

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
JIMENEZ, <i>individually and on behalf of all</i>	:
<i>others similarly situated,</i>	:
	:
Plaintiff,	:
	:
v.	: No. 21-cv-7933
	:
ARTSANA USA, INC.,	:
	:
Defendant.	:
	:

**DECLARATION OF STEVEN WEISBROT, ESQ.
REGARDING IMPLEMENTATION OF THE NOTICE PLAN**

I, Steven Weisbrot, Esq., declare under penalty of perjury as follows:

1. I am the President and Chief Executive Officer at the class action notice and settlement administration firm Angeion Group, LLC (“Angeion”). I am fully familiar with the facts contained herein based upon my personal knowledge.

2. I have been responsible in whole or in part for the design and implementation of hundreds of court-approved notice and administration programs, including some of the largest and most complex notice plans in recent history. My full credentials were provided to this Court, as outlined in my previously filed Declaration (“Notice Plan Declaration”) (Dkt. No. 42-1, Exh. H).

3. The purpose of this declaration is to provide the Parties and the Court with a summary and the results of the work performed by Angeion pursuant to the *Class Action Settlement Agreement* and this Court’s *Amended Order Preliminarily Approving Class Action Settlement [As Modified]* (“Preliminary Approval Order”) (Dkt. No. 52).

NOTICE PURSUANT TO THE CLASS ACTION FAIRNESS ACT OF 2005

4. On January 27, 2023, pursuant to 28 U.S.C. § 1715, Angeion caused notice of the Settlement and other required documents to be sent to the Attorneys General of all states and territories and the Attorney General of the United States (“CAFA Notice”). The CAFA Notice mailings included copies of the documents listed in the CAFA Notice. Attached hereto as **Exhibit A** is a true and correct copy of the CAFA Notice. No state officials have provided any comments to the Claims Administrator or Parties.

CLASS DATA

5. On February 6, 2023, counsel for the Defendant sent a data file containing 129,878 records. The data file contained Class Member names, addresses, email addresses and eligible product details. Angeion reviewed the data and consolidated duplicate name and address records that had multiple products, resulting in 109,413 unique records (“Class List”). It was further identified that 10,483 of the 109,413 records had both an email address and mailing address.

DIRECT NOTICE

Email Notice

6. Prior to disseminating notice, Angeion performed an email address update to help ensure the accuracy of the recipient email addresses. This email cleansing process removes extra spaces, fixes common typographical errors in domain names and corrects insufficient domain suffixes (e.g., gmal.com to gmail.com, gmail.co to gmail.com, yaho.com to yahoo.com, etc.). After the cleansing process standardizes the email addresses, those email addresses will then be subjected to an email validation process whereby each email address is compared to known bad email addresses. Additionally, the email addresses are further verified by contacting the Internet Service Provider (“ISP”) to determine if the email addresses exist. As a result of the email cleansing process, Angeion identified 10,343 Class Members with a valid email address and 140 Class Members with an invalid email address.

7. On March 8, 2023, Angeion caused the notice (“Email Notice”) to be disseminated to the 10,343 Class Members who had a valid email address. A true and accurate copy of the Email Notice is attached hereto as **Exhibit B**.

8. Of the 10,343 Email Notices sent, 9,683 were delivered, and 660 bounced back as undeliverable. Of the 660 Class Members whose email notice could not be delivered, all had a corresponding mailing address.

Mailed Notice

9. On March 8, 2023, Angeion caused the summary Notice (“Postcard Notice”) to be mailed via the United States Postal Service (“USPS”) first-class mail, postage prepaid, to 99,070 Class Members (“Mailing List”). A true and accurate copy of the Postcard Notice is attached hereto as **Exhibit C**.

10. Following the March 8, 2023, Email Notice dissemination, the 660 Settlement Class Members whose Email Notices that could not be delivered were mailed the Postcard Notice via the USPS first-class mail, postage prepaid.

11. Prior to mailing, the Mailing List was processed through the USPS National Change

of Address database to identify updated addresses for individuals who have moved within the last four years and who filed a change of address card with the USPS.

12. Postcard Notices that have been returned by the USPS as undeliverable with a forwarding address were re-mailed to that forwarding address. Postcard Notices that were returned by the USPS without a forwarding address were subjected to an address verification search (“skip trace”) in an attempt to locate an updated address. As a result of the above-described efforts, of the 3,910 Postcard Notices returned as undeliverable by the USPS, 3,085 were re-mailed to updated addresses.

