

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

United States District Court District of Connecticut

Goldstein v. Henkel Corporation and Thriving Brands LLC
Case No. 3:22-cv-00164

If you are a person in the United States who purchased certain Right Guard antiperspirant aerosol and spray products between November 19, 2018 and June 8, 2023, you could get benefits from a class action settlement.

A federal court authorized this Notice. You are not being sued.

This is not a solicitation from a lawyer.

- A Settlement has been reached with the Henkel Corporation and Thriving Brands LLC (“Defendants”) in a class action lawsuit about whether aerosol and spray antiperspirant products sold under the Right Guard brand contain or are at risk of containing benzene.
- The lawsuit is captioned *Goldstein v. Henkel Corporation and Thriving Brands LLC*, Case No. 3:22-cv-00164, pending in the United States District Court, District of Connecticut. The Defendants deny that it violated any law but have agreed to the Settlement to avoid the costs and risks associated with continuing this case.
- You are included in this Settlement as a Settlement Class Member if, in the United States, you purchased one or more of the Covered Products between November 19, 2018 and June 8, 2023 for personal, family or household use, and not for resale.
- 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	<p>The only way to receive a cash payment from this Settlement is by submitting a valid and timely Claim Form.</p> <p>You can submit your Claim Form online at www.AntiperspirantSettlement.com or download the Claim Form from the Settlement Website and mail it to the Claim Administrator. You may also call or email the Claim Administrator to receive a paper copy of the Claim Form.</p>	<p>October 14, 2023</p> <p>Received or Postmarked</p>
OPT OUT OF THE SETTLEMENT	<p>You can choose to opt out of the Settlement and receive no payment. This option allows you to sue, continue to sue, or be part of another lawsuit against the Defendants related to the legal claims resolved by this Settlement. You can elect your own legal counsel at your own expense.</p>	<p>October 14, 2023</p> <p>Received or Postmarked</p>
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	<p>If you do not opt out of the Settlement, you may object to it by writing to the Court about why you don't like the Settlement. You may also ask the Court for permission to speak about your objection at the Final Approval Hearing. If you object, you may also file a claim for a payment.</p>	<p>October 14, 2023</p> <p>Received</p>
DO NOTHING	<p>Unless you opt out of the settlement, you are automatically part of the Settlement. 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 Defendants related to the legal claims resolved by this Settlement.</p>	<p>No Deadline</p>

- 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 federal 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 of the Settlement. This Notice explains the lawsuit, your legal rights, what benefits are available, and who can receive them.

The Honorable Alvin W. Thompson of the United States District Court for the District of Connecticut is overseeing this class action. The lawsuit is captioned *Goldstein v. Henkel Corporation and Thriving Brands LLC*, Case No. 3:22-cv-00164 (D. Conn.). The people that filed this lawsuit are called the “Plaintiffs” and the companies they sued, Henkel Corporation and Thriving Bands LLC, are called the “Defendants.”

2. What is this lawsuit about?

This lawsuit alleges that aerosol and spray antiperspirant products sold under the Right Guard brand contain or are at risk of containing benzene. The Defendants deny all allegations of wrongdoing and disclaim any liability with respect to any and all claims alleged.

3. What is a class action?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals are known as “Class Representatives” or “Plaintiffs.” Together, the people included in the class action are called a “class” or “class members.” One court resolves the lawsuit for all class

members, except for those who opt out from a settlement. In this Settlement, the Class Representatives are Jason Goldstein, Brad Davis, Maria Lazo, Mosanthy Wilson, and James Corsey.

4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiffs or the Defendants. The Defendants deny all claims and contend that they have not violated any laws. Plaintiffs and Defendants agreed to a Settlement to avoid the costs and risks of a trial, and to allow the Settlement Class Members to receive payments from the Settlement. The Plaintiffs and their attorneys think the Settlement is best for all Settlement Class Members.

WHO IS IN THE SETTLEMENT?

5. Who is included in the Settlement?

You are included in this Settlement as a Settlement Class Member if, in the United States, you purchased one or more of the Covered Products between November 19, 2018 and June 8, 2023 for personal, family or household use, and not for resale. The Covered Products include the Right Guard Sport and Right Guard Xtreme antiperspirant aerosol and spray products.

