

(English and Spanish language versions available)

NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT

IF YOU PURCHASED CERTAIN WELL BEGINNINGS, MEIJER BABY, LITTLE JOURNEY, WESLEY FARMS, BURT’S BEES BABY, BERKLEY JENSEN, PARENT’S CHOICE, EARTH’S BEST ORGANIC, COMFORTS, UP & UP, BABIES “R” US, MEMBER’S MARK, AND BOBBIE BABY BRAND FORMULA PRODUCT(S) BETWEEN JANUARY 1, 2017 AND July 21, 2022, A CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS

A court authorized this notice.

You are not being sued. This is not a solicitation from a lawyer.

- A proposed Settlement has been reached in a class action lawsuit (“Lawsuit”) called *Trevor White, et al. v. PBM Nutritionals, LLC*, Case No. 22PH-CV00931, pending in Phelps County Circuit Court, Missouri. The Lawsuit claims that PBM Nutritionals, LLC (the maker of Well Beginnings, Meijer Baby, Little Journey, Wesley Farms, Burt’s Bees Baby, Berkley Jensen, Parent’s Choice, Earth’s Best Organic, Comforts, Up & Up, Babies “R” Us, Member’s Mark, and Bobbie Baby brand Products) (“Defendant”) deceptively packaged and labeled certain Well Beginnings, Meijer Baby, Little Journey, Wesley Farms, Burt’s Bees Baby, Berkley Jensen, Parent’s Choice, Earth’s Best Organic, Comforts, Up & Up, Babies “R” Us, Member’s Mark, and Bobbie Baby brand formula Products as being able to make a specific number of liquid ounce bottles of formula. PBM Nutritionals denies these allegations and asserts that its labelling and marketing is truthful but has settled this case to avoid further litigation and distraction of resources from its business.
- You may be included in the Settlement if you purchased at least one or more specific Well Beginnings, Meijer Baby, Little Journey, Wesley Farms, Burt’s Bees Baby, Berkley Jensen, Parent’s Choice, Earth’s Best Organic, Comforts, Up & Up, Babies “R” Us, Member’s Mark, and Bobbie Baby brand Products, for personal (i.e. not for resale) between January 1, 2017 and July 21, 2022.
- To Settle the Lawsuit, the Defendant has agreed to:
 - Change its Labeling practices; and
 - Provide a maximum of \$2,000,000 to pay valid Class Member Claims to United States residents who purchased, in the United States, certain Well Beginnings, Meijer Baby, Little Journey, Wesley Farms, Burt’s Bees Baby, Berkley Jensen, Parent’s Choice, Earth’s Best Organic, Comforts, Up & Up, Babies “R” Us, Member’s Mark, and Bobbie Baby brand formula Products during the Class Period;

- Pay Attorneys' Fees and Costs up to \$600,000;
- Pay Class Representative Service Awards up to \$17,500; and
- Pay Claims Administration and Notice costs.

Your legal rights will be affected regardless of whether you do or do not act. Read this Notice carefully.

The following rights and options—**and the deadlines to exercise them**—are explained in this Notice.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT CLAIM	You must submit a Claim to get money from this Settlement. Claim Forms must be submitted online, or postmarked by November 30, 2022 .
DO NOTHING	If you do nothing, you remain in the Settlement, you give up your rights to sue Defendant about the same legal claims made in this Lawsuit, and you will not get money from the Settlement.
EXCLUDE YOURSELF	Get out of the Settlement. Get no money from the Settlement. Keep your rights. This is the only option that allows you to keep your right to sue PBM Nutritionals, LLC about the claims in this Lawsuit. You will not get any money from the Settlement. Your request to Exclude yourself (Opt-Out) must be received by October 18, 2022 .
OBJECT	Stay in the Settlement, but tell the Court why you think the Settlement should not be approved. Objections must be submitted by October 18, 2022 .
GO TO A HEARING	You can ask to speak in Court about the fairness of the Settlement, at your own expense. See Questions 17-19 below, for more details. The Fairness Hearing is scheduled for October 26, 2022 .

The Court in charge of this Lawsuit has preliminarily approved the Settlement and will hold a hearing to make a final decision to approve it. The proposed relief offered to Class Members will be provided only if the Court gives final approval to the Settlement and, if there are any appeals, after the appeals are resolved in favor of the Settlement.

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION

1. Why did I get this Notice?
2. What is this case about?
3. Why is there a Settlement?
4. Why is this a class action?
5. How do I know if I am included in the Settlement?