MEDIA NOTICE

13. On March 8, 2023, Angeion implemented a paid search campaign via Google to help drive Class Members who were actively searching for information about the Settlement to the dedicated Settlement Website.

14. On March 24, 2023, Angeion implemented the four-week internet banner notice and social media notice portions of the Notice Plan. The internet banner ad notice utilized a desktop and mobile ad campaign to notify and drive Class Members to the dedicated Settlement Website where they could find information about the Settlement and submit a claim form. Likewise, the social media campaign utilized the Facebook and Instagram platforms to notify and drive Class Members to the Settlement Website. True and correct copies of the internet banner ads and social media ads are attached hereto as **Exhibits D and E, respectively**.

15. In total, the media notice efforts described above served a total of 27,086,089 impressions.

PRINT PUBLICATION

16. On March 8, 2023, Angeion caused notice of the Settlement to be published in *People* magazine, a publication with a target audience of 36.2 million people. A true and correct copy of the tear-sheet from that publication is attached hereto as **Exhibit F**.

PRESS RELEASE

17. On March 8, 2023, Angeion caused a press release to be distributed over BusinessWire, a Berkshire Hathaway company, which maintains the industry's only patented and proprietary news content distribution technology with the most comprehensive worldwide media database and online reach among all commercial newswire services. A true and accurate copy of the press release is attached hereto as **Exhibit G**.

18. On March 24, 2023, Angeion initiated the "active listening" component to complement promoted placements on Facebook, Instagram, and Twitter, wherein online traffic was monitored on these social media platforms for discussion of the Settlement, and notice and/or answers to frequently asked questions were provided, as appropriate.

SETTLEMENT WEBSITE & TOLL-FREE TELEPHONE SUPPORT

19. On March 8, 2023, Angeion established the following website devoted to this Settlement: **www.ArtsanaBoosterSeatSettlement.com** ("Settlement Website"). The Settlement Website contains important information about the Settlement, including answers to frequently asked questions, and copies of important documents. Visitors to the Settlement Website can download (1) a Long Form Notice, (2) a Claim Form, (3) the Amended Order Granting Preliminary Approval of Class Action Settlement, (3) the Stipulation of Settlement, (4) Class Action Complaints, and (5) the Consolidated Amended Complaint. The Settlement Website also prominently displayed important dates and deadlines, including the claim filing deadline; the deadline to submit an objection; the deadline to opt out; and the date and time of the Fairness Hearing. The Settlement Website address was also set forth in the Email Notice, Media Notice, Long Form Notice, and Claim Forms. The Settlement Website allows Class Members to file a claim directly on the website or download and print the Claim Form to be completed and mailed via the USPS. The Settlement Website was designed to be user-friendly and made it easy for Class Members to find information about the case. The Settlement Website also has a "Contact Us" page whereby Class Members can submit questions regarding the Settlement to a dedicated email

address: info@ArtsanaBoosterSeatSettlement.com. To date, we have received 278 emails and have responded appropriately to each email. The majority of emails have been questions about the settlement terms, or requests for assistance in filing a claim.

20. As of August 28, 2023, the Settlement Website has had 1,973,411 page views and 1,259,043 sessions, which represents the number of individual sessions initiated by all users.

21. On or about March 8, 2023, Angeion established the following toll-free line dedicated to this case: 844-491-1414. The toll-free line utilizes an interactive voice response (“IVR”) system to provide Class Members with responses to frequently asked questions, the ability to request a Claim Form, and includes information about filing a claim and important dates and deadlines. The toll-free line is accessible 24 hours a day, 7 days a week.

22. As of August 28, 2023, the toll-free hotline has received 355 calls for a total of 1,591 minutes.

REACH & FREQUENCY

23. As described in my Notice Plan Declaration, the comprehensive media campaign was designed to deliver an approximate 85.33% reach with an average frequency of 4.73 times each. The Notice Plan results **exceeded expectations** by delivering an approximate 86.77% reach with an average frequency of 5.62 times each. In practice, this means that 86.77% of our Target Audience saw an advertisement concerning the Settlement an average of 5.62 times each.

24. It should be noted that the 86.77% reach is independent from and does not include the direct notice efforts, press release, dedicated Settlement Website, or the toll-free hotline, which are difficult to measure in terms of reach percentage but will nonetheless provide awareness and further diffuse news of the Settlement to Class Members.

25. The Federal Judicial Center states that a publication notice plan that reaches 70% of class members is one that reaches a “high percentage” and is within the “norm.” Barbara J. Rothstein & Thomas E. Willging, Federal Judicial Center, “Managing Class Action Litigation: A Pocket Guide for Judges,” at 27 (3d Ed. 2010).

