

LEGAL NOTICE

A federal court authorized this notice. This is not a solicitation from a lawyer.

If you purchased SweetTARTS Products between January 1, 2012 and February 28, 2019 your rights may be affected by a proposed class action settlement

For More Information, Please Visit www.sweetartsclassaction.com

WHAT IS THIS CASE ABOUT?

A proposed settlement has been reached in a class action lawsuit. The lawsuit claims that labeling and marketing of SweetTARTS Products was false or deceptive. Defendant stands by its advertising and denies it did anything wrong. The Court has not decided which side was right. Instead, the parties have decided to settle the case.

ARE YOU A CLASS MEMBER?

You are a class member if you purchased in the United States for household or personal use and not for resale, any SweetTARTS Product, including: SweetTARTS Original; SweetTARTS Mini Chewy; SweetTARTS Giant Chewy; SweetTARTS Chews; SweetTARTS Extreme Sour Chewy; SweetTARTS Chewy Sours; SweetTARTS Sour Gummies; SweetTARTS Gummies; SweetTARTS Whipped & Tangy; SweetTARTS Cherry Punch Soft & Chewy Ropes; SweetTARTS Tangy Strawberry Soft & Chewy Ropes; or SweetTARTS Jelly Beans, between January 1, 2012 and [DATE of Class Certification] (the "Products"). You should read the entire Notice carefully because your legal rights are affected whether you act or not.

WHAT DOES THIS SETTLEMENT PROVIDE?

Defendant has agreed to implement by December 31, 2019 certain modifications of the labeling and packaging for SweetTARTS Products for a period of two years following the date of final approval of the case as follows:

- Defendant will remove the phrase "No Artificial Flavors" from the SweetTARTS Product packaging and promotional materials (unless any such Product ceases to contain dl-malic acid as an ingredient); and
- Defendant will identify "dl-malic acid" as an ingredient on the SweetTARTS Product packaging and promotional materials (for every Product that includes dl-malic acid as an ingredient).

The complete Settlement Agreement is found at www.sweetartsclassaction.com.

WHAT HAPPENS NOW?

The Court will hold a hearing in this case on May 31, 2019 at 2:00 p.m. at the federal courthouse located at 221 West Broadway, Courtroom 4A, San Diego, CA 92101, to consider final approval of the Settlement, payment of attorneys' fees of up to \$272,000 inclusive of costs, an incentive award of up to \$3,000 for the Class Representative in the lawsuit, and related issues. The motion(s) by Class Counsel for attorneys' fees and costs and an incentive award for the Class Representative will be available for viewing on the settlement website after they are filed. You may appear at the hearing in person or through your attorney at your own cost, but you are not required to do so.

WHAT ARE YOUR OPTIONS?

DO NOTHING	If you do nothing, then you will automatically receive benefits under this Settlement in the form of Defendant's labeling modifications. You will also give up your right to sue Defendant and certain related entities and individuals regarding any claims that are part of or related to the Settlement.
EXCLUDE YOURSELF FROM THE CLASS BY MAY 1, 2019	If you opt out of the Settlement, then you will keep your right to sue regarding any claims that are part of or related to the Settlement.
OBJECT OR COMMENT BY MAY 1, 2019	You must write to the Court about why you do, or do not, like the Settlement. You must remain in the class to comment either in support of or in opposition to the Settlement.
ASK TO APPEAR IN THE LAWSUIT BY MAY 1, 2019 AND ATTEND A HEARING ON MAY 31, 2019	You may ask to speak in Court about the fairness of the Settlement. You may enter your appearance in Court either pro se or through an attorney at your own expense if you so desire.

1-888-857-5936

WWW.SWEETARTSCCLASSACTION.COM

DO NOT CALL DEFENDANT FERRARA OR THE COURT

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Your rights and options – and the deadlines to exercise them – are only summarized in this notice. The Detailed Notice describes, in full, how to object, or exclude yourself and provides other important information. For more information and to obtain a

Detailed Notice or other documents, visit **www.sweetartsclassaction.com**, call toll-free **1-888-857-5936**, or write to the Notice Administrator at: Sweetarts Settlement, Classaura LLC, 1718 Peachtree St. #1080, Atlanta, GA 30309.

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