

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

United States District Court, Southern District of New York

Patora v. Colgate-Palmolive Co., Case No. 7:23-cv-01888 (S.D.N.Y.)
Dixon v. Colgate-Palmolive America Inc., et al., Case No. 1:23-cv-00038 (W.D.N.C.)
Dorsey, et al. v. Colgate-Palmolive Company, Case No. 7:23-cv-01426 (S.D.N.Y.)

If you purchased one or more Fabuloso® Class Products, within the United States, between December 14, 2022, and November 14, 2023, you may be eligible to receive a payment 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 Colgate-Palmolive (“Defendant”) in a class action lawsuit about alleged deceptive and misleading business practices with respect to the manufacturing, marketing, and sale of certain Fabuloso cleaning products (“Class Products”) sold by the Defendant that were subject to the nationwide recall of Class Products announced by Colgate-Palmolive and the United States Consumer Product Safety Commission on February 8, 2023.
- The lawsuits involved are *Patora v. Colgate-Palmolive Co.*, Case No. 7:23-cv-01888 (S.D.N.Y.) (the “*Patora* Action”), *Dixon v. Colgate-Palmolive America Inc., et al.*, Case No. 1:23-cv-00038 (W.D.N.C.) (the “*Dixon* Action”), and *Dorsey, et al. v. Colgate-Palmolive Company*, Case No. 7:23-cv-01426 (S.D.N.Y.) (the “*Dorsey* Action”), pending in the United States District Court for the Southern District of New York.
- The Defendant denies that it violated any law or made any misrepresentation but has agreed to the Settlement to avoid the costs and risks associated with continuing this case.
- 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.CleaningProductRecallSettlement.com or download the Claim Form from the Settlement Website and mail it to the Class Administrator. You may also call or email the Class Administrator to receive a paper copy of the Claim Form.</p> <p>For more information see Question 10.</p>	March 13, 2024
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 Defendant related to the legal claims resolved by this Settlement. You can elect your own legal counsel at your own expense.</p> <p>For more information see Question 16.</p>	March 13, 2024
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 payment.</p> <p>For more information see Question 17.</p>	March 13, 2024
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 Defendant related to the legal claims resolved by this Settlement.</p>	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 federal court authorized this Notice because you have a right to know about the proposed Settlement of this class action lawsuit and about all 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 Vincent L. Briccetti of the United States District Court for the Southern District of New York is overseeing this class action. The people that filed this lawsuit are called the “Plaintiffs” and the company they sued, Colgate-Palmolive, is called the “Defendant.”

2. What is this lawsuit about?

On or around February 8, 2023, in coordination with the Consumer Product Safety Commission, Colgate-Palmolive voluntarily recalled certain lots of its Fabuloso® cleaning products because a preservative was not added at the intended levels during manufacturing. With inadequate preservative, there is a risk of bacteria growth in the recalled products, including *Pseudomonas aeruginosa* and *Pseudomonas fluorescens*. People with healthy immune systems are usually not affected by these bacteria.

This lawsuit alleges that the Defendant engaged in deceptive and misleading business practices with respect to the manufacturing, marketing, and sale of Fabuloso cleaning products. The Defendant denies the allegations in the *Patora* Action, the *Dorsey* Action, and the *Dixon* Action (collectively, the “Actions”) and denies any liability to the Class Representatives or any member of the putative classes the Class Representatives seek to represent in the Actions.

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 Elizabeth Dixon, Jeannie Patora, Kathy Dorsey, and Arnold Thomas.

4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiffs or the Defendant. Instead, Plaintiffs and the Defendant agreed to a Settlement to avoid the costs and risks of a trial, and to allow Class Members to receive payments from the Settlement. The Plaintiffs and their attorneys think the Settlement is best for all Class Members.

WHO IS IN THE SETTLEMENT?

5. Who is in the Settlement?

The Settlement Class includes all purchasers within the United States who, between December 14, 2022, and November 14, 2023, purchased for use and not for resale or distribution purposes one or more Class Products.

Class Products means any of the following products (1) purchased within the Class Period and (2) with a manufacturing (lot) code where the first 8 digits begin with 2348US78 through 2365US78 and 3001US78 through 3023US78: Fabuloso Original Multi-Purpose Cleaner, Lavender Scent, 16.9oz + 30% Free Bonus Pack (22 FL OZ) (UPC # 035000995025); Fabuloso Multi-Purpose Cleaner 2X Concentrated Formula, Lavender Scent, 56 FL OZ (UPC # 035000530325); Fabuloso Multi-Purpose Cleaner 2X Concentrated Formula, Lavender Scent, 128 FL OZ (UPC # 035000530585); Fabuloso Multi-Purpose Cleaner 2X Concentrated Formula, Lavender Scent, 169 FL OZ (UPC # 035000531223); Fabuloso Multi-Purpose Cleaner, Lavender Scent, 210 FL OZ (UPC # 035000531230); Fabuloso Professional All Purpose Cleaner & Degreaser, Lavender Scent, 1 Gallon (UPC # 035110043074); Fabuloso Original Multi-Purpose Cleaner, Refreshing Lemon Scent, 16.9 OZ + 30% Free Bonus Pack (22 FL oz) (UPC # 035000995018); Fabuloso Multi-Purpose Cleaner 2X Concentrated Formula, Refreshing Lemon Scent, 33.8 FL OZ (UPC # 035000974716); Fabuloso Multi-Purpose Cleaner 2X Concentrated Formula, Refreshing Lemon Scent, 56 FL OZ (UPC # 035000470416); Fabuloso Multi-Purpose Cleaner 2X Concentrated Formula, Refreshing Lemon Scent, 128 FL OZ (UPC # 035000973542); Fabuloso Multi-Purpose Cleaner 2X Concentrated Formula, Refreshing Lemon Scent, 169 FL OZ (UPC # 035000969873); Fabuloso Multi-Purpose Cleaner 2X Concentrated Formula, Passion of Fruits Scent, 33.8 FL OZ (UPC # 035000530981); Fabuloso Multi-Purpose Cleaner 2X Concentrated Formula, Passion of Fruits Scent, 56 FL OZ (UPC # 035000530301); Fabuloso Multi-Purpose Cleaner 2X Concentrated Formula, Passion of Fruits Scent, 128 FL oz (UPC # 035000530608); Fabuloso Multi-Purpose Cleaner 2X Concentrated Formula, Passion of Fruits Scent, 169 FL OZ (UPC # 035000458162); Fabuloso Multi-Purpose Cleaner Bleach