CLAIM FORM SUBMISSIONS

26. The deadline for Class Members to submit a Claim Form is 60 days after Final Approval, setting the earliest possible claim deadline to December 11, 2023. As of August 19, 2023, Angeion has received a total of 1,256,540 Claim Form submissions.

27. As of the date of this declaration, Angeion has preliminarily reviewed 957,132 claims submitted up to July 21, 2023, claiming a total of 1,012,624 products purchased. Of these 1,012,624 products purchased, Angeion preliminarily identified: (a) 153,244 eligible products¹; (b) 1,901 eligible products pending review of photograph provided; (c) 2,517 products pending documentation review; (d) 419,193 ineligible products; and (e) 435,769 products are preliminarily identified as potentially fraudulent.

[REDACTED]

29. We have instructed Class Counsel to redact the information in the prior paragraph because it discusses our anti-fraud efforts and, if disclosed, may undermine our ability to combat fraudulent claims. Fraud detection is especially important as fraudulent claim submissions in certain types of class action settlements are becoming increasingly prevalent². Angeion's

¹ These eligible products will be subjected to final audits at the close of the claim filing period.

² See <https://www.law.com/newyorklawjournal/2023/07/26/the-increasing-danger-of-fraudulent-claims-in-class->

preliminary review in identifying over 435,769 potentially fraudulent claim submissions will help maintain the integrity of the Settlement by ensuring only eligible Class Members are identified to receive payments, and is best practices consistent with industry standards.

30. All claim form submissions are still subject to final audits, including the full assessment of each claim's validity and a review for duplicate submissions. Angeion will continue to keep the parties apprised of the number of Claim Form submissions received.

REQUESTS FOR EXCLUSION

31. The deadline for Class Members to request exclusion from the Settlement is on September 7, 2023. As of the date of this declaration, Angeion has received three (3) requests for exclusion. Angeion will continue to keep the parties apprised of any additional requests for exclusion received.

OBJECTIONS TO THE SETTLEMENT

32. The deadline for Class Members to object to the Settlement is September 7, 2023. As of the date of this declaration, Angeion has not been made aware of any objections to the Settlement.

ADMINISTRATION COSTS

33. Through July 31, 2023, Angeion has incurred \$612,753.20 in administration costs.

CONCLUSION

34. The Notice Plan outlined above provided direct notice to reasonably identifiable Class Members, combined with a state-of-the-art comprehensive media plan comprised of internet advertising, social media advertising, a paid search campaign, and publication in *People* magazine. The media plan was complemented by a national press release to further diffuse news of the Settlement, along with the implementation of a dedicated Settlement Website and toll-free

telephone support to inform Class Members of their rights and options pursuant to the terms of the Settlement.

35. It remains my professional opinion that the Notice Plan implemented in this Settlement was the best notice practicable under the circumstances, and fully comports with due process and Fed. R. Civ. P. 23.

I hereby declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: August.28 , 2023


STEVEN WEISBROT

EXHIBIT A



1650 Arch Street, Suite 2210
Philadelphia, PA 19103
www.angeiongroup.com
215.563.4116 (P)
215.525.0209 (F)

January 27, 2023

VIA USPS PRIORITY MAIL

United States Attorney General &
Appropriate Officials

Re: Notice of Class Action Settlement

Jimenez, et al. v. Artsana USA, Inc.

Dear Counsel or Official:

Angeion Group, an independent claims administrator, on behalf of the Defendant in the below-described action, hereby provides your office with this Notice under the provisions of the Class Action Fairness Act ("CAFA"), 28 U.S.C. § 1715, to advise you of the following proposed class action settlement:

Case Name: *Jimenez, et al. v. Artsana USA, Inc.*

Index Number: 7:21-cv-07933-VB

Jurisdiction: United States District Court for the Southern District of New York

Date Settlement Filed with Court: January 17, 2023

A copy of this Notice is being provided concurrently to the Attorney General of the United States and the Attorneys General of every state, the District of Columbia, Puerto Rico, and every U.S. territory.

The putative nationwide class-action lawsuit asserts claims relating to Artsana's marketing of "KidFit" booster seats. Artsana strongly disputes the claims, but it has agreed to settle this lawsuit to avoid the expenses, uncertainties, distractions, and other risks inherent in further litigation.

