' counsel in prosecuting this case as approved by the court and the costs of administering the settlement. The balance of the monies, and in no event less than \$1 million, will be paid to the Association for Healthcare Documentation Integrity (AHDl) to fund programs for the general benefit of medical transcriptionists and the medical transcription industry. Qualifying class members will be eligible to participate in certain AHDl programs for free. Plaintiffs' counsel have not been paid for any of the legal services they have rendered and will not receive any attorneys' fees or other payment for their legal services under the settlement. The full terms of the settlement are available through the MedQuist Settlement Administrator at www.transcriptionistsettlement.com.

Q. What if I am not sure if I am a member of the class action, or if I want more information?

A. Contact the MedQuist Settlement Administrator at:

P.O. Box 1949
Faribault, MN 55021-6092
www.transcriptionistsettlement.com
1-800-657-1162

Q. What are my options concerning this settlement?

A. Your options are explained in the Notice of Pendency and Proposed Settlement of Class Action. If you have any questions regarding your options, you should contact the Settlement Administrator by telephone at 1-800-657-1162 or on the internet at www.transcriptionistsettlement.com.

Q. What's the difference between objecting to the settlement and excluding myself from the settlement?

A. Questions regarding your options in connection with the settlement are addressed in the Notice of Pendency and Proposed Settlement of Class Action. If you have any questions regarding your options, you should contact the Settlement Administrator by telephone at 1-800-657-1162 or on the internet at www.transcriptionistsettlement.com.

Q. Do I have to come to the hearing?

A. No, you are not required to attend any court proceedings, but you are welcome to come to the fairness hearing at your own expense. If you wish to speak at the hearing, you may ask the court for permission by sending the court a letter saying that it is your intention to appear so that it is received by them no later than February 12, 2009. If you have any questions regarding this process, you should contact the Settlement Administrator by telephone at 1-800-657-1162 or on the internet at www.transcriptionistsettlement.com.

Q. What happens if I do nothing at all?

A. If you do nothing at all, you will be bound by the terms of the settlement if it is approved by the court and becomes final. Further questions regarding your options in connection with the settlement are addressed in the Notice of Pendency and Proposed Settlement of Class Action. If you have any questions regarding your options, you should contact the Settlement Administrator by telephone at 1-800-657-1162 or on the internet at www.transcriptionistsettlement.com.

Q. When will this settlement be approved by the court?

A. The court will hold a fairness hearing on March 26, 2009. At this hearing the court will consider whether the settlement is fair, reasonable and adequate. If there are objections, the court will consider them, and will listen to anyone who receives permission to speak at the hearing. The court may decide the issues presented at the hearing or take them under consideration. We do not know how long these decisions will take.

Q. How does this settlement benefit me?

A. The benefits of the settlement are detailed in the notice you received and include the opportunity to participate in certain free programs offered by AHDl to qualifying class members through December 31, 2009. Program options include a choice of one of the following: free one-year individual AHDl membership, or free one-year subscription to AHDl's web-based knowledge base and information portal, or free registration for up to five (5) online AHDl educational webinars, or free registration for credentialing prep course and one (1) online specialty course, or free AHDl educational CD bundle.

Q. How do I enroll in one of the AHDl options?

A. Participation in these AHDl programs will not be available unless and until the proposed settlement is approved by the Court. After the settlement is approved and becomes final, qualifying class members will be able to enroll by going to the AHDl website at www.ahdionline.org or by contacting Member Services toll free at 800-982-2182. There will be a special page on the website for settlement class members who want to enroll in one of the AHDl program offerings. Certain limits do apply to participation in these programs. Please note that the program offerings will not be available until after the settlement is finalized.

Q. When will these benefits be available?

A. The AHDl options will be available after the settlement is finalized. This is expected to occur in mid 2009.

Q. Why don't I get any cash as a result of this settlement?

A. Settlement class members will not receive any individual cash distributions from the settlement. The plaintiffs and their attorneys believe the settlement is the best result they could achieve for all the settlement class members, taking into account the costs, risks and uncertainty of proceeding with motions and a trial, including the possibility of no recovery.

Q. How can I be sure that I am being paid correctly?

A. As part of the settlement, MedQuist has agreed to implement and disseminate a formal written policy disclosing the payroll line definitions used by MedQuist. This policy will be made available to MedQuist employees, candidates for employment, and on our public website. If you have any questions regarding whether you are being paid correctly, please contact your supervisor.

Q. Do I have a lawyer representing me in this case? Do I have to pay a lawyer?

A. The Court approved several law firms to represent you and the other settlement class members. The names of all these law firms are all listed in the document sent to you by the court. You will not be charged for the services of these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.