

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 9:25-CV-80526-DMM

GOOD SAMARITAN MEDICAL
CENTER, INC., et al.,

Plaintiffs,

v.

THE LEAPFROG GROUP,

Defendant.

**DECLARATION OF MARY BETH MALONEY IN SUPPORT OF
THE COMMUNITY HOSPITALS' RESPONSE TO DEFENDANT'S ADDITIONAL
FACTS IN RESPONSE TO PLAINTIFFS' STATEMENT OF MATERIAL FACTS**

I, Mary Beth Maloney, declare and state as follows:

1. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP. I am an attorney and admitted to practice law in the State of New York. I have been granted permission by the Court to participate *pro hac vice* in this case. Dkt. 14. I represent the Community Hospitals in this matter and submit this declaration in support of The Community Hospitals' Response to Defendant's Additional Facts in Response to Plaintiffs' Statement of Material Facts (the "Reply Statement of Material Facts") filed contemporaneously herewith.

2. I am over the age of eighteen and make this declaration from personal knowledge based on the information and documents referenced in this declaration.

3. Below I address the various exhibits identified in the Reply Statement of Material Facts, all of which are documents produced in this action by The Leapfrog Group (Bates stamp beginning with "LEAPFROG").

4. The documents are excerpts of website analytics data from The Leapfrog Group's Google Analytics account for hospitalsafetygrade.org, as of August 5, 2025 as produced by Leapfrog.

5. Attached as **Exhibit 1** is a true and correct copy of the Google Analytics data for the Hospital Safety Grade website page for Delray Medical Center, showing the number of users that viewed Delray's Grade website page (<https://www.hospitalsafetygrade.org/h/delray-medical-center>) and the number of users that viewed Delray's "Detailed table view" website page (<https://www.hospitalsafetygrade.org/table-details/delray-medical-center>), for the period November 15, 2024 through August 4, 2025, bearing the Bates stamp LEAPFROG02864707.

6. Attached as **Exhibit 2** is a true and correct copy of the Google Analytics data for the Hospital Safety Grade website page for Delray Medical Center, showing the number of users that viewed Delray's Grade website page (<https://www.hospitalsafetygrade.org/h/delray-medical-center>) and the number of users that downloaded a copy of Leapfrog's Scoring Methodology through the link on Delray's "Detailed table view" website page, for the period November 15, 2024 through August 4, 2025, bearing the Bates stamp LEAPFROG02864708.

7. Attached as **Exhibit 3** is a true and correct copy of the Google Analytics data for the Hospital Safety Grade website page for Good Samaritan Medical Center, showing the number of users that viewed Good Samaritan's Grade website page (<https://www.hospitalsafetygrade.org/h/good-samaritan-medical-center>) and the number of users that viewed Good Samaritan's "Detailed table view" website page (<https://www.hospitalsafetygrade.org/table-details/good-samaritan-medical-center>), for the period November 15, 2024 through August 4, 2025, bearing the Bates stamp LEAPFROG02864711.

8. Attached as **Exhibit 4** is a true and correct copy of the Google Analytics data for the Hospital Safety Grade website page for Good Samaritan Medical Center, showing the number of users that viewed Good Samaritan's Grade website page (<https://www.hospitalsafetygrade.org/h/good-samaritan-medical-center>) and the number of users that downloaded a copy of Leapfrog's Scoring Methodology through the link on Good Samaritan's "Detailed table view" website page, for the period November 15, 2024 through August 4, 2025, bearing the Bates stamp LEAPFROG02864710.

9. Attached as **Exhibit 5** is a true and correct copy of the Google Analytics data for the Hospital Safety Grade website page for Palm Beach Gardens Medical Center, showing the number of users that viewed Palm Beach Garden's Grade website page (<https://www.hospitalsafetygrade.org/h/palm-beach-gardens-medical-center>) and the number of users that viewed Palm Beach Garden's "Detailed table view" website page

(<https://www.hospitalsafetygrade.org/table-details/palm-beach-gardens-medical-center>), for the period November 15, 2024 through August 4, 2025, bearing the Bates stamp LEAPFROG02864714.

10. Attached as **Exhibit 6** is a true and correct copy of the Google Analytics data for the Hospital Safety Grade website page for Palm Beach Gardens Medical Center, showing the number of users that viewed Palm Beach Garden's Grade website page (<https://www.hospitalsafetygrade.org/h/palm-beach-gardens-medical-center>) and the number of users that downloaded a copy of Leapfrog's Scoring Methodology through the link on Palm Beach Garden's "Detailed table view" website page, for the period November 15, 2024 through August 4, 2025, bearing the Bates stamp LEAPFROG02864713.