In accordance with the requirements of 28 U.S.C. § 1715, please find copies of the following documents associated with this action on the enclosed CD-ROM:

- 1. 28 U.S.C. § 1715(b)(1)-Complaint:** A Class Action Complaint was filed with the Court on September 23, 2021. A Consolidated Amended Complaint was filed with the Court on January 17, 2023. A copy of each is provided on the enclosed CD-ROM.
- 2. 28 U.S.C. § 1715(b)(2)-Notice of Any Scheduled Judicial Hearings:** A copy of the Court's Order, dated January 23, 2023, and subsequent ECF notice scheduling a final fairness hearing in the matter for October 12, 2023, at 10:00 a.m. are included on the enclosed CD-ROM. Additionally, copies of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement and Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement are included.

3. **28 U.S.C. § 1715(b)(3)-Notification to Class Members:** The Proposed Claim Form, Proposed Long Form Notice, and Proposed Summary Notice were filed with the Court on January 17, 2023 as attachments to the Settlement Agreement and Release, and are provided on the enclosed CD-ROM.
4. **28 U.S.C. § 1715(b)(4)-Class Action Settlement Agreement:** The Settlement Agreement and Release was filed with the Court on January 17, 2023, as an exhibit to the Declaration of Martha A. Geer in Support of Motion for Preliminary Approval of Class Action Settlement. Copies of the Declaration and all exhibits are also provided on the enclosed CD-ROM.
5. **28 U.S.C. § 1715(b)(5)-Any Settlement or Other Agreements:** Other than the Settlement Agreement, no other settlements or other agreements have been contemporaneously made between the Parties.
6. **28 U.S.C. § 1715(b)(6)-Final Judgment:** The Court has not issued a Final Judgment or notice of dismissal as of the date of this CAFA Notice.
7. **28 U.S.C. § 1715(b)(7)(B)-Estimate of Class Members:** The Settlement Class contains up to approximately 874,538 Class Members. An estimate of relevant purchases made by Class Members by State total and percentage is included on the enclosed CD-ROM. There are likely more purchases than Class Members because some Class Members may have purchased more than one booster seat. The estimated proportional share of the Settlement benefits is not available at this time, as it is contingent on the Class Members' submission of a claim form.
8. **28 U.S.C. §1715(b)(8)-Judicial Opinions Related to the Settlement:** A copy of the Court's Order, dated January 23, 2023, preliminarily approving the class action settlement, approving class notice, and scheduling the final fairness hearing is included on the enclosed CD-ROM.

If you have questions or concerns about this notice, the proposed settlement, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact this office.

Sincerely,

Angeion Group
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
(p) 215-563-4116
(f) 215-563-8839

Enclosures

EXHIBIT B

To: [Settlement Class Member Email Address]
From: Chicco Booster Seat Settlement Administrator
Subject: Notice of Proposed Class Action Settlement

Notice ID:

Confirmation Code:

You are receiving this notice because records show that you purchased a Chicco "Kid Fit" booster seat or you may have registered the booster seat with Chicco or the National Highway Traffic Safety Administration (NHTSA), and you may be eligible for a settlement payment under the terms of a recent class action settlement.

LEGAL NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

If You Purchased a Chicco "KidFit" Booster Seat Between April 22, 2015 and December 31, 2021, You May Be Eligible for a Payment of Up to \$50 from a Class Action Settlement

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

What Is This Notice About? A Settlement has been reached with Artsana USA, Inc. ("Artsana") in a class action lawsuit about Artsana's Chicco-branded "KidFit" booster seats. The lawsuit alleges that Artsana misrepresented the minimum weight requirement for and side-impact collision protection provided by its Chicco "KidFit" booster seats. Artsana denies these allegations. The Court did not rule in favor of Plaintiffs or Defendant. Instead, the parties agreed to a settlement to avoid the expense and risks of continuing the lawsuit. The settlement is *not* an admission of wrongdoing by Artsana.

Am I a Class Member? You are a Class Member if you purchased a Chicco "KidFit" branded booster seat, which includes the KidFit, KidFit Zip, KidFit Zip Air, KidFit Luxe, KidFit Plus, and KidFit Air Plus models, between April 22, 2015 and December 31, 2021 (the "Eligible Product(s)").

What Benefit Can I Get from the Settlement? Class Members who submit a timely and valid Claim Form will receive a cash benefit as set forth below. Class Members who submit a valid Claim Form and either (1) purchased an Eligible Product directly from www.chiccousa.com, (2) registered an Eligible Product with Artsana or the National Highway Traffic Safety Administration (NHTSA), or (3) provide other proof of purchase will receive a cash payment of \$50. Class Members who submit a valid Claim Form without proof of purchase will receive a cash payment of \$25. Visit www.ArtsanaBoosterSeatSettlement.com for more information about the cash benefits.