6. Are there exceptions to being included?

Yes. The Settlement Class does not include: (1) the Honorable Judge Alvin W. Thompson and members of his immediate family; (2) Defendants; (3) any entity in which a Defendant has a controlling interest; (4) any of Defendants' subsidiaries, parents, affiliates, and officers, directors, employees, legal representatives, heirs, successors, or assigns; and (5) any persons who timely exclude themselves from the Settlement Class.

If you are not sure whether you are included in the Settlement Class, you can ask for free help by emailing or writing to Claim Administrator at:

Email: info@AntiperspirantSettlement.com

Mail: *Antiperspirant Settlement*, c/o Claim Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

You may also view the Settlement Agreement at www.AntiperspirantSettlement.com.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

If the Settlement is approved by the Court, Defendants will pay one million, nine hundred fifty thousand dollars (\$1,950,000) into a Settlement Fund. After payment of Attorneys' Fees and Costs, Incentive Awards for the Plaintiffs, and Notice and Administration Costs, the Available Settlement Funds will be used to pay Settlement Class Members who submit a Valid Claim.

8. How much will my payment be?

Settlement Class Members shall be paid the monetary relief from the Available Settlement Funds as set forth below:

- Settlement Class Members who submit a Valid Claim with Proof of Purchase shall receive up to \$3.00 for each Covered Product listed on the Proof of Purchase, inclusive of all taxes.
- Settlement Class Members who submit a Valid Claim without Proof of Purchase shall receive up to \$1.75 for up to five (5) Covered Products claimed per household.

Each Settlement Class Member's payment shall be increased or decreased on a *pro rata* basis such that the total amount paid to all Settlement Class Members equals the Available Settlement Funds.

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

Unless you opt out of the Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against the Defendants about any of the legal claims this Settlement resolves. The "Releases" section in the Settlement Agreement describes the legal claims that you give up if you remain in the Settlement Class. The Settlement Agreement can be found at www.AntiperspirantSettlement.com.

HOW TO GET A PAYMENT - MAKING A CLAIM

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

You may file a claim if you are a person in the United States, you purchased one or more of the Covered Products between November 19, 2018 and June 8, 2023 for personal, family or household use, and not for resale.

Claim Forms may be submitted online at www.AntiperspirantSettlement.com or printed from the website and mailed to the Claim Administrator at: *Antiperspirant Settlement*, c/o Claim Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

You may also contact the Claim Administrator to request a Claim Form by telephone at 1-844-336-0202, by email to info@AntiperspirantSettlement.com, or by U.S. mail to *Antiperspirant Settlement*, c/o Claim Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

11. What is the deadline for submitting a claim?

If you submit a claim by U.S. mail, the completed and signed Claim Form must be postmarked by **October 14, 2023**. If submitting a Claim Form online, you must do so by **October 14, 2023**.

12. When will I get my payment?

The Court has scheduled a Final Approval Hearing for the Settlement of this case on December 13, 2023 at 3:00 p.m. ET to consider: (1) whether to approve the Settlement; (2) any objections; (3) the requests for Incentive Awards for the Class Representatives; and (4) the request for an award of Attorneys' Fees and Costs for Plaintiffs' Counsel for their work in this litigation. 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 the Court grants Final Approval of the Settlement and after any appeals are resolved.

The briefs and declarations in support of the Final Approval of the Settlement and the requests described above will be posted on the Settlement Website, www.AntiperspirantSettlement.com, after they are filed. You may ask to appear at the hearing but you do not have to appear. The date and time of the Final Approval Hearing is also subject to modification by the Court. Please review the Settlement Website for any updated information regarding the Final Approval Hearing.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the case?

Yes. The Court has appointed the law firms of Levin Sedran & Berman LLP, Bursor & Fisher, P.A., Milberg Coleman Bryson Phillips Grossman, PLLC, The Sultzer Law Group, and Levi & Korsinsky LLP. Reardon Scanlon LLP shall serve as local counsel for Plaintiffs' Counsel.

14. Should I get my own lawyer?

You do not need to hire your own lawyer because Plaintiffs' Counsel works for you. If you want to be represented by your own lawyer, you may hire one at your own expense.

15. How will the lawyers be paid?

Plaintiffs' Counsel will ask the Court for an award of Attorneys' Fees and Costs in a total amount not to exceed one-third (\$650,000) of the Settlement Fund. They will also ask the Court to approve Incentive Awards for the Class Representatives of up to \$1,000 each. The Court may award less than these amounts. If approved, these fees, costs and awards will be paid from the Settlement Fund.