11. Attached as **Exhibit 7** is a true and correct copy of the Google Analytics data for the Hospital Safety Grade website page for St. Mary's Medical Center, showing the number of users that viewed St. Mary's Grade website page (<https://www.hospitalsafetygrade.org/h/st-marys-medical-center-west-palm-beach-fl>) and the number of users that viewed St. Mary's "Detailed table view" website page (<https://www.hospitalsafetygrade.org/table-details/st-marys-medical-center-west-palm-beach-fl>), for the period November 15, 2024 through August 4, 2025, bearing the Bates stamp LEAPFROG02864716.

12. Attached as **Exhibit 8** is a true and correct copy of the Google Analytics data for the Hospital Safety Grade website page for St. Mary's Medical Center, showing the number of users that viewed St. Mary's Grade website page (<https://www.hospitalsafetygrade.org/h/st-marys-medical-center-west-palm-beach-fl>) and the number of users that downloaded a copy of Leapfrog's Scoring Methodology through the link on St. Mary's "Detailed table view" website page, for the period November 15, 2024 through August 4, 2025, bearing the Bates stamp LEAPFROG02864718.

13. Attached as **Exhibit 9** is a true and correct copy of the Google Analytics data for the Hospital Safety Grade website page for West Boca Medical Center, showing the number of users that viewed West Boca's Grade website page (<https://www.hospitalsafetygrade.org/h/west-boca-medical-center>) and the number of users that viewed West Boca's "Detailed table view" website page (<https://www.hospitalsafetygrade.org/table-details/west-boca-medical-center>), for the period November 15, 2024 through August 4, 2025, bearing the Bates stamp LEAPFROG02864721.

14. Attached as **Exhibit 10** is a true and correct copy of the Google Analytics data for the Hospital Safety Grade website page for West Boca Medical Center, showing the number of users that viewed West Boca's Grade website page (<https://www.hospitalsafetygrade.org/h/west-boca-medical-center>) and the number of users that downloaded a copy of Leapfrog's Scoring Methodology through the link on West Boca's "Detailed table view" website page, for the period November 15, 2024 through August 4, 2025, bearing the Bates stamp LEAPFROG02864720.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 19, 2025, in New York, New York.