THE SETTLEMENT BENEFITS

6. What does this Settlement provide?
7. How do I make a Claim?
8. What am I giving up as part of the Settlement?
9. Will the Class Representatives receive any compensation for their efforts in bringing this Lawsuit?

EXCLUDING YOURSELF FROM THE SETTLEMENT

10. How do I exclude myself from the Settlement?
11. If I do not exclude myself, can I sue later?
12. What happens if I do nothing at all?

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the Lawsuit?
14. How will the lawyers be paid?

OBJECTING TO THE SETTLEMENT

15. How do I tell the Court that I do not like the Settlement?
16. What is the difference between objecting and asking to be excluded?

THE FAIRNESS HEARING

17. When and where will the Court decide whether to approve the Settlement?
18. Do I have to come to the hearing?
19. May I speak at the hearing?

DO NOTHING

20. What happens if I do nothing?

GET MORE INFORMATION

21. How do I get more information about the Settlement?

BASIC INFORMATION

1. Why did I get this Notice?

You are receiving this Court-authorized Notice because you may be a Class Member in a proposed Settlement regarding alleged false, misleading, and deceptive labeling found on certain Well Beginnings, Meijer Baby, Little Journey, Wesley Farms, Burt's Bees Baby, Berkley Jensen, Parent's Choice, Earth's Best Organic, Comforts, Up & Up, Babies "R" Us, Member's Mark, and Bobbie Baby brand formula Products.

This Notice explains the nature of the Lawsuit and the Claims being settled, your legal rights, and the proposed benefits to the Class.

2. What is this case about?

Judge Sonja Childers, of the Circuit Court of Phelps County, Missouri is overseeing this class action Lawsuit. The case is known as *Trevor White, et al. v. PBM Nutritionals, LLC*, Case No. 22PH-CV00931. The people who brought the Lawsuit are called "Plaintiffs", and the company they sued is called the "Defendant".

Plaintiffs Trevor White, Terrence Corrigan, Sr., Sarah M. Serabian, and Astorria Sassano filed a Lawsuit against defendant PBM Nutritionals, LLC, individually and on behalf of anyone who purchased certain Well Beginnings, Meijer Baby, Little Journey, Wesley Farms, Burt's Bees Baby, Berkley Jensen, Parent's Choice, Earth's Best Organic, Comforts, Up & Up, Babies "R" Us, Member's Mark, and Bobbie Baby formula Products for personal use between January 1, 2017 and July 21, 2022.

The Plaintiffs allege in the Lawsuit that the Defendant made false, misleading and deceptive label representations that the Well Beginnings, Meijer Baby, Little Journey, Wesley Farms, Burt's Bees Baby, Berkley Jensen, Parent's Choice, Earth's Best Organic, Comforts, Up & Up, Babies "R" Us, Member's Mark, and Bobbie Baby brand formula Products could make a specified number of bottles of liquid formula. Contrary to those representations, Plaintiffs allege that the Products cannot make the represented number of bottles of liquid formula when consumers follow the "Directions for Preparation & Use". Accordingly, Plaintiffs allege that the Products were deceptively and unlawfully labeled, packaged, and marketed.

Defendant PBM Nutritionals, LLC denies the Plaintiffs' allegations and denies that it violated any law or caused any harm as alleged in the lawsuit. Defendant asserts that its labelling and marketing is truthful but has settled this case to avoid further litigation and distraction of resources from its business. The Court has not decided who is right.

To obtain more information about this case and Settlement, please see Section 21, below.

3. Why is there a Settlement?

The Court did not decide in favor of the Plaintiffs or Defendant. Instead, both sides agreed to settle this case to avoid the costs, disruption, and risk of further litigation.

The Class Representatives, Defendant, and their attorneys believe the proposed Settlement is fair, reasonable, and adequate, and is therefore in the best interest of the Class Members.

Full details about the proposed Settlement can be found in the Settlement Agreement available at www.pbmlabelsettlement.com.

4. Why is this a class action?

In a class action, one or more people called "Class Representatives" (in this case, Trevor White, Terrence Corrigan, Sr., Sarah M. Serabian, and Astorria Sassano) sue on behalf of people who have similar claims. All of these people who may have similar claims form a "Class" and are called "Class Members." The Settlement resolves the issues for all Class Members, except those who exclude themselves from the Class, as explained in Section 10.

