

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

If you purchased certain McCormick products, you may be eligible for a cash payment from a class action settlement.

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

- A settlement has been reached with McCormick & Company, Inc. (“McCormick” or Defendant) in a class action lawsuit about the labeling, marketing, and advertising of certain McCormick Products.
- You are included in this settlement as a Settlement Class Member if you purchased certain McCormick Products labeled as “Natural” or “All Natural” from January 1, 2013, through **September 23, 2021**.
- Your rights are affected whether you act or don’t act. Please read this Notice carefully.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	The only way to receive a payment from this Settlement. If you submit a Claim Form, you will give up the right to sue the Defendant in a separate lawsuit about the legal claims this settlement resolves.	90 Days After Final Approval
EXCLUDE YOURSELF	Get no payment. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendant related to the legal claims this settlement resolves.	December 21, 2021
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not exclude yourself from the settlement, you may object to it by writing to the Court about why you don’t like the settlement. If you object, you may also file a claim for a payment. You may object to the settlement and ask the Court for permission to speak at the Final Approval Hearing about your objection.	December 21, 2021
DO NOTHING	Unless you exclude yourself, you are automatically part of the settlement. However, if you do nothing, you will not get a payment from this settlement and you will give up the right to sue, continue to sue, or be part of another lawsuit against the Defendant about the legal claims resolved by this settlement.	No Deadline

- 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.

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BASIC INFORMATION

1. Why was this Notice issued?

A court authorized this Notice because you have a right to know about the proposed settlement of this class action lawsuit and about all of your options before the Court decides whether to grant final approval to the settlement. This Notice explains the lawsuit, your legal rights, what benefits are available, and who can receive them.

The Honorable Frank P. Geraci, Jr. of the United States District Court for the Western District of New York is overseeing this class action. The case is known as *Holve v. McCormick & Company, Inc.*, Case No. 6:16-cv-06702 (W.D.N.Y.). The individual that filed this lawsuit is called the “Plaintiff” and the company they sued, McCormick & Company, Inc., is called the “Defendant.”

2. What is this lawsuit about?

This lawsuit is about the labeling, marketing, and advertising of certain McCormick brand Products. Plaintiff alleges that the Defendant made false and misleading claims regarding the labeling of certain Products as “Natural” or “All Natural.” The Defendant denies all of the allegations in the Litigation.

For a complete list of Products, please visit www.McCormickSettlement.com.

3. What is a class action?

In a class action, one or more people called Class Representatives (in this case, Megan Holve) sue on behalf of other people with similar claims. Together, the people included in the class action are called a Settlement Class or Settlement Class Members. One court resolves the issues for all Settlement Class Members, except for those who exclude themselves from the Settlement Class.

4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiff or the Defendant. Instead, the Plaintiff and Defendant agreed to a settlement. This way, they avoid the cost and burden of a trial and the people affected can get benefits. The Class Representative and the attorneys representing the Settlement Class think the settlement is best for all Settlement Class Members.

WHO IS IN THE SETTLEMENT

5. Who is in the Settlement?

The Settlement Class includes all persons and entities who both resided in the United States, including, but not limited to its territories, and purchased in the United States any of the Defendant Products for their household use or personal consumption and not for resale from January 1, 2013, through **September 23, 2021**(the “Class Period”).

For a complete list of Products, please visit www.McCormickSettlement.com.

6. Are there exceptions to being included?

Yes. The Settlement Class does not include: The Defendant’s board members or executive-level officers, including its attorneys; governmental entities; the Court, the Court’s immediate family, and the Court staff; and any person that timely and properly excludes himself or herself from the Settlement Class in accordance with the procedures approved by the Court.

If you are not sure whether you are included in the Settlement Class, you can ask for free help by emailing the Settlement Administrator at info@McCormickSettlement.com or calling the Settlement Administrator at **1-855-557-0058**. You may also view the Class Settlement Agreement at www.McCormickSettlement.com.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

The Settlement provides for a Settlement Fund in the amount of \$3,000,000 to pay (1) Settlement Class Members who submit valid and timely Claim Forms; (2) Attorneys’ Fees and Expenses that the Court

awards; (3) Class Notice and Administration costs; and (4) any Incentive Award to the Plaintiff approved by the Court.