What are My Options?

- **You Can Accept the Settlement.** If you wish to receive the benefits under the Settlement, you must complete and submit a Claim Form by 60 days after Final Approval, which could be as early as **December 11, 2023**. Claim Forms may be submitted online at www.ArtsanaBoosterSeatSettlement.com or printed from the Settlement Website and mailed to the Settlement Administrator received no later than 60 days after Final Approval, which could be as early as **December 11, 2023**. You can obtain a Claim Form: (1) on the Internet at www.ArtsanaBoosterSeatSettlement.com or (2) by calling the Settlement Administrator at 1-844-491-1414; or (3) by mailing a written request for a Claim Form, including your name and mailing address, by regular mail to: Chicco Booster Seat Settlement, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. If you fail to timely submit a Claim Form and do not exclude

yourself from the Settlement, then you will be bound by the Settlement but will not receive any benefits of the Settlement.

- **You Can Ask to be Excluded from the Class.** If you do not wish to participate in this Settlement, you must provide written notice so indicating. Such notice must include your name, address, and signature. The written request to be excluded must be **received no later than September 7, 2023**, or you will not be able to sue, or continue to sue, Artsana about the claims and allegations in this case. Refer to the Settlement Website and the Long Form Notice for information and instructions on how to exclude yourself.
- **You Can Object to the Settlement.** If you want to stay in the Settlement Class, but don't like any part of it, you can object to the Settlement. To object, you must file a written objection with the Clerk of the Court for the United States District Court for the Southern District of New York and send copies to the attorneys representing the Class and Artsana **to be received no later than September 7, 2023**. Refer to the Settlement Website and the Long Form Notice (available at www.ArtsanaBoosterSeatSettlement.com) for information and instructions on how to object.

The Court's Fairness Hearing. The Court will hold a "Fairness Hearing" to decide whether to approve the Settlement on **October 12, 2023 at 10:00 a.m.** in Courtroom 620, located at The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse, 300 Quarropas St., White Plains, NY 10601-4150. At this hearing, the Court will decide whether it will finally approve all terms of the settlement, including attorneys' fees, costs and expenses, and service awards for Plaintiffs. The motion for attorneys' fees, costs and expenses will be posted on the www.ArtsanaBoosterSeatSettlement.com after they are filed. The Court will also review any objections to the Settlement at the hearing. You may appear at the Fairness Hearing at your own expense but aren't required to do so. The date of the hearing may change without further notice so please visit www.ArtsanaBoosterSeatSettlement.com for updated information.

To File a Claim or to Get More Information, please visit the Settlement Website at www.ArtsanaBoosterSeatSettlement.com or call toll free **1-844-491-1414**. You may also contact Class Counsel by emailing: info@bursor.com, or by writing to: Chicco KidFit Booster Class Action Settlement, c/o Angeion Group, 1650 Arch St #2210, Philadelphia, PA 19103. In addition, you can access the Court docket in this case, for a fee, through the Court's PACER site at <https://ecf.nysd.uscourts.gov>. Please do not contact the Court or Clerk for information.

By order of the United States District Court for the Southern District of New York

[Unsubscribe](#)

EXHIBIT C

**LEGAL NOTICE OF
PROPOSED CLASS ACTION
SETTLEMENT**

**UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF NEW YORK**

**If You Purchased a Chicco
“KidFit” Booster Seat Between
April 22, 2015 and December 31,
2021, You May Be Eligible for
a Payment of Up to \$50 from a
Class Action Settlement**

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

You are receiving this notice because records show that you purchased a Chicco “Kid Fit” booster seat or you may have registered the booster seat with Chicco or the National Highway Traffic Safety Administration (NHTSA), and you may be eligible for a settlement payment under the terms of a recent class action settlement.