0. How do I know if I am included in the Settlement?

You are included in the Settlement as a Class Member if you live in the United States and you purchased in the United States any of the specified Well Beginnings, Meijer Baby, Little Journey, Wesley Farms, Burt's Bees Baby, Berkley Jensen, Parent's Choice, Earth's Best Organic, Comforts, Up & Up, Babies "R" Us, Member's Mark, and Bobbie Baby brand Products (for personal use only) from January 1, 2017 through July 21, 2022. Excluded from the Settlement Class are the following: (a) Persons who purchased or acquired any Products for resale; (b) the Released Parties; (c) all Persons who file a timely and valid Opt-Out; (d) Plaintiffs' Counsel, their employees, and counsel as well as the household members of Plaintiffs' employees and counsel; (e) Defendant's Counsel, their employees, and counsel as well as the household members of Defendant's employees and counsel; (e) federal, state, and local governments, political subdivisions or agencies of federal, state and local governments; and (f) the judicial officers, courtroom staff, and members of their households overseeing the Action.

The Class Products list is contained below.

SKU	Statement of Number of Bottles	Brand	Product Description
S00342P	Makes 65 4 fl oz bottles	Well Beginnings	Infant Milk-Based Powder Infant Formula with Iron
S00392P	Makes 63 4 fl oz bottles	Well Beginnings	Infant Milk-Based Powder Infant Formula with Iron
S55826E	Makes 64 4 fl oz bottles	Meijer Baby	Advantage® Infant Formula with Iron Milk-Based Powder
S55876E	Makes 59 4 fl oz bottles	Meijer Baby	Gentle® Infant Formula with Iron Milk-Based Powder
S55806E	Makes 65 4 fl oz bottles	Meijer Baby	Infant Formula with Iron Milk-Based Powder
S55836E	Makes 58 4 fl oz bottles	Meijer Baby	Sensitivity® Infant Formula with Iron Milk-Based Powder
S00487S	Makes 63 bottles; Makes 63 4 fl oz bottles	Little Journey	Advantage® Infant Formula Milk-Based Powder with Iron
S00228R	Makes 87 4 fl oz bottles	Wesley Farms	Advantage® Infant Formula Milk-Based Powder with Iron
S00108R	Makes 87 - 4 fl oz; 43 8 fl oz; 58 6 fl oz or 87 4 fl oz	Wesley Farms	Infant Infant Formula Milk-Based Powder with Iron
S0063BB	Makes 63 4 fl oz bottles	Burt's Bees	Organic Infant Formula with Iron Milk-Based Powder Infant Milk
S0064BB	Makes 63 4 fl oz bottles	Burt's Bees	Organic Infant Formula with Iron Milk-Based Powder Infant Milk
S0062BB	Makes 63 4 fl oz bottles	Burt's Bees	Organic Infant Formula with Iron Milk-Based Powder Sensitive
S0065BB	Makes 63 4 fl oz bottles	Burt's Bees	Organic Infant Formula with Iron Milk-Based Powder Sensitive
S0061BB	Makes 63 4 fl oz bottles	Burt's Bees	Organic Infant Formula with Iron Milk-Based Powder Ultra Gentle
S0066BB	Makes 63 4 fl oz bottles	Burt's Bees	Organic Infant Formula with Iron Milk-Based Powder Ultra Gentle
S0326D3	Makes 87 - 4 fl oz bottles; 43 8 fl oz or 58 6 fl oz or 87 4 fl oz	Berkley Jensen	Advantage® Infant Formula with Iron Milk-Based Powder