Mary Beth Maloney

EXHIBIT 1

Date
Nov 15, 2024 - Aug 4, 2025

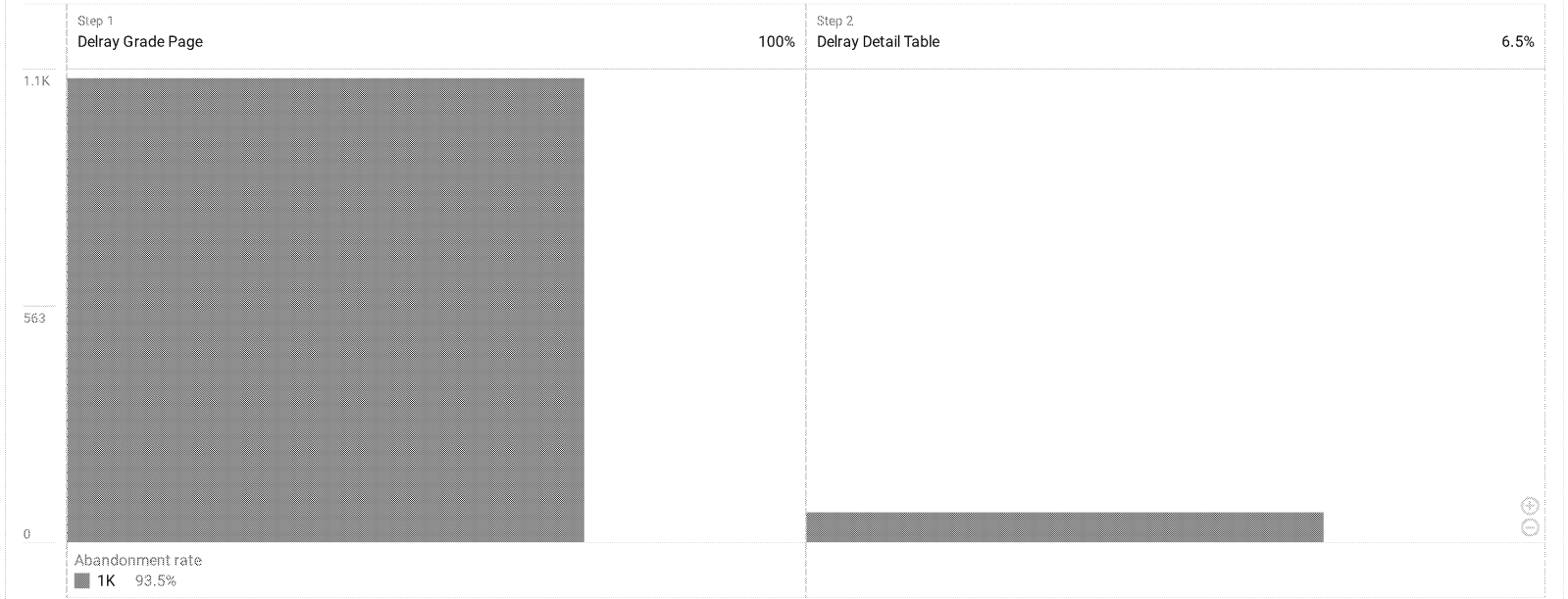
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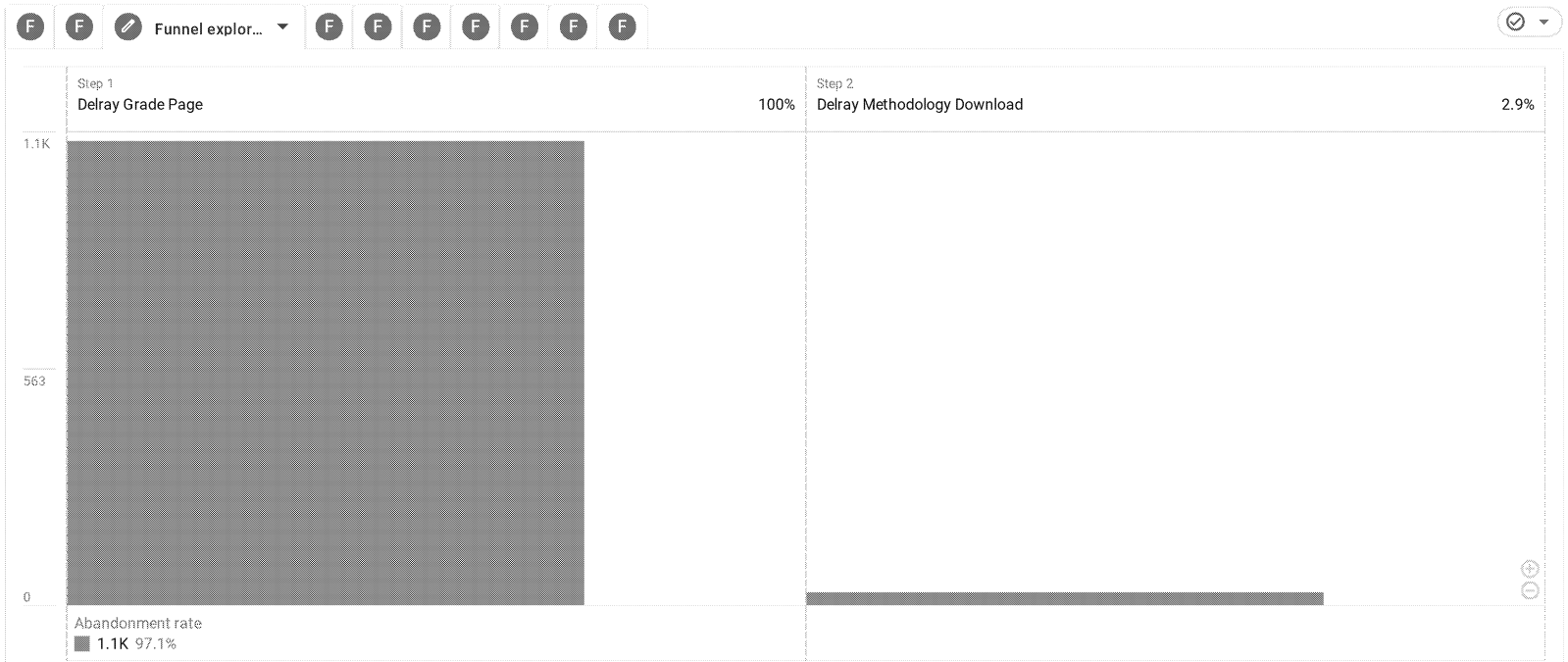
 