Chicco Booster Seat Settlement
c/o Settlement Administrator
1650 Arch Street, Suite 2210
Philadelphia, PA 19103



NUMERIC EQUIVALENT

Postal Service: Please do not mark barcode

PRESORTED
FIRST-CLASS MAIL
U S. POSTAGE PAID
MAG

**Electronic Service
Requested**

**Notice ID: «Notice ID»
Confirmation Code: «Confirmation Code»**

**«FirstName»«LastName»
«Address1»
«Address2»
«City», «State» «Zip»**

What Is This Notice About? A Settlement has been reached with Artsana USA Inc. (“Artsana”) in a class action lawsuit about Artsana’s Chicco-branded “KidFit” booster seats. The lawsuit alleges that Artsana misrepresented the minimum weight requirement for and side-impact collision protection provided by its Chicco “KidFit” booster seats. Artsana denies these allegations. The Court did not rule in favor of Plaintiffs or Defendant. Instead the parties agreed to a settlement to avoid the expense and risks of continuing the lawsuit. The settlement is *not* an admission of wrongdoing by Artsana.

Am I a Class Member? You are a Class Member if you purchased a Chicco “KidFit” branded booster seat which includes the KidFit KidFit Zip KidFit Zip Air KidFit Luxe KidFit Plus and KidFit Air Plus models between April 22 2015 and December 31 2021 (the “Eligible Product(s)”).

What Benefit Can I Get from the Settlement? Class Members who submit a timely and valid Claim Form will receive a cash benefit as set forth below. Class Members who submit a valid Claim Form and either (1) purchased an Eligible Product directly from www.chiccousa.com (2) registered an Eligible Product with Artsana or the National Highway Traffic Safety Administration (NHTSA) or (3) provide other proof of purchase will receive a cash payment of \$50. Class Members who submit a valid Claim Form without proof of purchase will receive a cash payment of \$25. Visit www.ArtsanaBoosterSeatSettlement.com for more information about the cash benefits.

What are My Options?

- **You Can Accept the Settlement.** If you wish to receive the benefits under the Settlement you must complete and submit a Claim Form by 60 days after Final Approval which could be as early as **December 11, 2023**. Claim Forms may be submitted online at www.ArtsanaBoosterSeatSettlement.com or printed from the Settlement Website and mailed to the Settlement Administrator received no later than 60 days after Final Approval which could be as early as **December 11, 2023**. You can obtain a Claim Form (1) on the Internet at www.ArtsanaBoosterSeatSettlement.com or (2) by calling the Settlement Administrator at 1-844-491-1414; or (3) by mailing a written request for a Claim Form including your name and mailing address by regular mail to Chicco Booster Seat Settlement c/o Settlement Administrator 1650 Arch Street Suite 2210 Philadelphia PA 19103. If you fail to timely submit a Claim Form and do not exclude yourself from the Settlement then you will be bound by the Settlement but will not receive any benefits of the Settlement.
- **You Can Ask to be Excluded from the Class.** If you do not wish to participate in this Settlement you must provide written notice so indicating. Such notice must include your name address and signature. The written request to be excluded must be **received no later than September 7, 2023** or you will not be able to sue or continue to sue Artsana about the claims and allegations in this case. Refer to the Settlement Website and the Long Form Notice for information and instructions on how to exclude yourself.
- **You Can Object to the Settlement.** If you want to stay in the Settlement Class but don’t like any part of it you can object to the Settlement. To object you must file a written objection with the Clerk of the Court for the United States District Court for the Southern District of New York and send copies to the attorneys representing the Class and Artsana **to be received no later than September 7, 2023**. Refer to the Settlement Website and the Long Form Notice (available at www.ArtsanaBoosterSeatSettlement.com) for information and instructions on how to object.

The Court’s Fairness Hearing. The Court will hold a “Fairness Hearing” to decide whether to approve the Settlement on **October 12, 2023 at 10:00 a.m.** in Courtroom 620 located at The Hon. Charles L. Briant Jr. Federal Building and United States Courthouse 300 Quarropas St. White Plains NY 10601-4150. At this hearing the Court will decide whether it will finally approve all terms of the settlement including attorneys’ fees costs and expenses and service awards for Plaintiffs. The motion for attorneys’ fees costs and expenses will be posted on the www.ArtsanaBoosterSeatSettlement.com after they are filed. The Court will also review any objections to the Settlement at the hearing. You may appear at the Fairness Hearing at your own expense but aren’t required to do so. The date of the hearing may change without further notice so please visit www.ArtsanaBoosterSeatSettlement.com for updated information.

To File a Claim or to Get More Information, please visit the Settlement Website at www.ArtsanaBoosterSeatSettlement.com or call toll free **1-844-491-1414**. You may also contact Class Counsel by emailing info@bursor.com or by writing to Chicco KidFit Booster Class Action Settlement c/o Angeion Group 1650 Arch St #2210 Philadelphia PA 19103. In addition you can access the Court docket in this case for a fee through the Court’s PACER site at <https://ecf.nysd.uscourts.gov>. Please do not contact the Court or Clerk for information.