In addition, the Defendant will make modifications to the Products' labeling and will make modifications to the Products' website. More information about the modifications can be found in the Class Settlement Agreement available at www.McCormickSettlement.com.

8. How much will my payment be?

If you submit a valid Claim Form with Proof of Purchase, you will receive a cash payment of \$1.00 for each Product purchased, with no limit or cap.

If you submit a valid Claim Form without Proof of Purchase, you will receive a cash payment of \$1.00 for each Product purchased, up to a maximum of fifteen (15) Products.

The final payment amounts may be proportionately increased or decreased on a *pro rata* basis depending on the total amount of timely, valid, and approved Claim Forms received.

9. What claims am I releasing if I stay in the Settlement Class?

Unless you exclude yourself from the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against the Defendant about any of the legal claims this settlement resolves. The "Released Claims" section in the Class Settlement Agreement describes the legal claims that you release if you remain in the Settlement Class. The Class Settlement Agreement can be found at www.McCormickSettlement.com.

HOW TO GET A PAYMENT—MAKING A CLAIM

10. How do I submit a claim and get a cash payment?

You must complete and submit a Claim Form no later than **90 days after Final Approval**. Claim Forms may be submitted online at www.McCormickSettlement.com or printed from the website and mailed to the Settlement Administrator at *Holve v. McCormick* Settlement, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

You may contact the Settlement Administrator to request a claim form by telephone **1-855-557-0058**, email info@McCormickSettlement.com or U.S. mail at *Holve v. McCormick* Settlement, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

11. What is the deadline for submitting a claim?

Claims must be submitted online no later than **90 days after Final Approval**. Claim Forms submitted by mail must be postmarked no later than **90 days after Final Approval**.

12. When will I get my payment?

The Court will hold a Final Approval Hearing on **January 11, 2022, at 9:30 a.m.**, to decide whether to approve the Settlement. If the Court approves the settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them. Settlement payments will be distributed as soon as possible, if and when the Court grants final approval to the settlement and after any appeals are resolved.

The date and time of the Final Approval Hearing is subject to modification by the Court so check **www.McCormickSettlement.com** for updates.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the case?

Yes. The Court has appointed the law firms of Reese LLP and Eggnatz Pascucci, P.A. to represent you and the Settlement Class. These attorneys 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 works for you. If you want your own lawyer, you may hire one at your own expense.

15. How will the lawyers be paid?

Class Counsel will ask the Court for an award of Attorneys' Fees and Costs of up to \$1,000,000. They will also ask the Court to approve a \$5,000 Incentive Award for the named Plaintiff. The Court may award less than these amounts.

EXCLUDING YOURSELF FROM THE SETTLEMENT

16. How do I opt out of the Settlement?

If you do not want to receive any benefits from the Settlement, and you want to keep your right, if any, to sue the Defendant on your own about the legal issues in this case, then you must take steps to exclude yourself from the Settlement Class. This is called “opting out” of the Settlement Class. The deadline for requesting exclusion from the Settlement is **December 21, 2021**.

To exclude yourself from the settlement, you must submit a written request for exclusion by mail. Your request for exclusion must include: (1) your name; (2) your current address; (3) a statement that you are a Class Member and you purchased one or more of the Products during the Class Period and wish to be excluded from the settlement in *Holve v. McCormick & Company, Inc.*, Case No. 6:16-cv-06702-FPG (W.D.N.Y.); and (4) must be personally signed. Your request for exclusion must be mailed to the Settlement Administrator so it is postmarked no later than **December 21, 2021**:

Holve v. McCormick Settlement
ATTN: Exclusion Request
PO Box 58220
Philadelphia, PA 19102

If you exclude yourself, you are telling the Court you do not want to be part of the settlement. You will not be eligible to receive a payment if you exclude yourself.

COMMENTING ON OR OBJECTING TO THE SETTLEMENT

17. How do I tell the Court if I do not like the Settlement?

If you are a Class Member, you can object to the settlement if you do not like it or a portion of it. You can give reasons why you think the Court should not approve it. The Court will consider your views.