Step	Active users (% of Step 1)	Completion rate	Abandonments	Abandonment rate
1. Delray Grade Page	1,103 (100%)	6.53%	1,031	93.47%
2. Delray Detail Table	72 (6.53%)	-	-	-

EXHIBIT 2

Date
Nov 15, 2024 - Aug 4, 2025



Step	Active users (% of Step 1)	Completion rate	Abandonments	Abandonment rate
1. Delray Grade Page	1,103 (100%)	2.9%	1,071	97.1%
2. Delray Methodology Download	32 (2.9%)	-	-	-

EXHIBIT 3

Date
Nov 15, 2024 - Aug 4, 2025

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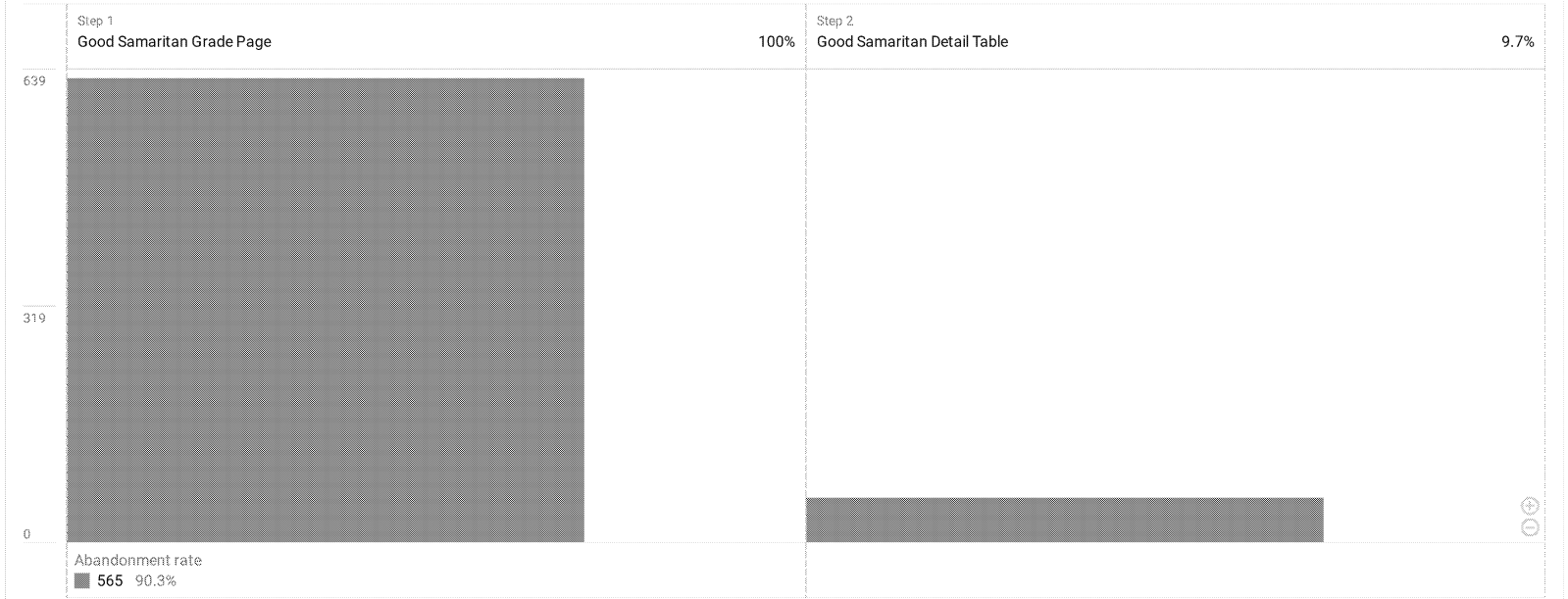
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Step	Active users (% of Step 1)	Completion rate	Abandonments	Abandonment rate
1. Good Samaritan Grade Page	626 (100%)	9.74%	565	90.26%
2. Good Samaritan Detail Table	61 (9.74%)	-	-	-