S0347D3	Makes 87 - 4 fl oz bottles; 43 8 fl oz or 58 6 fl oz or 87 4 fl oz	Berkley Jensen	Advantage® Infant Formula with Iron Milk-Based Powder
S0315D3	Makes 76-4 fl oz bottles	Berkley Jensen	Complete® Infant Formula with Iron Milk-Based Powder
S0325D3	Makes 87 - 4 fl oz bottles; 43 8 fl oz or 58 6 fl oz or 87 4 fl oz	Berkley Jensen	Gentle® Infant Formula with Iron Milk-Based Powder
S0351D3	Makes 86 - 4 fl oz bottles; 43 8 fl oz or 57 6 fl oz or 86 4 fl oz	Berkley Jensen	Gentle® Infant Formula with Iron Milk-Based Powder
S0324D3	Makes 89 4 fl oz bottles, 44 8 fl oz or 59 6 fl oz or 89 4 fl oz	Berkley Jensen	Infant Infant Formula with Iron Milk-Based Powder
S0348D3	Makes 89 4 fl oz bottles, 44 8 fl oz or 59 6 fl oz or 89 4 fl oz	Berkley Jensen	Infant Infant Formula with Iron Milk-Based Powder
S0349D3	Makes 84 - 4 fl oz bottles, 42 8 fl oz or 56 6 fl oz or 84 4 fl oz	Berkley Jensen	Sensitivity® Infant Formula with Iron Milk-Based Powder
S0319D3	Makes 63 - 4 fl oz bottles	Berkley Jensen	Sensitivity® Infant Formula with Iron Milk-Based Powder
S0323D3	Makes 84 - 4 fl oz bottles, 42 8 fl oz or 56 6 fl oz or 84 4 fl oz	Berkley Jensen	Sensitivity® Infant Formula with Iron Milk-Based Powder
S0302D3	Makes 57 - 4 fl oz bottles	Berkley Jensen	Toddler next stage™ Milk Drink
S0236F6	Makes 64 - 4 fl oz bottles	Parent's Choice	Advantage® Infant Formula with Iron Milk-Based Powder
S0257F6	Makes 64 - 4 fl oz bottles	Parent's Choice	Advantage® Infant Formula with Iron Milk-Based Powder
S0238F6	Makes 59 - 4 fl oz bottles	Parent's Choice	Gentle® Infant Formula with Iron Milk-Based Powder
S0260F6	Makes 59 - 4 fl oz bottles	Parent's Choice	Gentle® Infant Formula with Iron Milk-Based Powder
S0250F6	Makes 66 x 4fl oz	Parent's Choice	Gentle® Milk-Based Powder Infant Formula with Iron
S0247F6	Makes 65 - 4 fl oz bottles	Parent's Choice	Infant Formula with Iron Milk-Based Powder
S0258F6	Makes 65 - 4 fl oz bottles	Parent's Choice	Infant Formula with Iron Milk-Based Powder
S0251F6	Makes 71 x 4 fl oz	Parent's Choice	Infant Milk-Based Powder Infant Formula with Iron
S0239F6	Makes 58 - 4 fl oz bottles	Parent's Choice	Sensitivity® Infant Formula with Iron Milk-Based Powder
S0259F6	Makes 58 - 4 fl oz bottles	Parent's Choice	Sensitivity® Infant Formula with Iron Milk-Based Powder
S0252F6	Makes 64x4 fl oz	Parent's Choice	Sensitivity® Milk-Based Powder Infant Formula with Iron
S0369F6	Makes 58 - 4 fl oz bottles	Parent's Choice	Tender® Infant Formula Milk-Based Powder with Iron
S0315F6	Makes 58 - 4 fl oz bottles	Parent's Choice	Tender® Infant Formula Milk-Based Powder with Iron
S0316F6	Makes 58 - 4 fl oz bottles	Parent's Choice	Tender® Infant Formula Milk-Based Powder with Iron
S0243F6	Makes 57 - 4 fl oz bottles	Parent's Choice	Tender® Infant Formula with Iron Milk-Based Powder
S0298F6	Makes 57 - 4 fl oz bottles	Parent's Choice	Tender® Infant Formula with Iron Milk-Based Powder
S0117F6	Makes 57 - 4 fl oz bottles	Parent's Choice	Tender® Milk-Based Powder Infant Formula with Iron
S0194F6	Makes 57 - 4 fl oz bottles	Parent's Choice	Tender® Milk-Based Powder Infant Formula with Iron