By order of the United States District Court for the Southern District of New York

EXHIBIT D

Banner Ad

160x600



You may be
eligible to
receive up
to \$50 if you
purchased
a Chicco
“KidFit”
booster seat
between
April 2015
and
December
2021.

**CLICK
HERE**
for more
information




Banner Ad

300x50



You may be eligible to receive up to \$50 if you purchased a Chicco "KidFit" booster seat between April 2015 and December 2021.


CLICK HERE for more information 

Banner Ad

320x50



You may be eligible to receive up to \$50 if you purchased a Chicco “KidFit” booster seat between April 2015 and December 2021.

CLICK HERE for more information 

Banner Ad

300x250



The banner advertisement is divided into two main sections. On the left, there is a black and white photograph of a young girl with long braided hair, smiling while seated in a car booster seat. On the right, there is a solid red background with white text. The text reads: "You may be eligible to receive up to \$50 if you purchased a Chicco "KidFit" booster seat between April 2015 and December 2021." Below the red section, there is a white horizontal bar containing the text "CLICK HERE for more information" in black, followed by a white mouse cursor icon pointing towards the text.

You may be eligible to receive up to \$50 if you purchased a Chicco "KidFit" booster seat between April 2015 and December 2021.

CLICK HERE for more information

Banner Ad

300x600



You may be eligible to receive up to \$50 if you purchased a Chicco “KidFit” booster seat between April 2015 and December 2021.

CLICK HERE
for more information 

Banner Ad

728x90




You may be eligible to receive up to \$50 if you purchased a Chicco “KidFit” booster seat between April 2015 and December 2021.

CLICK HERE for more information 

Banner Ad

970x250



You may be eligible to receive up to \$50 if you purchased a Chicco “KidFit” booster seat between April 2015 and December 2021.


CLICK HERE for more information 

EXHIBIT E



Angeion Group

Sponsored ·



You may be eligible to receive up to \$50 if you purchased a Chicco "Kid Fit" booster seat between April 2015 and December 2021



ARTSANABOOSTERSEATSETTLEMENT.COM

Jimenez v. Artsana USA, Inc.

Class Action Settlement

[Learn more](#)

Like

Comment

Share

EXHIBIT F

Chris Rock Strikes Back
WHY HE WON'T FORGIVE WILL SMITH

**King Charles
Evicts Meghan
& Harry—
What's Next?**

*New
Details*

**PRESLEY
FAMILY DRAMA**

The Fight Over Graceland

After Lisa Marie Presley's shocking death, her mother, Priscilla, and daughter Riley clash over control of Elvis's fortune. Inside the fractured dynasty

March 20, 2023

4+

LEGAL NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

If You Purchased a Chicco "KidFit" Booster Seat Between April 22, 2015 and December 31, 2021, You May Be Eligible for a Payment of Up to \$50 from a Class Action Settlement

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

What Is This Notice About? A Settlement has been reached with Artsana USA, Inc. ("Artsana") in a class action lawsuit about Artsana's Chicco-branded "KidFit" booster seats. The lawsuit alleges that Artsana misrepresented the minimum weight requirement for and side-impact collision protection provided by its Chicco "KidFit" booster seats. Artsana denies these allegations. The Court did not rule in favor of Plaintiffs or Defendant. Instead, the parties agreed to a settlement to avoid the expense and risks of continuing the lawsuit. The settlement is not an admission of wrongdoing by Artsana.

Am I a Class Member? You are a Class Member if you purchased a Chicco "KidFit" branded booster seat, which includes the KidFit, KidFit Zip, KidFit Zip Air, KidFit Luxe, KidFit Plus, and KidFit Air Plus models, between April 22, 2015 and December 31, 2021 (the "Eligible Product(s)").

What Benefit Can I Get from the Settlement? Class Members who submit a timely and valid Claim Form will receive a cash benefit as set forth below. Class Members who submit a valid Claim Form and either (1) purchased an Eligible Product directly from www.chiccousa.com, (2) registered an Eligible Product with Artsana or the National Highway Traffic Safety Administration (NHTSA), or (3) provide other proof of purchase will receive a cash payment of \$50. Class Members who submit a valid Claim Form without proof of purchase will receive a cash payment of \$25. Visit www.ArtsanaBoosterSeatSettlement.com for more information about the cash benefits.

What are My Options?