EXHIBIT 4

Date
Nov 15, 2024 - Aug 4, 2025

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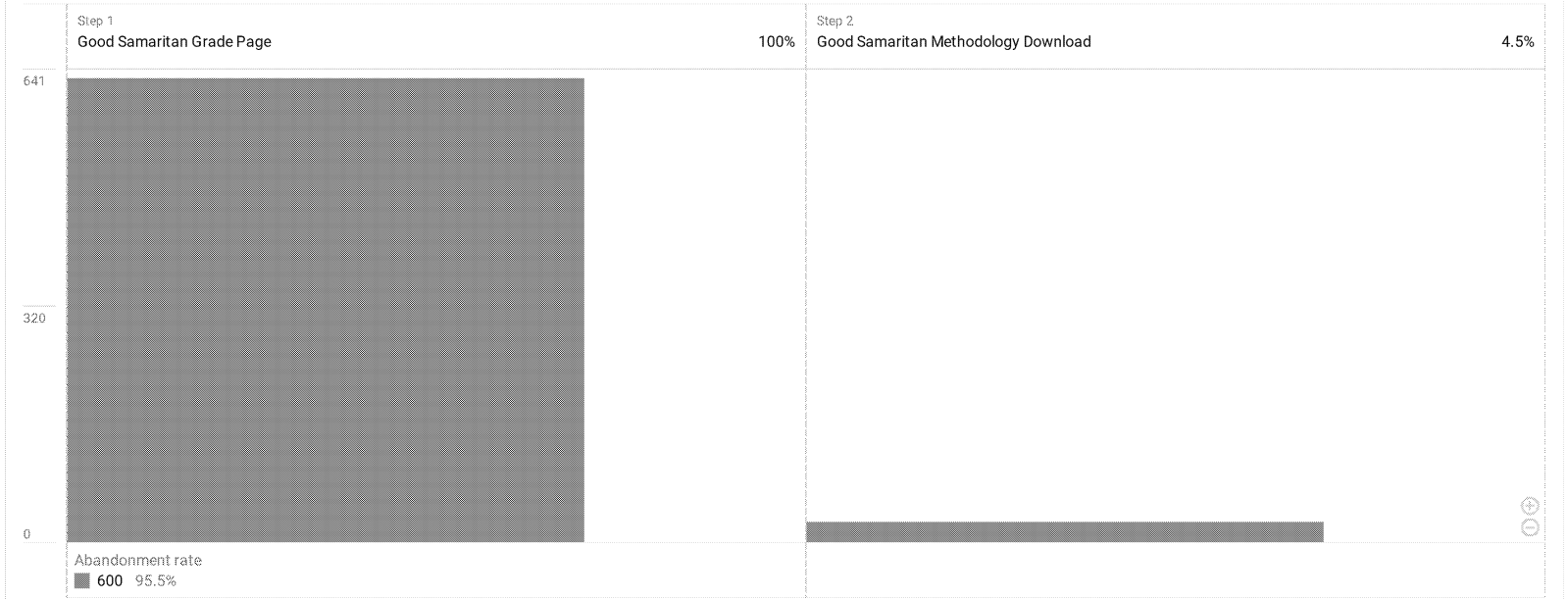
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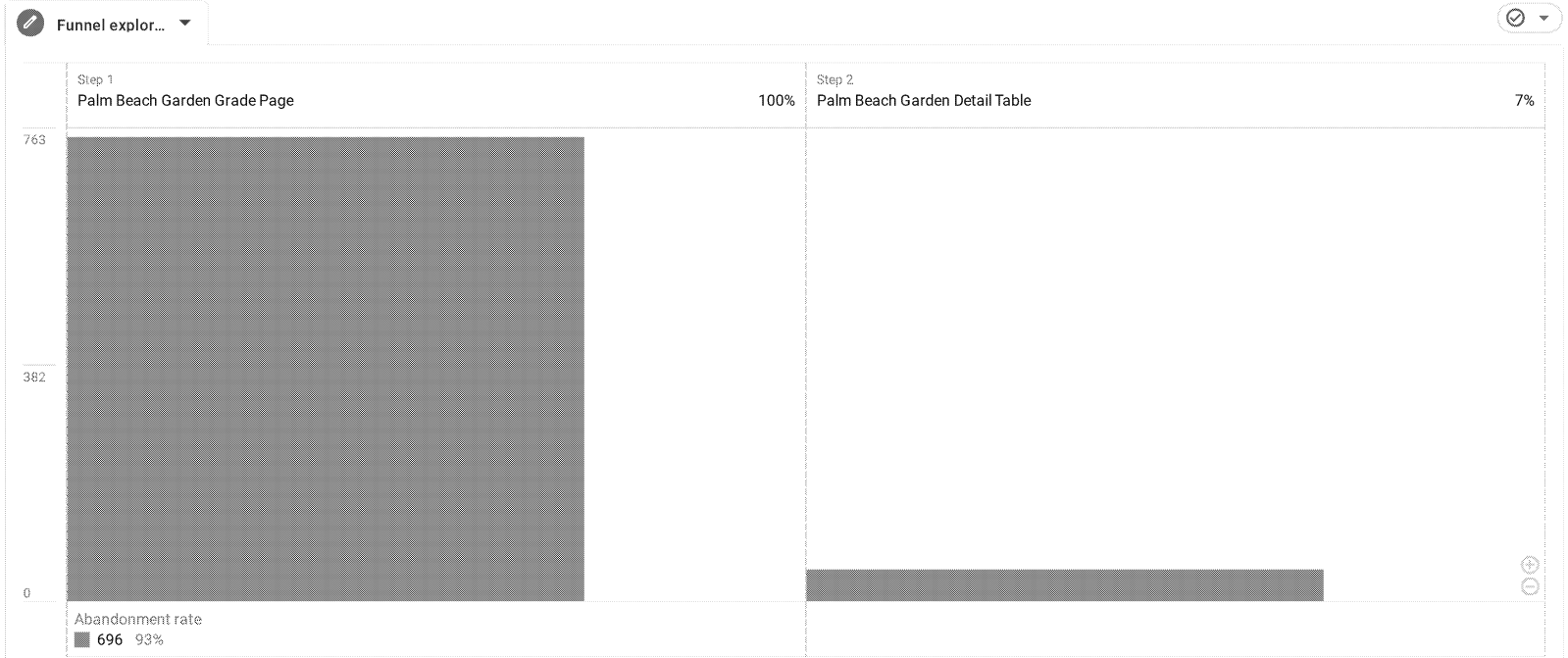
 