S0124FD	Makes 58 - 4 FL OZ Bottles	Earth's Best	Organic Dairy Infant Formula with Iron Milk-Based Powder
S0126FD	Makes 58 - 4 FL OZ Bottles	Earth's Best	Organic Sensitivity® Infant Formula with Iron Milk-Based Powder
S0115JG	Makes 63 - 4 FL OZ Bottles	Comforts™	Advantage® Infant Formula Milk-Based Powder with Iron
S0144JG	Makes 63 - 4 FL OZ Bottles	Comforts™	Advantage® Infant Formula Milk-Based Powder with Iron
S0092JG	Makes 64 - 4 fl oz bottles	Comforts™	Advantage® Milk-Based Powder Infant Formula with Iron
S0121JG	Makes 59 - 4 FL OZ Bottles	Comforts™	Gentle® Infant Formula Milk-Based Powder with Iron
S0141JG	Makes 59 - 4 FL OZ Bottles	Comforts™	Gentle® Infant Formula Milk-Based Powder with Iron
S0085JG	Makes 59 - 4 FL OZ Bottles	Comforts™	Gentle® Milk-Based Powder Infant Formula with Iron
S0142JG	Makes 63 - 4 FL OZ Bottles	Comforts™	Infant Formula Milk-Based Power with Iron
S0120JG	Makes 63 - 4 FL OZ Bottles	Comforts™	Infant Formula Milk-Based Power with Iron
S0086JG	Makes 65 - 4 FL OZ Bottles	Comforts™	Infant Milk-Based Powder Infant Formula with Iron
S0119JG	Makes 58 - 4 FL OZ Bottles	Comforts™	Sensitivity® Infant Formula Milk-Based Powder with Iron
S0143JG	Makes 58 - 4 FL OZ Bottles	Comforts™	Sensitivity® Infant Formula Milk-Based Powder with Iron
S0090JG	Makes 58 - 4 FL OZ Bottles	Comforts™	Sensitivity® Milk-Based Powder Infant Formula with Iron
S3501UW	Makes 52 4 fl oz bottles	Up & Up	Complete® comfort infant formula with iron milk-based powder
S0058WC	Makes 82 4 fl oz bottles	Babies "R" Us	Advantage® Infant Formula with Iron Milk-Based Powder
S0069WC	Makes 64 4 fl oz Bottles	Babies "R" Us	Advantage® Infant Formula with Iron Milk-Based Powder
S0056WC	Makes 69 4 fl oz Bottles	Babies "R" Us	Gentle® Infant Formula with Iron Milk-Based Powder
S0062WC	Makes 69 4 fl oz Bottles	Babies "R" Us	Gentle® Infant Formula with Iron Milk-Based Powder
S0070WC	Makes 59 4 fl oz Bottles	Babies "R" Us	Gentle® Infant Formula with Iron Milk-Based Powder
S0068WC	Makes 65 4 fl oz Bottles	Babies "R" Us	Infant Infant Formula with Iron Milk-Based Powder
S0063WC	Makes 41 8 fl oz Bottles	Babies "R" Us	Infant Infant Formula with Iron Milk-Based Powder
S0067WC	Makes 58 4 fl oz Bottles	Babies "R" Us	Sensitivity® Infant Formula with Iron Milk-Based Powder
S0055WC	Makes 70 4 fl oz Bottles	Babies "R" Us	Sensitivity® Infant Formula with Iron Milk-Based Powder
S0061WC	Makes 70 4 fl oz Bottles	Babies "R" Us	Sensitivity® Infant Formula with Iron Milk-Based Powder
S0050WC	Makes 81 4 fl oz Bottles	Babies "R" Us	Soy Infant Formula with Iron Soy-Based Powder
S0059WC	Makes 81 4 fl oz Bottles	Babies "R" Us	Soy Infant Formula with Iron Soy-Based Powder
S0546ZY	43 8 fl oz or 58 6 fl oz or 87 4 fl oz	Member's Mark	Advantage® Infant Formula with Iron Milk-Based Powder
S0475ZY	43 8 fl oz or 58 6 fl oz or 87 4 fl oz	Member's Mark	Advantage® Milk-Based Powder Infant Formula with Iron
S0527ZY	43 8 fl oz or 58 6 fl oz or 87 4 fl oz	Member's Mark	Advantage® Milk-Based Powder Infant Formula with Iron
S0547ZY	Makes 86 4 fl oz bottles; 43 8 fl oz or 57 6 fl oz or 86 4 fl oz	Member's Mark	Gentle® Infant Formula with Iron Milk-Based Powder
S0000ZY	Makes 87 4 fl oz bottles; 43 8 fl oz or 58 6 fl oz or 87 4 fl oz	Member's Mark	Gentle® Milk-Based Powder Infant Formula with Iron
S0529ZY	Makes 87 4 fl oz bottles; 43 8 fl oz or 58 6 fl oz or 87 4 fl oz	Member's Mark	Gentle® Milk-Based Powder Infant Formula with Iron
S0545ZY	Makes 89 4 fl oz bottles; 44 8 fl oz or 59 6 fl oz or 89 4 fl oz	Member's Mark	Infant Infant Formula with Iron Milk-Based Powder
S0474ZY	Makes 89 4 fl oz bottles; 44 8 fl oz or 59 6 fl oz or 89 4 fl oz	Member's Mark	Infant Milk-Based Powder Infant Formula with Iron
S0526ZY	Makes 89 4 fl oz bottles; 44 8 fl oz or 59 6 fl oz or 89 4 fl oz	Member's Mark	Infant Milk-Based Powder Infant Formula with Iron
S0544ZY	Makes 84 4 fl oz bottles; 42 8 fl oz or 56 6 fl oz or 84 4 fl oz	Member's Mark	Sensitivity® Infant Formula with Iron Milk-Based Powder
S0476ZY	Makes 89 4 fl oz bottles; 44 8 fl oz or 59 6 fl oz or 89 4 fl oz	Member's Mark	Sensitivity® Milk-Based Powder Infant Formula with Iron
S0528ZY	Makes 84 4 fl oz bottles; 42 8 fl oz or 56 6 fl oz or 84 4 fl oz	Member's Mark	Sensitivity® Milk-Based Powder Infant Formula with Iron
S0011WL	Makes 44 4 fl oz Bottles	Bobbie Baby	Organic Infant Formula

