

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
KENTUCKY, LOUISVILLE DIVISION

In re OnePoint Patient Care, LLC Data Breach Litigation

No. 3:24-cv-00649-RGJ (W.D. Ky. May 28, 2026) · No. 3:24-cv-00649-RGJ · Decided May 29, 2026

SUMMARY

The United States District Court for the Western District of Kentucky preliminarily approved a proposed class action settlement arising from a data breach involving OnePoint Patient Care, LLC. The court certified a settlement class for settlement purposes, appointed class representatives and counsel, approved the notice program, and scheduled a final approval hearing. The settlement provides for a \$2,115,000 non-reversionary common fund and releases claims relating to the data incident.

CASE DETAILS

COURT	United States District Court for the Western District of Kentucky, Louisville Division
WRITING FOR THE COURT	Rebecca Grady Jennings
JURISDICTION	United States District Court for the Western District of Kentucky, Louisville Division
DECIDED	May 29, 2026
DOCKET	3:24-cv-00649-RGJ
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs sought preliminary approval of a class action settlement and preliminary certification of a settlement class under Federal Rule of Civil Procedure 23. After ordering two rounds of supplemental briefing, the court granted the motion and supplements, approved the proposed notice program, preliminarily certified the class for settlement purposes only, stayed other proceedings, and scheduled a final approval hearing.
STANDARD OF REVIEW	At the preliminary-approval stage under Federal Rule of Civil Procedure 23(e), the parties must provide information sufficient for the court to determine whether notice should issue and must show that the court will likely be able to approve the settlement as fair, reasonable, and adequate and certify the class for purposes of judgment on the proposal.

PRECEDENTIAL VALUE	unpublished district court opinion; limited persuasive value
PARTIES	Christopher Russo, Shannon Cobb, proposed Settlement Class Members v. OnePoint Patient Care, LLC

TOPICS

class actions civil procedure negligence breach of contract consumer protection

PRACTICE AREAS

class action settlement data breach litigation privacy and cybersecurity negligence contract law
consumer protection

QUESTIONS PRESENTED

1. Whether the proposed data-breach class action settlement should receive preliminary approval under Federal Rule of Civil Procedure 23(e).
2. Whether the proposed settlement class was likely to satisfy Rule 23(a) and Rule 23(b)(3), including the commonality and predominance requirements.
3. Whether the proposed notice program satisfied Rule 23(c)(2)(B) and Rule 23(e).
4. Whether Kentucky law should govern the plaintiffs' tort- and contract-based claims at the preliminary-approval stage.
5. Whether the proposed settlement was sufficiently fair, reasonable, and adequate to permit notice and continued settlement proceedings.

HOLDINGS

1. Preliminary approval was warranted because the parties showed that the court would likely be able to approve the settlement as fair, reasonable, and adequate and certify the settlement class for purposes of judgment.
2. For settlement purposes, the proposed class was likely to satisfy Rule 23(a)'s commonality requirement and Rule 23(b)(3)'s predominance requirement because material elements of each pleaded cause of action could be resolved through common answers.
3. The court would apply Kentucky law to the plaintiffs' tort- and contract-based claims at the preliminary-approval stage.
4. The proposed notice program was approved because notice was justified and satisfied the applicable Rule 23 requirements.

KEY QUOTATIONS

“class action settlement approval involves a three-step process” (Section III)

“Upon preliminary review, the Court finds that it will likely be able to approve the proposed Settlement as fair, reasonable, and adequate.” (Conclusion ¶ 3)

FACTUAL BACKGROUND

OnePoint, a Kentucky-based pharmacy and pharmacy benefits manager, collected and stored patients' and employees' personally identifiable information and protected health information. OnePoint detected suspicious activity in its systems on or about August 8, 2024, and later notified individuals that their private information may have been accessed. The proposed settlement would establish a \$2,115,000 non-reversionary common fund for approximately 528,452 potential class members, with documented-loss and alternate-cash payment options and a release of claims arising from the data incident.

PROCEDURAL HISTORY

Russo filed the initial data-breach class action on November 8, 2024. The court consolidated it with the materially identical Howey action, after which the parties conducted informal discovery, mediated, and reached a settlement. Plaintiffs filed a motion for preliminary approval, supplemented it twice at the court's direction, and the court granted preliminary approval while reserving final certification and settlement approval for a later hearing.

DISPOSITION

other

CASES CITED

- *Speerly v. Gen. Motors, LLC*, 143 F.4th 306 (6th Cir. 2025)
- *Wayside Church v. Van Buren Cnty., Michigan*, 103 F.4th 1215, 1222 (6th Cir. 2024)
- *Garner Props. & Mgmt., LLC v. City of Inkster*, 333 F.R.D. 614, 620 (E.D. Mich. 2020)
- *Thacker v. Chesapeake Appalachia, LLC*, 259 F.R.D. 262, 270 (E.D. Ky. 2009)
- *Tenn. Ass’n of Health Maint. Orgs., Inc. v. Grier*, 262 F.3d 559, 565–66 (6th Cir. 2001)
- *Strano v. Kiplinger Washington Eds., Inc.*, 649 F. Supp. 3d 546, 553 (E.D. Mich. 2023)
- *Adam v. J.B. Hunt Transp.*, 130 F.3d 219, 231 (6th Cir. 1997)
- *Harris Corp. v. ComAir, Inc.*, 712 F.2d 1069, 1071 (6th Cir. 1983)
- *Saleba v. Schrand*, 300 S.W.3d 177, 181 (Ky. 2009)
- *Stiens v. Bausch & Lomb, Inc.*, 626 S.W.3d 191, 200 (Ky. Ct. App. 2020)
- *Lee v. Farmer’s Rural Elec. Co-op. Corp.*, 245 S.W.3d 209, 211–12 (Ky. App. 2007)
- *Wells v. Kone, Inc.*, No. 5:19-cv-340-JMH, 2019 WL 5865926 (E.D. Ky. Nov. 8, 2019)
- *Estate of Moloney v. Becker*, 398 S.W.3d 459 (Ky. App. 2013)
- *Normandy Farm, LLC v. Kenneth McPeck Racing Stable, Inc.*, 701 S.W.3d 129, 136 (Ky. 2024)
- *Jones v. Sparks*, 297 S.W.3d 73, 78 (Ky. Ct. App. 2009)

- Miles Farm Supply, LLC v. Helena Chem. Co., No. 4:06-CV-23-R, 2008 WL 3010064 at *12 (W.D. Ky. Aug. 1, 2008)
- Westlake Vinyls, Inc. v. Goodrich Corp., 518 F. Supp. 2d 902, 916 (W.D. Ky. 2007)
- NRA of Am. v. Magaw, 132 F.3d 272, 279 (6th Cir. 1997)

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