

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS

A court authorized this notice. You are not being sued. This is not a solicitation from a lawyer.

If You Bought Customized Silicone Wristbands or Customized Pin Buttons Since 2014, You Could Be Eligible for a Payment from a Class Action Settlement

- This is a class action lawsuit about customized silicon wristbands and customized pin buttons, which are types of customized promotional products (CPPs). CPPs are small, inexpensive items most often used by businesses or other organizations for promotional purposes, such as to advertise and market a given brand or piece of information. These products are generally imprinted with a brand name, slogan, person's name, or some other bit of text or imagery at the customer's request. For the purposes of this Notice, the term "CPPs" refers only to customized silicon wristband and customized pin buttons.
- Plaintiffs claim that Defendants (listed below) engaged in an unlawful conspiracy to fix, raise, maintain or stabilize the prices of CPPs. Plaintiffs further claim that direct purchasers from the Defendants of customized silicon wristbands and customized pin buttons may recover for the effect that the CPP conspiracy had on the prices of these products. Plaintiffs allege that, as a result of the unlawful conspiracy involving CPPs, they and other direct purchasers paid more for CPPs than they would have paid absent the conspiracy. Defendants deny Plaintiffs' claims.
- Settlements have been reached with the following groups of Defendants: (1) Zaappaaz, Inc. and its president Azim Makanojiya (together, "Zaappaaz"); (2) Netbrands Media Corp. and its president Mashnoon Ahmed (together, "Netbrands"); (3) Gennex Media, LLC (aka Brandeco L.L.C.) and its CEO Akil Kurji (together, "Gennex"); and (4) Custom Wristbands and its CEO Christopher Angeles (together, "Custom Wristbands").
- The settlement at issue is for the benefit of a class of persons and entities defined as follows: "All persons or entities in the United States, including its territories and the District of Columbia, who purchased customized silicone wristbands or customized pin buttons within the United States, including its territories and the District of Columbia, directly from one or more Defendants, or any of their predecessors, subsidiaries, or affiliates thereof, and all federal or state government entities or agencies, between June 1, 2014 and the Execution Date." If you fall within the settlement class definition, you are a "Settlement Class Member."
- The settlement offers cash payments to Settlement Class Members who file valid timely Claims.
- Visit www.CPPDirectPurchaserLitigation.com to make a claim. You can also opt out of, object to, or comment on the Settlement.
- Please read this notice carefully. Your legal rights will be affected, and you have a choice to make now.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS		DEADLINE
SUBMIT A CLAIM FORM	This is the only way to get a payment.	December 13, 2020
EXCLUDE YOURSELF	Get no payment. This is the only option that allows you to keep your right to bring any other lawsuit against any Defendant for claims related to this case.	September 23, 2020
OBJECT AND/OR ATTEND A HEARING	If you wish to object to the Settlement, or anything else referenced in this Notice, you must file a written objection. You may also request to be heard at the Fairness Hearing.	September 23, 2020
DO NOTHING	You will forfeit your right to get a monetary benefit from the Settlement, and you will give up your rights to assert claims released by this Settlement against Defendants. If you wish to remain in the Settlement Class to qualify for a payment, you must submit a claim form.	N/A

- These rights and options—**and the deadlines to exercise them**—are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement and after any appeals are resolved.

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BASIC INFORMATION

1. Why did I get this notice?

You or your company may have directly purchased certain CPPs from one or more Defendants during the dates listed below:

Defendant	Class Period
Netbrands	June 1, 2014 to February 19, 2020
Gennex	June 1, 2014 to January 23, 2020
Custom Wristbands	June 1, 2014 to February 6, 2020
Zaappaaz	June 1, 2014 to June 23, 2020

For purposes of this settlement, a direct purchaser is a person or business who bought customized silicon wristbands or customized pin buttons directly from one or more of the Defendants, co-conspirators, affiliates, or subsidiaries themselves, as opposed to an intermediary (such as a retail store).

A Court authorized this notice because people described in paragraph 5 of this notice have the right to know about a \$3.5 million settlement. If you qualify, you could be eligible to receive a payment.

To know if you qualify, see the answer to Question 5.

The people who sued are called the Plaintiffs. The companies and individuals they sued are called Defendants.

2. What is this lawsuit about?

The lawsuit alleges that Defendants conspired to raise and fix the prices of CPPs, resulting in overcharges to direct purchasers of those CPPs. The complaint describes how the Defendants and co-conspirators allegedly violated the U.S. antitrust laws by establishing a Houston-based cartel that set artificially high prices for and restricted the supply of CPPs. Defendants deny Plaintiffs' allegations. The Court has not decided who is right.

Important information about the case will be posted on the website, www.CPPDirectPurchaserLitigation.com, as it becomes available. Please check the website to be kept informed about any future developments.

3. What is a class action?

In a class action, the Plaintiffs act as "class representatives" and sue on behalf of themselves and other people who have similar claims. This group of people is called the "class," and the people in the class are called "class members." One court resolves the issues for all class members, except for people who exclude themselves from the class. Judge Nancy Atlas of the United States District Court for the Southern District of Texas is in charge of this case. The case is *Kjessler, et al. v. Zaappaaz, Inc., et al.*, No. 4:18-cv-0430.

