

To: [Class Member Email Address]
From: Sunscreen Settlement Claim Administrator
Subject: Notice of Class Action and Proposed Settlement

Notice ID:
Confirmation Code:

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Attention Purchasers of Certain Coppertone Products Before August 2, 2022

This notice may affect your rights. Please read it carefully.

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

Why have I received this notice?

A settlement has been reached in a class action lawsuit against Bayer HealthCare LLC and Beiersdorf, Inc. (“Defendants”), involving the marketing and sale of certain spray sunscreen products. It affects all natural persons who, before August 2, 2022, purchased in the United States, for personal, family, or household use and not resale, any of the following Coppertone spray sunscreen products: (1) Pure & Simple SPF 50; (2) Pure & Simple Kids SPF 50; (3) Pure & Simple Baby SPF 50; (4) Sport Mineral SPF 50; (5) Sport SPF 50; (6) Sport SPF 30; (7) Sport SPF 15; (8) Complete SPF 50; (9) Complete SPF 30; (10) Glow Shimmer SPF 50; (11) Glow Shimmer SPF 30; (12) Kids SPF 50 (collectively, the “Covered Products”).

A Court has authorized this notice because you have a right to know about the proposed settlement of this class-action lawsuit, and your options, before the Court decides whether to give “final approval” to the Settlement. This notice summarizes the lawsuit, the proposed Settlement, and your legal rights.

What is the lawsuit about?

A lawsuit was brought against Defendants concerning the marketing and sale of certain Coppertone spray sunscreen products which are or were marketed and sold by Defendants. The lawsuit alleges that these products were inappropriately marketed because it was not disclosed that certain of Defendants’ Coppertone spray sunscreen products contained benzene. The lawsuit alleges various harms including but not limited to misrepresentation and improper labeling and was brought on behalf of all consumers who bought the Covered Products.

Defendants deny all claims and allegations made in the Litigation and any wrongdoing whatsoever. Defendants maintain that the Products have always been safe for use. The Settlement Class Representative and Defendants have now agreed to a settlement to resolve the lawsuit. The Court has not decided whether Settlement Class Representative or Defendants are correct. By agreeing to the settlement, neither Defendants nor Settlement Class Representative make any admissions

regarding the merits of the allegations, claims, or defenses in this case. Defendants are settling the Litigation to avoid the expense, inconvenience, risk, and disruption of the litigation. It is not an admission of any wrongdoing.

What are the benefits of the Settlement?

If you timely file a claim that complies with the instructions on the claim form and in this notice, you will receive a portion of the Settlement Fund, in the amount:

- Of your purchase price of the Covered Product(s) with a proof of purchase.
- If a class member does not provide proof of purchase, the purchase price of the Covered Product(s) will be determined by the average retail price for up to six (6) Covered Products claimed per household plus a 10% allowance for sales tax.

Defendants issued a voluntary recall of the Covered Products in September 2021, in which Defendants offered a full refund, set at the average price of the Covered Products, for up to five (5) Covered Products without providing Proof of Purchase, or all products for which Proof of Purchase was provided. Those who submitted valid recall documentation are automatically considered class members with valid claim forms. ***Class members who received a refund through Defendants' voluntary recall of the Covered Products should also submit a settlement claim form as they may be entitled to additional relief from the settlement.*** For those class members who received a refund through Defendants' voluntary recall of the Covered Products and submit a settlement claim form, the amount of money they receive in the Settlement will be reduced by the amount refunded through the voluntary recall.

In order to reach the total amount available from the Settlement Fund, the amount paid to each class member may increase or decrease pro rata based on the total number of Covered Products purchased by Settlement Class Members submitting valid Claim Forms, each class member's purchase price of the Covered Product(s), and the number of claimants who have already recovered for their purchase of the Covered Product(s) during the voluntary recall.

To make a claim, you must fill out the claim form available on this settlement website, www.2022coppertonesettlement.com. You can submit the claim form online, or you can print it and mail it to the Claim Administrator at: Sunscreen Settlement Claim Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. Claim forms must be submitted online, or if mailed must be postmarked, by **November 7, 2022**. Cash payments from the Settlement Fund will be made if the Court gives final approval to the proposed settlement and after the final approval is no longer subject to appeal. If the Court does not approve the settlement, if the settlement is overturned on appeal, or if the settlement is terminated, no cash payments will be made pursuant to the Settlement.

How can I exclude myself from the class?

You can exclude yourself from the Settlement Class and litigation if you wish to retain the right to sue Defendants separately for the claims released by the settlement. If you exclude yourself, you cannot file a claim or object to the settlement.

To exclude yourself, you must complete and submit the online form at the settlement website or mail a request to exclude yourself from the settlement to the Claim Administrator at Sunscreen

Settlement Claim Administrator, Attn: Exclusion Request, P.O. Box 58220, Philadelphia, PA 19102. If mailed, the exclusion request must contain your name, address, words to the effect of “I wish to be excluded from the *Bangoura v. Beiersdorf, Inc. and Bayer Healthcare, LLC* Class Action,” and your signature.

If submitted online, exclusion requests must be made by **November 7, 2022**. If mailed, exclusion requests must be postmarked by **November 7, 2022**.

How can I object?

You can ask the Court to deny approval of the settlement, Class Counsel’s request for attorneys’ fees and litigation expenses and/or request for incentive awards to class representative plaintiff by timely submitting an objection to the Clerk of the Court. If the Court denies approval to the entire settlement, no settlement payments will be sent out, and the lawsuit will continue. Your objection must be filed with the Court by **November 7, 2022**. Refer to the settlement website and the Long Form Notice for information and instructions on how to object.

Do I have a lawyer in this case?

Yes, the Court has appointed two law firms to represent the Settlement Class: The Sultz Law Group, P.C., and Levin, Sedran & Berman LLP. These attorneys are called Class Counsel. You will not be charged for their services. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

The Court’s Final Approval Hearing.

The Court will hold a hearing on January 5, 2023 to consider whether to approve the settlement. The hearing will be held in person in the United States District Court for the Eastern District of New York, 225 Cadman Plaza East Brooklyn, New York 11201. The hearing will be held in the courtroom of the Honorable Brian M. Cogan. The hearing is open to the public. This hearing date may change without further notice to you. Consult the settlement website at www.2022coppertonesettlement.com or the Court docket in this case available through PACER (www.pacer.gov), for updated information on the hearing date and time.

Where can I get more information?

This notice summarizes the proposed Settlement. Please visit the settlement website at www.2022coppertonesettlement.com or call toll free (833) 903-3800 to obtain more complete information about the proposed settlement and your rights and options.

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