Step	Active users (% of Step 1)	Completion rate	Abandonments	Abandonment rate
1. Good Samaritan Grade Page	628 (100%)	4.46%	600	95.54%
2. Good Samaritan Methodology Download	28 (4.46%)	-	-	-

EXHIBIT 5

Date
Nov 15, 2024 - Aug 4, 2025



Step	Active users (% of Step 1)	Completion rate	Abandonments	Abandonment rate
1. Palm Beach Garden Grade Page	748 (100%)	6.95%	696	93.05%
2. Palm Beach Garden Detail Table	52 (6.95%)	-	-	-

EXHIBIT 6

Date
Nov 15, 2024 - Aug 4, 2025



Step	Active users (% of Step 1)	Completion rate	Abandonments	Abandonment rate
1. Palm Beach Garden Grade Page	750 (100%)	3.47%	724	96.53%
2. Palm Beach Garden Methodology Download	26 (3.47%)	-	-	-

EXHIBIT 7

Date
Nov 15, 2024 - Aug 4, 2025

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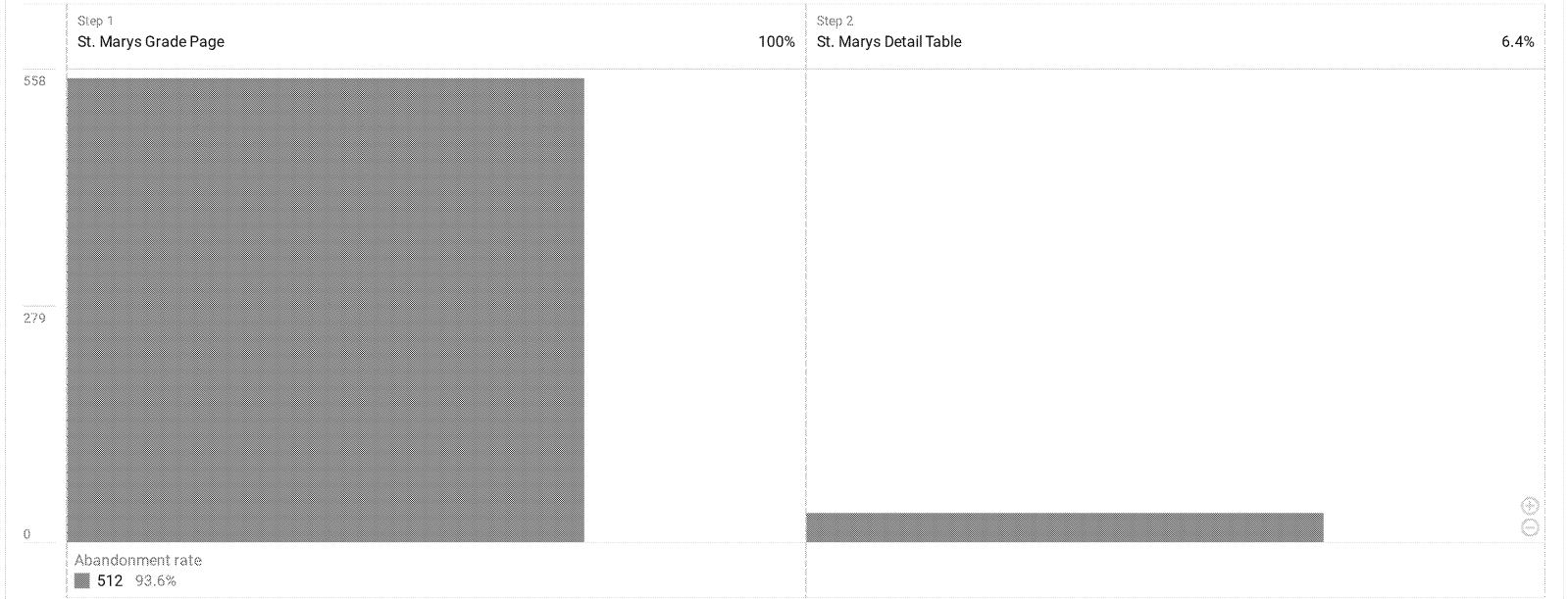
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Step	Active users (% of Step 1)	Completion rate	Abandonments	Abandonment rate
1. St. Marys Grade Page	547 (100%)	6.4%	512	93.6%
2. St. Marys Detail Table	35 (6.4%)	-	-	-

EXHIBIT 8

Date
Nov 15, 2024 - Aug 4, 2025

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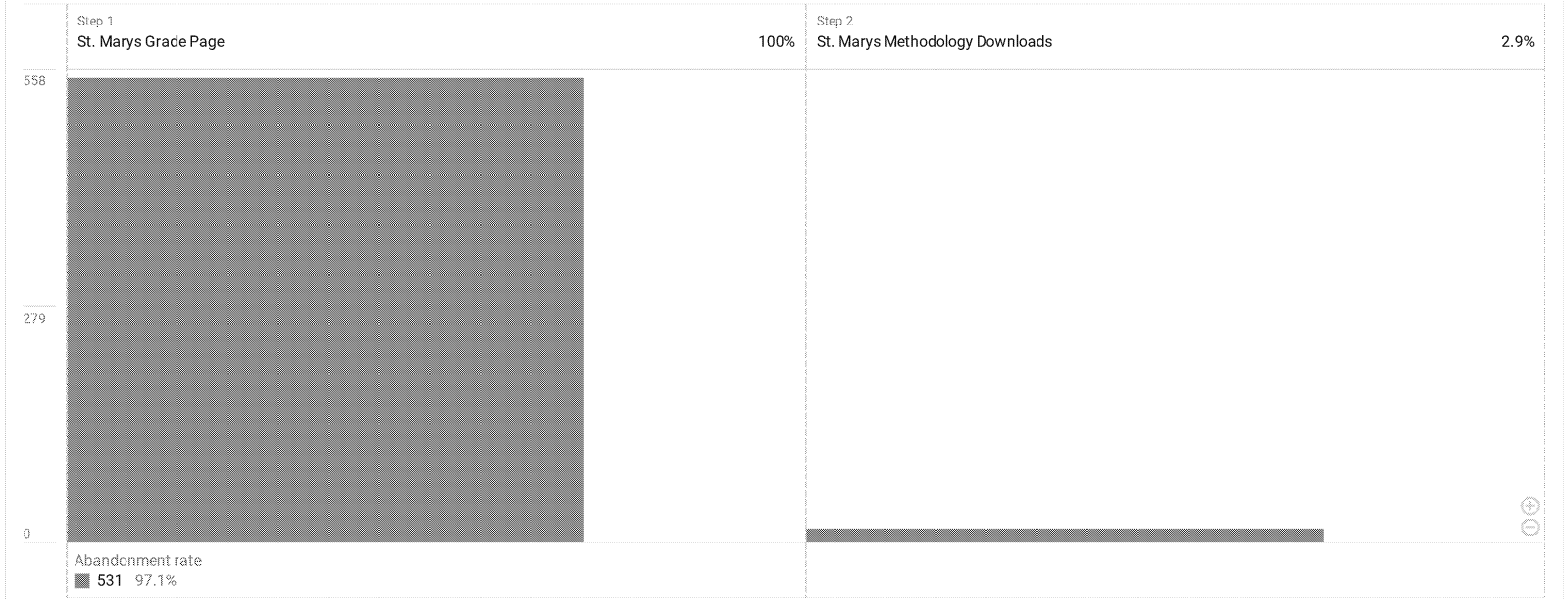
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Step	Active users (% of Step 1)	Completion rate	Abandonments	Abandonment rate
1. St. Marys Grade Page	547 (100%)	2.93%	531	97.07%
2. St. Marys Methodology Downloads	16 (2.93%)	-	-	-