4. Why is there a Settlement?

The Court did not decide in favor of Plaintiffs or Defendants. Instead, both sides agreed to a Settlement. That way, they avoid the costs and risks of a trial, and class members get compensation. The class representatives and their attorneys think the settlement is best for everyone affected.

WHO IS IN THE SETTLEMENT

5. Who is in the Settlement?

To get money from the settlement, you have to be a class member. You may be a member of the Settlement Class and eligible to file a claim, object, or exclude yourself from this Settlement if you or your company purchased customized silicon wristbands and/or customized pin buttons directly from one or more Defendants during the dates listed below:

Defendant	Class Period
Netbrands	June 1, 2014 to February 19, 2020
Gennex	June 1, 2014 to January 23, 2020
Custom Wristbands	June 1, 2014 to February 6, 2020
Zaappaaz	June 1, 2014 to June 23, 2020

6. What should I do if I am still not sure whether I am included?

If you are not sure whether you are included in the class, you can ask for free help by calling the Claims Administrator at (833) 661-0707 or email info@CPPDirectPurchaserLitigation.com for more information.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

Defendants will pay about \$3,500,000 into a Settlement Fund. After deductions for attorneys' fees, litigation costs, and other expenses (*see* Question 15), the Fund will be distributed to class members who submit valid claims.

More details are in the Settlement Agreements, available at www.CPPDirectPurchaserLitigation.com.

8. How much money can I get from the Settlement?

The amount you get will depend on how many CPPs you purchased, how many claims are submitted, and how much the Court allows in fees, costs, and expenses. For information on how to make claim, see Question 10 and www.CPPDirectPurchaserLitigation.com. For information on the Plan of Allocation, see www.CPPDirectPurchaserLitigation.com.

9. What am I giving up if I stay in the class?

Unless you exclude yourself with an opt-out request (*see* Question 16), you cannot sue, continue to sue, or be part of any other lawsuit against any Defendant about the issues in this case. The “Release of Claims” in the Settlement Agreements describes the legal claims that you give up if you remain in the Settlement. The Settlement Agreements can be viewed at www.CPPDirectPurchaserLitigation.com.

HOW TO GET A PAYMENT—MAKING A CLAIM

10. How can I get a payment?

If you bought customized silicone wristbands or customized pin buttons during the class period, you can make a claim at www.CPPDirectPurchaserLitigation.com. You can also contact the Claims Administrator to request a paper claim form by telephone (833) 661-0707, email info@CPPDirectPurchaserLitigation.com or U.S. mail to: Zaappaaz Settlement, c/o Claims Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103, and submit the claim form to the same email or U.S. mail address.

There is a proof of claim form (“Claim Form”) available on the class website at www.CPPDirectPurchaserLitigation.com that has been approved by the Court. All Claim Forms must be postmarked or submitted online no later than **December 13, 2020**. Please do not contact the Court about claim administration.

The Settlement Funds will be allocated on a pro rata basis based on the dollar value of each class member’s purchase(s) of CPPs in proportion to the total claims filed. In other words, each Settlement Class member will be paid a percentage of the net settlement fund (total settlements minus all costs, attorneys’ fees, and expenses) that each class member’s recognized claim bears to the total of all recognized claims submitted by all Settlement Class members who file claims.

11. What is the deadline for submitting a claim form?

To be eligible for payment, claim forms must be submitted electronically no later than **December 13, 2020**.

12. When will I get my payment?

The Court will hold a hearing to decide whether to approve the Settlement. If the Court approves the Settlement, there still may be appeals of that decision. It is hard to estimate how long it might take for any appeals to be resolved. If the Settlement is approved and no appeals are filed, the Claims Administrator anticipates that payments will be sent out within 3 months.

Updates regarding the Settlement and when payments will be made will be posted on the Settlement website, www.CPPDirectPurchaserLitigation.com.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the case?

Yes. The Court appointed the law firms of Burns Charest LLP, Gustafson Gluek PLLC, Levin Sedran & Berman LLP, Stoll Stoll Berne Lokting & Shlachter P.C. and Wolf Haldenstein Adler Freeman & Herz LLP to represent you and the other class members. These firms are called Class Counsel. You will not be charged for their services.

14. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. If you want your own lawyer, you may hire one, but you will be responsible for any payment for that lawyer's services. For example, you can ask your own lawyer to appear in Court for you if you want someone other than Class Counsel to speak for you. You may also appear for yourself without a lawyer.

15. How will the lawyers be paid?

You do not have to pay Class Counsel. Class Counsel, who have not been paid for their services since this case began, will seek an award of attorneys' fees out of the Settlement Fund, as well as reimbursement for litigation costs they advanced in pursuing the claims. The fees will compensate Class Counsel for investigating the facts, litigating the case, and negotiating and administering the Settlement. Class Counsel's attorneys' fee request will not exceed 30% of the net Settlement Fund, substantially less than the value of the time Class Counsel have devoted to this case. Additionally, Class Counsel will seek reimbursement of their out-of-pocket litigation expenses to be paid out of the Settlement Fund.