If you are not sure whether you are in the Class, or have any other questions about the Settlement, visit www.pbmlabelsettlement.com, or write with questions to info@pbmlabelsettlement.com, or White v. PBM Nutritionals, LLC, C/O Kroll Settlement Administration LLC PO Box 225391, New York, NY, 10150-5391, or call 833-512-2316.

THE SETTLEMENT BENEFITS

6. What does this Settlement provide?

If the proposed Settlement is finally approved by the Court, and after any appeals are resolved, Defendant has agreed to:

1. **Business Practices:** Make lasting changes to the Well Beginnings, Meijer Baby, Little Journey, Wesley Farms, Burt's Bees Baby, Berkley Jensen, Parent's Choice, Earth's Best Organic, Comforts, Up & Up, Babies "R" Us, Member's Mark, and Bobbie Baby brand Products' labels.
2. **Individual Claims:** Class Members are eligible for payments with, or without, Proof of Purchase:
 - **Tier 1 – Claims without Proof of Purchase:**
You can get up to \$2.00 per Unit purchased for up to a maximum of \$10.00 per Household; or
 - **Tier 2 – Claims with Proof of Purchase:**
You can get up to \$2.00 per Unit purchased for which a valid Proof of Purchase has been provided, up to a maximum of \$30.00 per Household.

A Settlement Class Member may only make a single Claim under either Tier 1 or tier 2 (but not both), per Household.

The deadline to make a valid claim is 11:59 p.m. Central Time on November 30, 2022. To make a claim, please visit www.pbmlabelsettlement.com.

7. How to make a Claim?

You must submit a Claim Form, with or without Proof of Purchase, to be eligible to receive any money from the Settlement, if it is approved by the Court. You may complete the Claim Form online, or download a Claim Form at www.pbmlabelsettlement.com. You may also email or call the Settlement Administrator at info@pbmlabelsettlement.com or 833-512-2316 to request a Claim Form.

Your Claim Form must be postmarked or submitted online no later than 11:59 p.m. Central Time on November 30, 2022.

8. What am I giving up as part of the Settlement?

Unless you exclude yourself (Opt-Out), you will be included in the Settlement if it is approved by the Court. By staying in the Class, you will be eligible to receive monetary benefits provided by the Settlement, to which you may be entitled, and you will release the Defendant from all of the settled Claims in this Lawsuit.

This means that you will no longer be able to sue PBM Nutritionals, LLC regarding any of the settled Claims if you are a Class Member and do not timely and properly Exclude yourself from the Class.

The settled Claims are any known or unknown Claims that any Class Member may at any time have up to July 21, 2022, arising out of the subject matter giving rise to the Claims in this Lawsuit. In addition, Class Members expressly waive and relinquish the provisions of California Civil Code § 1542 (and all other similar provisions of law) to the full extent that these provisions may be applicable to this release. California Civil Code § 1542 provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

The full text of the Settlement Agreement, which includes all the provisions about settled Claims and Releases, is available at www.pbmlabelsettlement.com.