EXHIBIT 9

Date
Nov 15, 2024 - Aug 4, 2025



Step	Active users (% of Step 1)	Completion rate	Abandonments	Abandonment rate
1. West Boca Grade Page	469 (100%)	10.23%	421	89.77%
2. West Boca Detail Table	48 (10.23%)	-	-	-

EXHIBIT 10

Date
Nov 15, 2024 - Aug 4, 2025

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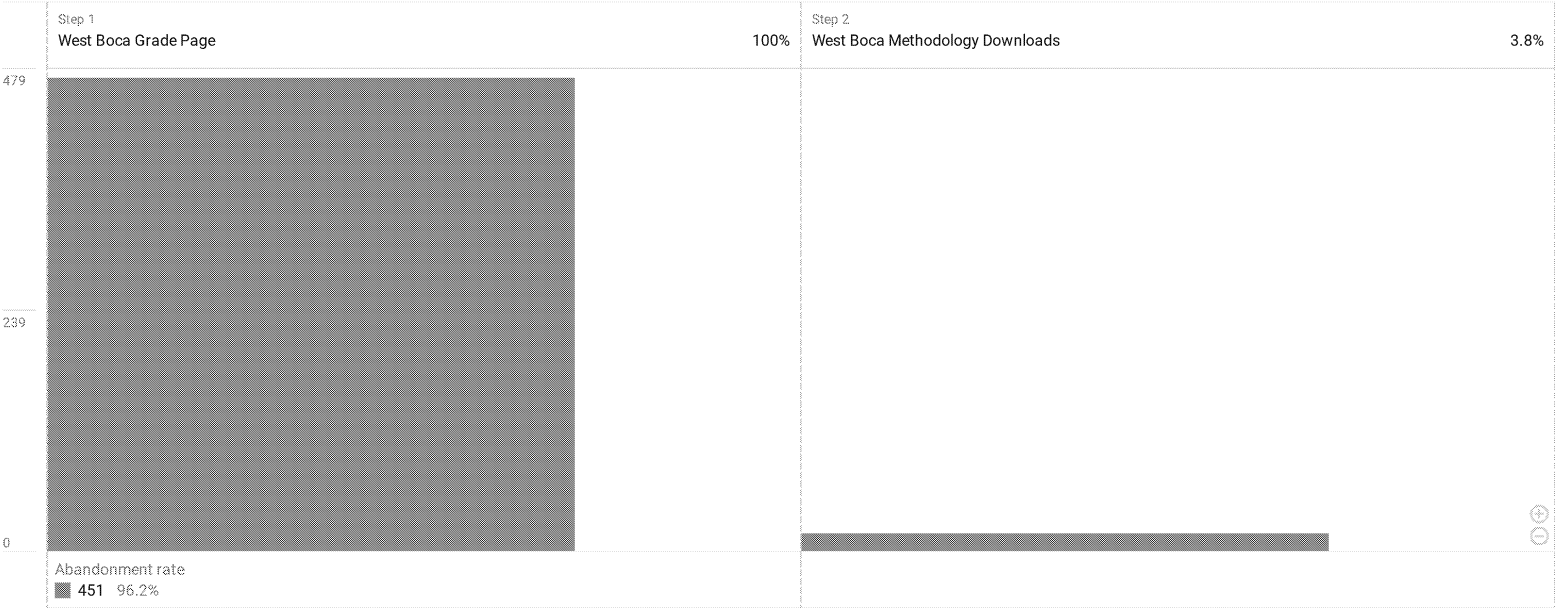
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Step	Active users (% of Step 1)	Completion rate	Abandonments	Abandonment rate
1. West Boca Grade Page	469 (100%)	3.84%	451	96.16%
2. West Boca Methodology Downloads	18 (3.84%)	-	-	-