Class Counsel will also ask the Court to approve service award payments of up to \$1,000 to each of the individual class representatives, who are Kimberly Kjessler, Klaire Rueckert, Laura Braley, Timothy Hayden and Summer Lang.

The costs of providing this notice and administering the Settlement are being paid from the Settlement Fund.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want benefits from the Settlement, and you want to keep your right, if any, to sue Defendants on your own about the legal issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself—or "opting out" of—the class.

16. How do I get out of the Settlement?

You may opt out of the Settlement online by **September 23, 2020** at www.CPPDirectPurchaserLitigation.com. Click on the "Opt Out" tab and provide the requested information.

You may also opt out of the Settlement by sending a letter that includes the following to the address below:

- Your name and address;
- A statement that you want to be excluded from the Settlement; and
- Your signature.

Class Action Opt Out
Attn: Zaappaaz Settlement
PO BOX 30456
Philadelphia, PA 19103

Mailed opt-out requests must be postmarked no later than **September 23, 2020**.

17. If I don't opt out, can I sue Defendants for the same thing later?

No. Unless you opt out, you give up the right to sue Defendants for the claims the Settlement resolves. You must exclude yourself from the class if you want to try to pursue your own lawsuit.

18. What happens if I opt out?

If you opt out of the Settlement, you will not have any rights as a member of the Settlement Class under the Settlement; you will not receive any payment as part of the Settlement; you will not be bound by any further orders or judgments in this case; and you will keep the right to sue, if any, on the claims alleged in the case by filing or continuing your own lawsuit at your own expense.

OBJECTING TO THE SETTLEMENT

19. How do I tell the Court if I don't like the Settlement?

If you're a class member and do not opt out of the Settlement, you can ask the Court to deny approval of the Settlement by filing an objection. 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 sent out and the lawsuit will continue. If that is what you want to happen, you must object.

You may object to the proposed Settlement in writing. You may also appear at the Fairness Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for paying that attorney.

To object, you must file a document with the Court saying that you object to the proposed Settlement in *Kjessler, et al. v. Zaappaaz, Inc., et al.*, No. 4:18-cv-0430. Be sure to include:

- Your name, address, and telephone number;
- A statement saying that you object to the Settlement in *Kjessler, et al. v. Zaappaaz, Inc., et al.*, No. 4:18-cv-0430;
- Whether you plan to appear at the Fairness Hearing;
- Proof of membership in the Class, including documentation evidencing you directly purchased customized silicon wristbands and/or customized pin buttons during the Class Period;

- The specific reasons you object to the Settlement, along with any supporting materials or documents that you want the Court to consider; and
- Your signature.

You must mail the objection by First Class U.S. Mail, postmarked no later than **September 23, 2020** to each of the following addresses:

Court	Class Counsel	Claims Administrator
Hon. Nancy Atlas United States Courthouse 515 Rusk Street Houston, Texas 77208	Warren T. Burns BURNS CHAREST LLP 900 Jackson Street, Suite 500 Dallas, Texas 75201	Zaappaaz Settlement PO BOX 30456 Philadelphia, PA 19103

If your objection is not postmarked by the deadline and does not include the information listed above, it will not be valid.

20. What’s the difference between objecting and excluding?

Objecting is telling the Court that you don’t like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is opting out and telling the Court that you don’t want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because it no longer affects you. You cannot both opt out and object to the Settlement.

THE COURT’S FAIRNESS HEARING

21. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Fairness Hearing at 10:00 a.m. on October 14, 2020 in Courtroom 9015 of the United States District Court for the Southern District of Texas, located at 515 Rusk Street, Houston, Texas.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. The Court will listen to people who have asked to speak at the hearing.

The Court may also decide how much to pay to Class Counsel in fees and expense reimbursements. After the hearing, the Court will decide whether to approve the Settlement.

The Court may reschedule the Fairness Hearing or change any of the deadlines described in this notice. The date of the Fairness Hearing may change without further notice to the class members. Be sure to check the website, www.CPPDirectPurchaserLitigation.com, for news of any such changes.

22. Do I have to come to the Fairness Hearing?

No. Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

23. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must include a statement in your written objection (discussed above at Question 19) that you intend to appear at the hearing. Be sure to include your name, address, and signature as well.

You cannot speak at the hearing if you exclude yourself from the class.

IF I DO NOTHING

24. What happens if I do nothing at all?

If you do nothing, you'll be a member of the Settlement Class, you'll get no money from this Settlement, and you won't be able to sue Defendants for the conduct alleged in this case.

GETTING MORE INFORMATION

25. Are more details about the Settlement available?

Yes. This notice summarizes the proposed Settlement—more details are in the Settlement Agreement, the Plan of Allocation, and other important case documents. You can get a copy of these and other documents at www.CPPDirectPurchaserLitigation.com.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

26. How do I get more information?

The website www.CPPDirectPurchaserLitigation.com has the claim form, answers to questions about the Settlement and other information to help you determine whether you are eligible for a payment.

You can also call or write to the Claims Administrator at:

Zaappaaz Settlement
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
(833) 661-0707