9. Will the Class Representatives receive any compensation for their efforts in bringing this Lawsuit?

Possibly. The Class Representatives (Trevor White, Terrence Corrigan, Sr., Sarah M. Serabian, and Astorria Sassano) will request a Service Award of up to a maximum total amount of \$17,500.00 in the aggregate (up to an amount of \$3,500 per Class Representative), to compensate them for their services as Class Representatives and their efforts in bringing the Lawsuit. The Court will make the final decision as to the amount, if any, to be paid to the Class Representatives.

EXCLUDING YOURSELF FROM THE SETTLEMENT

0. How do I exclude myself (Opt-Out) from the Settlement?

If you do not want to be part of the Settlement, you must send a written request for exclusion (to Opt-Out). The request to exclude yourself from the Settlement must be made on an individual basis, and **received** by the Settlement Administrator at the below address on or before 11:59 p.m. on October 18, 2022:

White v. PBM Nutritionals, LLC

c/o Kroll Settlement Administration LLC

PO Box 225391

New York, NY 10150-5391

The Opt-Out request must contain the requestor's name, address, the words "I wish to be excluded from the *White v. PBM Nutritionals, LLC* Class Action," and signature.

Instructions on how to submit an exclusion request are available at www.pbmlabelsettlement.com or by emailing or calling the Settlement Administrator

1. If I do not exclude myself, can I sue later?

No, not if you are a Class Member. If you do not exclude yourself from the Settlement, you forever give up the right to sue PBM Nutritionals, LLC and the Released Parties for all the Claims that this Settlement resolves.

If you submit a valid and timely request to be excluded, you cannot Object to the proposed Settlement. However, if you ask to be Excluded, you may sue or continue to sue PBM Nutritionals, LLC or the Released Parties about the same claims resolved by this Settlement in the future. You will not be bound by anything that happens in this Lawsuit.

2. What happens if I do nothing at all?

If you are a Class Member and do nothing, you forever give up the right to sue PBM Nutritionals, LLC and the Released Parties for the Claims this Settlement resolves.

THE LAWYERS REPRESENTING YOU

3. Do I have a lawyer in the case?

Yes. The Court has ordered that the Law Office of L. DeWayne Layfield, PLLC; KamberLaw LLC; Southern Atlantic Law Group, PLL; Steelman Gaunt Crowley; and Law Office of Howard W. Rubinstein, PA (together, “Class Counsel”) will represent the interests of all Class Members. Class Members will not be separately charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

4. How will the lawyers be paid?

Lead Class Counsel will apply to the Court for an award of attorneys’ fees and costs of up to \$600,000. A copy of Lead Class Counsel’s application for attorneys’ fees and costs will be available prior to the Fairness Hearing, and will be posted on the Settlement Website at www.pbmlabelsettlement.com. The Court will make the final decisions as to the amounts to be paid to Class Counsel, and may award less than the amounts requested by Class Counsel.

OBJECTING TO THE SETTLEMENT

15. How do I tell the Court that I do not like the Settlement?

If you want to tell the Court that you do not agree with the proposed Settlement, or some part of it, you can submit an Objection explaining why you do not think the Settlement should be approved.

You must deliver your Objection to the Settlement Administrator, Class Counsel, and PBM Nutritionals, LLC's counsel, and file with the Court, a written statement of your Objection(s). Your Objection must include all of the following information:

- a) The case name and number, *Trevor White v. PBM Nutritionals, LLC*, No. 22PH-CV00931 (Phelps County Circuit Court, MO.);
- b) The name, address, telephone number, and, if available, the email address of the Person objecting;
- c) The name and address of the lawyer(s), if any, who is representing the Person making the Objection or who may be entitled to compensation in connection with the Objection;
- d) A detailed statement of Objection(s), including the grounds for those Objection(s);
- e) Copies of any papers, briefs, or other documents upon which the Objection is based;
- f) A statement of whether the Person objecting intends to appear at the Final Approval Hearing, either with or without counsel;
- g) The identity of all counsel (if any) who will appear on behalf of the Person objecting at the Final Approval Hearing and all Persons (if any) who will be called to testify in support of the Objection;
- h) A statement of his/her membership in the Settlement Class, including all information required by the Claim Form;
- i) The signature of the Person objecting, in addition to the signature of any attorney representing the Person objecting in connection with the Objection; and
- j) A detailed list of any other objection by the Settlement Class Member, or his/her counsel, to any class actions submitted in any court, whether state or otherwise, in the United States in the previous five (5) years. If the Settlement Class Member or his/her counsel has not objected to any other class action settlement in any court in the United States in the previous five (5) years, he/she shall affirmatively state so in the written materials provided in connection with the Objection to this Settlement.

