

If you purchased any Babyganics Products, you may be eligible to receive a payment from a class action Settlement.

If you purchased any Babyganics Products, you may be eligible to receive a payment from a Class Action Settlement. The Action alleged that Defendants KAS Direct LLC and S.C. Johnson & Son, Inc. violated state laws regarding the marketing and sales of Babyganics Products, including the use of the terms “Babyganics,” “mineral-based,” and “natural.” The case is called *Mayhew, et al. v. KAS Direct, LLC*, Case No. 7:16-cv-06981-VB. The Settlement of this lawsuit will also resolve claims relating to subsets of Babyganics Products labeled with the terms “plant-based,” “tear-free,” and “SPF 50+”. Those claims were raised in the following cases: *Machlan v. S.C. Johnson, Inc.*, Case No. CGC-17-557613 (Sup. Ct. CA), later removed on April 28, 2017 to the District Court of the Northern District of California, No. 3:17-cv-02442 (certain Babyganics pre-moistened wipes with “plant”-related labeling); *Skeen v. KAS Direct, LLC, d/b/a/ Babyganics*, No. 1:17-cv-04119 (S.D.N.Y.) (certain Babyganics products with “tear-free”-related labeling); and *Carroll v. S. C. Johnson & Son, Inc.*, Case No. 1:17-cv-5828, (N.D. Ill.) (certain Babyganics and mineral-based sunscreen products with SPF 50+ labeling). Defendants deny any and all wrongdoing of any kind whatsoever and deny any liability to Plaintiffs and to the Settlement Class. The Court has not decided who is right. Both sides have agreed to settle the dispute and provide an opportunity for payments and other benefits to Settlement Class Members.

WHO IS INCLUDED IN THE SETTLEMENT?

All persons and entities in the United States who made retail purchases of **Covered Products** from September 7, 2010 to June 26, 2018. “**Covered Products**” means **any Babyganics product**, regardless of product line, scent, and/or unit size, marketed and sold by the Defendants in the United States. More information about the Babyganics products involved in the Settlement is available at the Settlement Website, www.babyganicssettlement.com, or by calling 1-888-332-0279.

WHAT DOES THE SETTLEMENT PROVIDE?

The Settlement provides for a Settlement Fund in the amount of \$2,215,000.00 to pay (1) Eligible Claims submitted by Settlement Class Members; (2) Attorneys’ Fees and Expenses; (3) Notice and Claim Administration Expenses; and (4) any Service Awards made by the Court to Plaintiffs. Settlement Class Members who timely submit valid Claim Forms are entitled to receive a cash payment from the Settlement. The actual amount recovered by each Settlement Class Member will not be determined until after the Claim Period has ended and all claims have been calculated.

WHAT ARE MY RIGHTS?

Submit a Claim Form. If you wish to participate in the Settlement and be eligible to receive benefits under the Settlement, you must fill out and submit a Claim Form by **October 29, 2018**. You can obtain a Claim Form by (1) Visiting the Settlement Website, www.babyganicssettlement.com, where you can file your claim online or print a Claim Form to submit by mail; (2) Mailing a written request for a Claim Form to the Settlement Administrator: Babyganics Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103; or (3) E-mailing the Settlement Administrator at info@babyganicssettlement.com. If you do not timely submit a valid Claim Form and do not exclude yourself from the Settlement, you will be bound by the Settlement but will not receive any benefits of the Settlement.

Object to the Settlement. If you do not agree with the Settlement or any part of it, you may submit a written objection to the Court. The deadline for submitting an objection is **October 10, 2018**.

“Opt Out” or Exclude Yourself from the Settlement. If you don’t want to be legally bound by the Settlement, you must exclude yourself by **October 10, 2018**, or you won’t be able to sue, or continue to sue, Defendants about the legal claims in this case, the other cases identified above, *or any other legal claims related to the accuracy or truthfulness of the labels used by Defendants on the Covered Products*. If you exclude yourself, you cannot get money from this Settlement. The Class Notice, available at www.babyganicssettlement.com, explains how to exclude yourself or object. If you do nothing you will be bound by the Court’s decisions.

THE COURT’S FINAL APPROVAL HEARING

The Court will hold a hearing on **November 14, 2018** at 10:30 a.m. to consider whether to approve the Settlement, Class Counsel’s request for Attorneys’ Fees and Expenses up to \$733,333.33, and Service Awards for the Plaintiffs totaling \$10,500, from the Settlement Fund. You or your own lawyer may appear and speak at the hearing at your own expense. To

do so, you must send a letter saying that it is your “Notice of Intent to Appear.” Your Notice of Intent to Appear must be filed with the Court and served on Class Counsel and Defendants’ Counsel no later than **October 24, 2018**.

FOR MORE INFORMATION

Call Toll-Free 1-888-332-0279 or visit www.babygenicssettlement.com