

LEGAL NOTICE

IF YOU PURCHASED A CARDBOARD BOX OF JUJYFRUITS®, JUJUBES®, NOW & LATER®, LEMONHEAD®, APPLEHEAD®, CHERRYHEAD®, GRAPEHEAD®, REDHOTS®, TROLLI®, CHUCKLES®, BLACK FOREST®, JAWBUSTER®, JAWBREAKER®, BRACH'S®, BOSTON BAKED BEANS®, SUPER BUBBLE®, RAINBLO®, OR ATOMIC FIREBALL CANDY, OR ANY FLAVORS OR VARIETIES OF THOSE CANDIES, BETWEEN FEBRUARY 21, 2013 AND JUNE 21, 2018, THEN YOU COULD BE ENTITLED TO MONEY FROM A CLASS ACTION SETTLEMENT

Iglesias v. Ferrara Candy Co., U.S. District Court, Northern District of California, Case No. 3:17-cv-00849-VC

WHAT IS THIS NOTICE ABOUT?

A lawsuit pending in the U.S. District Court for the Northern District of California may affect your rights. The lawsuit claims Ferrara Candy Co. deceptively packaged Jujyfruits®, Jujubes®, Now & Later®, Lemonhead®, Applehead®, Cherryhead®, Grapehead®, RedHots®, Trolli®, Chuckles®, Black Forest®, Jawbuster®, Jawbreaker®, Brach's®, Boston Baked Beans®, Super Bubble®, Rainblo®, Atomic Fireball®, and any flavors and varieties of those candy products ("Settlement Class Products") in oversized packaging with nonfunctional empty space. The Court did not rule in favor of Plaintiff or Defendant. The parties instead agreed to settle.

AM I A MEMBER OF THE CLASS?

The class includes all persons residing in the United States who purchased one or more Settlement Class Products between February 21, 2013 and June 21, 2018.

WHAT DOES THE SETTLEMENT PROVIDE?

Subject to Court approval, the settlement provides cash payments based on the number of Settlement Class Products purchased. Class members with proof of purchase may submit a claim for 50 cents per box for each Settlement Class Product purchased. Class members without proof of purchase may submit a claim for up to \$7.50. These amounts will be increased proportionally (pro rata) if the total amount of claims does not exhaust all settlement funds and reduced pro rata if the total amount of claims exceeds the settlement funds. The settlement also provides for modification of Ferrara's fill level quality control procedures and target fill levels.

WHAT ARE MY RIGHTS?

You have three options:

1. **You Can Accept the Settlement.** Class Members who wish to receive a Cash Payment **must** submit a Claim Form on or before **September 20, 2018** either online at www.FerraraCandySettlement.com or by mailing it to **Digital Settlement Group, LLC; 8001 Broadway, Suite 200; Merrillville, IN 46410** (postmarked no later than September 20, 2018). If you don't submit a timely Claim Form, you will be bound by the settlement and will not receive a Cash Payment. Unless you exclude yourself from the settlement, you will be bound by all orders and judgments of the Court, and you won't be able to sue or continue to sue Ferrara as part of any other lawsuit involving the same claims as in this lawsuit.
2. **You Can Object to the Settlement.** You can ask the Court to deny approval by objecting with the Court. You can't ask the Court to order a larger settlement; the Court can only approve or deny the settlement. If the Court denies approval, no settlement payments will be made and the lawsuit will

continue. If that is what you want to happen, you must object. You may hire your own lawyer to appear in Court for you if you wish; however, you will be responsible for paying your lawyer. Objections will be considered by the Court only if filed in writing and mailed by **September 20, 2018** to the Office of the Clerk of Court; United States District Court; 450 Golden Gate Avenue; San Francisco, CA 94102-3489 and also mailed to counsel for the parties. Objections must state your name, address, telephone number, name of this lawsuit, factual and legal grounds for your objection, name, address and telephone number of any attorney representing you and any case in which you or your attorney has objected to a class action settlement previously and the result of that objection. The Court will only require substantial compliance with the requirements for submitting an objection. The requirement to submit a written objection may be waived upon a showing of good cause.

3. **You Can "Opt Out" of the Settlement.** If you exclude yourself from the Class – which is sometimes called "opting-out" – you won't get a settlement payment but won't be barred from asserting claims against Ferrara in a separate lawsuit. Such notice shall include your name, address, telephone number, and signature and a statement that you want to be excluded from the lawsuit *Iglesias v. Ferrara Candy Co.*, United States District Court for the Northern District of California, Case No. 3:17-cv-00849-VC. Send the written notice to **Digital Settlement Group, LLC; 8001 Broadway, Suite 200; Merrillville, IN 46410** by **September 20, 2018**.

THE FAIRNESS HEARING

On October 25, 2018, at 10:00 am, the United States District Court for the Northern District of California will hold a hearing to approve: (1) the proposed settlement as fair, reasonable, and adequate; and (2) the application for Plaintiff's attorneys' fees of up to \$750,000, plus costs and expenses, and payment of up to \$5,000 to the named plaintiff. Class Members who support the proposed settlement do not need to appear at the hearing or take any other action.

HOW CAN I GET MORE INFORMATION?

This is only a summary of the settlement. For more information or for a copy of the settlement agreement, please visit FerraraCandySettlement.com or contact Class Counsel at info@clarksonlawfirm.com, or call the Settlement Administrator at **1-877-452-8477**.

**BY ORDER OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**