You must send a copy of your Objection by First-Class mail, received (not merely postmarked) no later than 11:59 p.m. Central Time October 18, 2022, to:

Clerk of the Court
Phelps County Circuit Court
200 North Main Street
Rolla, MO 65401

In addition, you must mail a copy of your Objection to Class Counsel and Defense Counsel, postmarked no later than 11:59 p.m. Central Time October 18, 2022 to:

Class Counsel:
David Steelman
Bryce C. Crowley
STEELMAN GAUNT CROWLEY
901 Pine Street, Suite 110
Rolla, Missouri 65401
[Email: david@sgclawfirm.com](mailto:david@sgclawfirm.com)
bryce@sgclawfirm.com

Defendant's Counsel:
Courtney L. Baird
DUANE MORRIS LLP
750 B Street, Suite 2900
San Diego, CA 92101-4681
[Email: CLBaird@duanemorris.com](mailto:CLBaird@duanemorris.com)

If you or your attorney intends to make an appearance at the Fairness Hearing and you have not so indicated in your Objection, you must also deliver, according to the above procedures, no later than October 18, 2022, a Notice of Intention to Appear. Any attorney hired by a Class Member to represent him or her and appear at the Fairness Hearing must also file a notice of appearance with the Court no later than October 18, 2022.

If you fail to comply with these requirements, or fail to submit your Objection before the deadline, you will be deemed to have waived all Objections and will not be entitled to speak at the Fairness Hearing.

16. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you don't like something about the Settlement. You can Object only if you stay in the Class.

Excluding yourself (Opting Out) is telling the Court that you don't want to be part of the Class. If you exclude yourself, you have no basis to Object because the Settlement no longer affects you.

THE FAIRNESS HEARING

17. When and where will the Court decide whether to approve the Settlement?

A Court has preliminarily approved the Settlement and will hold a final Fairness Hearing to determine whether to give final approval to the Settlement. The purpose of the Fairness Hearing is for the Court to determine whether the Settlement should be approved as fair, reasonable, adequate, and in the best interests of the Class, and to consider the award of attorneys' fees and costs to Class Counsel and to consider the request for a Service Awards to the Class Representatives. If there are any valid, timely Objections, the Court will consider them and listen to the people who have asked to speak at the hearing, if a request to do so was properly made,

The Court will hold the Fairness Hearing on October 26, 2022, at 9:00 am in the Circuit Court of Phelps County, Missouri. The hearing may be postponed to a different time, date, or location without additional notice, so it is recommended that you periodically check www.pbmlabelsettlement.com for updated information.

18. Do I have to come to the hearing?

No, you are not required to come to the Fairness Hearing. However, you are welcome to attend the hearing at your own expense.

If you submit an Objection, you do not have to come to the hearing to talk about it. As long as you submitted the written objection and it was received on time, the Court will consider it. You also may pay your own lawyer to attend the Fairness Hearing, but that is not necessary.

19. May I speak at the hearing?

Yes, you may speak at the Fairness Hearing, but you must ask the Court for permission. To request permission to speak, you must have filed an Objection according to the instructions in Question 15, including all of the information required.

You cannot speak at the hearing if you exclude yourself from the Settlement.

DO NOTHING

5. What happens if I do nothing?

If you do nothing, you will not get any money from the Settlement, you will not be able to sue for the Claims in this Lawsuit, and you release Claims against Defendant and Released Parties.

GETTING MORE INFORMATION

20. How do I get more information about the Settlement?

This is only a summary of the proposed Settlement. If you want additional information about this Lawsuit, including a copy of the actual Settlement Agreement, the complaint filed in this Lawsuit, the Court's Preliminary Approval Order, Class Counsel's Application for Attorneys' Fees and Costs, other pertinent information, **and to check the status of the Settlement or if the Settlement has been approved by the Court**, please visit www.pbmlabelsettlement.com.

You may also contact the Settlement Administrator at CONTACT INFO. To see papers filed with the Court and a history of this Lawsuit, you may also visit or call the Clerk's office at the Phelps County Circuit Court, 200 North Main Street, Rolla, MO 65401; (573) 458-6200. The Clerk will tell you how to obtain the complete file for inspection and copying at your own expense.

PLEASE DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT OR LITIGATION TO THE CLERK OF THE COURT OR THE JUDGE.