Your objection must include a caption or title that identifies it as “Objection to Class Settlement in *Holve v. McCormick & Company, Inc.*, Case No. 6:16-cv-06702-FPG (W.D.N.Y.)”; and (a) the name, address, and telephone number of the Settlement Class Member objecting and, if represented by counsel, of his/her counsel with counsel’s contract information; (b) a list of any other objections filed in any court for the past five (5) years; (c) if he or she is represented by counsel, a list of objections filed by that counsel in any court for the past (5) years; (d) any and all agreements that relate to the objection or the process of objecting—whether written or oral—between objector or objector’s counsel and any other person or entity; (e) a statement of whether he/she intends to appear at the Final Approval Hearing, either with or without counsel; and (f) a clear and concise statement of the Settlement Class Member’s objection, the facts supporting the objection, and the legal grounds on which the objection is based. Any objection must be personally signed by the Settlement Class Member.

Class or group objections shall be prohibited.

Any objection shall include documents to establish the basis for the objector’s standing as a Settlement Class Member, such as (i) a declaration personally signed by the objector under penalty of perjury, with language that the Settlement Class Member purchased at least one Product during the Class Period.

Your written objection may be filed with the Court, with a copy delivered to Class Counsel and Defense Counsel at the addresses below by **December 21, 2021**:

Court	Class Counsel	Defense Counsel
Clerk of the United States District Court for the Western District of New York 100 State Street Rochester, NY 14614	Reese LLP 100 West 93 rd Street, 16 th Floor New York, NY 10025 Eggnatz Pascucci, P.A. 7450 Griffin Road, Suite 230 Davie, FL 33314	Hogan Lovells US LLP 390 Madison New York, NY 10017

You or your attorney may speak at the Final Approval Hearing about your objection. To do so, you must include a statement in your objection indicating that you or your attorney intend to appear at the Final Approval Hearing. Remember, your objection must be filed with the Court, with copies delivered to Class Counsel and Defense Counsel by **December 21, 2021**.

18. What is the difference between objecting and excluding?

Objecting is telling the Court that you do not 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 do not 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.

THE COURT’S FINAL APPROVAL HEARING

19. When is the Court’s Final Approval Hearing?

The Court will hold a Final Approval Hearing at 9:30AM on January 11, 2022, at United States District Court for the Western District of New York, 100 State Street, Rochester, New York 14614. At the Final Approval Hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. It will also consider whether to approve Class Counsel’s request for an award of Attorneys’ Fees and Costs, as well as the Class Representative’s Incentive Award. If there are objections, the Court will consider them. Judge Geraci will listen to people who have asked to speak at the hearing (see Question 17 above). After the hearing, the Court will decide whether to approve the settlement.

The Final Approval Hearing will proceed remotely by Zoom. Parties who wish to view the proceeding may contact Chambers at pedersen@nywd.uscourts.gov for connection information

The date or time of the Final Approval Hearing may change. Be sure to check the Settlement Website, www.McCormickSettlement.com for any updates.

20. Do I have to come to the Final Approval 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 the Final Approval Hearing to talk about it. If you delivered your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

IF I DO NOTHING

21. What happens if I do nothing at all?

If you are a Class Member and you do nothing, you will give up the rights explained in Question 9, including your right to start a lawsuit, continue a lawsuit, or be part of any other lawsuit against McCormick & Company, Inc. and the Released Parties about the legal issues resolved by this settlement. In addition, you will not receive a payment from this settlement.

GETTING MORE INFORMATION

23. How do I get more information?

This Notice summarizes the proposed settlement. Complete details are provided in the Class Settlement Agreement. The Class Settlement Agreement and other related documents are available at www.McCormickSettlement.com.

If you have additional questions, you may contact the Settlement Administrator by email, phone, or mail:

Email: [**info@McCormickSettlement.com**](mailto:info@McCormickSettlement.com)

Toll-Free: **1- 855-557-0058**

Mail: *Holve v. McCormick* Settlement, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103

Publicly filed documents can also be obtained by visiting the office of the Clerk of the United States District Court for the Western District of New York or reviewing the Court's online docket.