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 separately sue the Defendants about the legal issues in this case, 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 **October 14, 2023**.

To exclude yourself from the Settlement, you must submit a written request for exclusion that includes the following information: (i) the case name: *Goldstein v. Henkel Corporation and Thriving Brands LLC*, Case No. 3:22-cv-00164 (D. Conn.); (ii) your name and current address; (iii) your personal signature; and (iv) a statement clearly indicating your intent to be excluded from the Settlement (the request can only be made for you, not on another person’s behalf);

Your request for exclusion must be submitted via U.S. mail to the address below and postmarked no later than **October 14, 2023**:

Antiperspirant Settlement
ATTN: Exclusion Request
PO Box 58220
Philadelphia, PA 19102

If you exclude yourself, you are stating to the Court that you do not want to be part of the Settlement. You will not be eligible to receive a payment if you exclude yourself. You may only exclude yourself – not any other person.

COMMENTING ON OR OBJECTING TO THE SETTLEMENT

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

If you are a Settlement Class Member, you can choose (but are not required) to 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: (i) the case name *Goldstein v. Henkel Corporation*, Case No. 3:22-cv-00164 (D. Conn.); (ii) the name, address and telephone number of the objector; (iii) the name, address, and telephone number of all counsel (if any) who represent the objector, including any former or current counsel who may be entitled to compensation for any reason if the objection is successful, and all legal factual support for the right to such compensation; (iv) documents or testimony sufficient to establish membership in the Settlement Class; (v) a detailed statement of any objection asserted, including the grounds therefor; (vi) whether the objector is, and any reasons for, requesting the opportunity to appear and be heard at the Final Approval hearing; (vii) the identity of all counsel (if any) representing the objector who will appear at the final approval hearing and, if applicable, a list of all persons who will be called to testify in support of the objection; (viii) copies of any papers, briefs, declarations, affidavits, or other documents upon which the objection is based; (ix) a detailed list of any other objections submitted by the Settlement Class Member, or his/her counsel, to any class actions

submitted in any state or federal court in the United States in the previous five years (or affirmatively stating that no such prior objection has been made); and (x) the objector's signature, in addition to the signature of the objector's attorney (if any) – an attorney's signature alone shall not be deemed sufficient to satisfy this requirement.

Failure to include documents or testimony sufficient to establish membership in the Settlement Class shall be grounds for overruling and/or striking the objection on grounds that the objector lacks standing to make the objection. Failure to include any of the information or documentation set forth in this paragraph also shall be grounds for overruling an objection.

Settlement Class Members must electronically file objections via the Court's ECF system or deliver them to the Clerk of the Court by mail, express mail or personal delivery. To be timely, the objection must be received by the Clerk of the Court (not just postmarked or sent) prior to **October 14, 2023**.

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 stating to 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 the Settlement no longer affects you.

THE COURT'S FINAL APPROVAL HEARING

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

The Court has scheduled a Final Approval Hearing on December 13, 2023 at 3:00 p.m. ET. The hearing will be located at South Courtroom, United States District Court for the District of Connecticut, 450 Main Street, Hartford, CT 06103.

At the Final Approval Hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider whether to approve Plaintiff's Counsel's request for an award of Attorneys' Fees and Costs, as well as the Class Representatives' Incentive Awards. If there are objections, the Court will consider them. Judge Thompson 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 date or time of the Final Approval Hearing may change. Please check the Settlement Website, www.AntiperspirantSettlement.com, for any updates.

20. Do I have to come to the Final Approval Hearing?

No. Plaintiffs' Counsel will answer any questions the Court may have. You may attend at your own expense if you wish. If you file an objection, you do not have to come to the Final Approval Hearing to talk about it. If you file your written objection on time, the Court will consider it. You may also pay

your own lawyer to attend, but such attendance is not necessary for the Court to consider an objection that was filed on time.

IF I DO NOTHING

21. What happens if I do nothing at all?

If you are a Settlement 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 the Defendants 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

22. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at the Settlement Website, www.AntiperspirantSettlement.com.

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

Email: info@AntiperspirantSettlement.com

Toll-Free: 1-844-336-0202

Mail: *Antiperspirant Settlement*, c/o Claim 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 District of Connecticut or by reviewing the Court's online docket.

Please do not contact the Court, its Clerks, or the Defendants to inquire about the Settlement or the Claims Process.