You Can Accept the Settlement. If you wish to receive the benefits under the Settlement, you must complete and submit a Claim Form by 60 days after Final Approval, which could be as early as **December 11, 2023**. Claim Forms may be submitted online at www.ArtsanaBoosterSeatSettlement.com or printed from the Settlement Website and mailed to the Settlement Administrator received no later than 60 days after Final Approval, which could be as early as December 11, 2023. You can obtain a Claim Form: (1) on the Internet at www.ArtsanaBoosterSeatSettlement.com or (2) by calling the Settlement Administrator at 1-844-491-1414; or (3) by mailing a written request for a Claim Form, including your name and mailing address, by regular mail to: Chicco Booster Seat Settlement, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. If you fail to timely submit a Claim Form and do not exclude yourself from the Settlement, then you will be bound by the Settlement but will not receive any benefits of the Settlement.

You Can Ask to be Excluded from the Class. If you do not wish to participate in this Settlement, you must provide written notice so indicating. Such notice must include your name, address, and signature. The written request to be excluded must be **received no later than September 7, 2023**, or you will not be able to sue, or continue to sue, Artsana about the claims and allegations in this case. Refer to the Settlement Website and the Long Form Notice for information and instructions on how to exclude yourself.

You Can Object to the Settlement. If you want to stay in the Settlement Class, but don't like any part of it, you can object to the Settlement. To object, you must file a written objection with the Clerk of the Court for the United States District Court for the Southern District of New York and send copies to the attorneys representing the Class and Artsana **to be received no later than September 7, 2023**. Refer to the Settlement Website and the Long Form Notice (available at www.ArtsanaBoosterSeatSettlement.com) for information and instructions on how to object.

The Court's Fairness Hearing. The Court will hold a "Fairness Hearing" to decide whether to approve the Settlement on **October 12, 2023 at 10:00 a.m.** in Courtroom 620, located at The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse, 300 Quarropas St., White Plains, NY 10601-4150. At this hearing, the Court will decide whether it will finally approve all terms of the settlement, including attorneys' fees, costs and expenses, and service awards for Plaintiffs. The motion for attorneys' fees, costs and expenses will be posted on the www.ArtsanaBoosterSeatSettlement.com after they are filed. The Court will also review any objections to the Settlement at the hearing. You may appear at the Fairness Hearing at your own expense but aren't required to do so. The date of the hearing may change without further notice so please visit www.ArtsanaBoosterSeatSettlement.com for updated information.

To File a Claim or to Get More Information, please visit the Settlement Website at www.ArtsanaBoosterSeatSettlement.com or call toll free 1-844-491-1414. You may also contact Class Counsel by emailing: info@bursor.com, or by writing to: Chicco KidFit Booster Class Action Settlement, c/o Angeion Group, 1650 Arch St #2210, Philadelphia, PA 19103. In addition, you can access the Court docket in this case, for a fee, through the Court's PACER site at <https://ecf.nysd.uscourts.gov>. Please do not contact the Court or Clerk for information.

By order of the United States District Court for the Southern District of New York

Scoop

Hoda Kotb Reveals Daughter's Health Scare

When Hoda Kotb returned to the *Today* show on March 6 for the first time in two weeks, she revealed that her absence was due to concerns over her 3-year-old daughter's health. "My youngest, Hope, was in the ICU for a few days and in the hospital for a little more than a week," Kotb, 58, told coanchor Savannah Guthrie. "I'm so grateful she's home."

Kotb's absence from the show (she had last appeared on Feb. 17) sparked concern among viewers, even before her colleagues announced on March 1 that she was away for "a family health matter." At press time the veteran journalist—who is also mom to daughter Haley, 6—had yet to share any specific details about why Hope was hospitalized. But upon her return she thanked friends and



Hoda with daughters Hope (left) and Haley in a December Instagram.

family for their support. "You know what I realized, too, Savannah? It's like, when your child is ill, the amount of gratitude you can have for people who helped you out," Kotb said. "So I'm grateful for the doctors at Weill Cornell, who were amazing, and the nurses. And I'm grateful for my family, and I'm grateful to friends like you who were there every single day."

—ALEX ROSS

'I WAS WAITING FOR THAT DAY TO COME. WE ARE WATCHING HER CLOSELY'

—HODA KOTB on Hope's return home



EXHIBIT G

Settlement Administrator Angeion Group announces Proposed Settlement in Chicco "KidFit" Booster Seat Class Action

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March 08, 2023 07:27 PM Eastern Standard Time

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ANGEION GROUP

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Settlement Administrator Angeio X

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