Alternative 2X Concentrated Formula, Spring Fresh Scent, 56 FL OZ (UPC # 035000530998); and Fabuloso Professional All Purpose Cleaner & Degreaser, Ocean Scent, 1 Gallon (UPC # 035110043739).

Potentially Affected Products means cleaners of the same type, variety, and scent as the Class Products and that were purchased within the Class Period, but where the information relating to the manufacturing (lot) code is unavailable.

6. Are there exceptions to being included?

Yes. The Settlement Class does not include: (1) the Honorable Vincent L. Briccetti and members of his immediate family; (2) Colgate-Palmolive; (3) any entity in which Colgate-Palmolive has a controlling interest; (4) any of Colgate-Palmolive's 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 Class Administrator at:

Cleaning Product Recall Settlement Administrator
1650 Arch St, Ste 2210
Philadelphia, PA 19103
info@CleaningProductRecallSettlement.com

You may also view the Class Action Settlement Agreement and Release at www.CleaningProductRecallSettlement.com.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

If the Settlement is approved by the Court, the Defendant will pay \$1,925,000 into a Settlement Fund, which shall be used to pay all Settlement expenses, including Notice and Other Administrative Costs; CAFA notice; the Fee Award; Service Awards; and Class Members' Claims.

8. How much will my payment be?

All members of the Settlement Class who submit an Approved Claim are eligible to receive monetary relief as set forth below. No payments will be made to any members of the Settlement Class who do not submit an Approved Claim.

Cash Award without Proof of Purchase. Each Class Member who submits an Approved Claim that is not accompanied by Proof of Purchase shall receive the total of the average retail price for up to two

(2) Class Products claimed per household, with Colgate-Palmolive to provide the average suggested manufacturer retail prices of the Class Products to the Class Administrator.

Cash Award with Proof of Purchase of Potentially Affected Product. Each Class Member who submits an Approved Claim that is accompanied by Proof of Purchase of a Potentially Affected Product shall be entitled to receive a full refund of the amount of money he or she spent on the Potentially Affected Products that is documented by Proof of Purchase, capped at the five (5) Potentially Affected Products with the highest price reflected in the Proof of Purchase.

Cash Award with Proof of Purchase of Class Product. Each Class Member who submits an Approved Claim that is accompanied by Proof of Purchase of Class Products shall be entitled to receive a full refund of the amount of money he or she spent on the Class Products that is documented by Proof of Purchase.

If the total value of all approved Claims either exceeds or falls short of the funds available for distribution to Class Members, then the amounts of the cash payments will be reduced or increased pro rata, as necessary, to use all funds available for distribution to Class Members.

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 Defendant with respect to any of the legal claims released and resolved in this Settlement. The “Releases” section in the Class Action Settlement Agreement & Release describes the legal claims that you give up (“Released Claims”) if you remain in the Settlement Class. The Class Action Settlement Agreement & Release can be found at www.CleaningProductRecallSettlement.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 Class Member (*see Questions 5 and 6* above).

Claim Forms may be submitted online at www.CleaningProductRecallSettlement.com or printed from the website and mailed to the Class Administrator at: *Fabuloso Settlement*, c/o Class Administrator, 1650 Arch St, Ste 2210, Philadelphia, PA 19103.

You may also contact the Class Administrator to request a Claim Form by telephone 1-833-366-4387, by email info@CleaningProductRecallSettlement.com, or by U.S. mail at *Fabuloso Settlement*, c/o Class Administrator, 1650 Arch St, Ste 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 **no later than March 13, 2024**. If submitting a Claim Form online, you must do so **no later than March 13, 2024**.

12. When will I get my payment?

The Court has scheduled a Final Approval Hearing for the Settlement of this case on **April 25, 2024 at 10:00 am EST** to consider: (1) whether to approve the Settlement; (2) any objections; (3) the requests for Service Awards for the Class Representatives; and (4) the request for a Fee Award for Class 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 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.CleaningProductRecallSettlement.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 hearing.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the case?

Yes. The Court has appointed the following law firms to represent the Settlement Class as Class Counsel: The Sultzer Law Group, P.C., Levin Sedran & Berman, Squitieri & Fearon, LLP, Milberg Coleman Bryson Phillips Grossman, PLLC, and Poulin, Willey, Anastapoulo, LLC. 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 to be represented by 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 Fee Award, as well as Service Award payments for each of the Class Representatives not to exceed \$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 Defendant 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 **March 13, 2024**.

To exclude yourself from the Settlement, you must submit a completed and signed Opt-Out Form by U.S. mail at the below address or online at www.CleaningProductRecallSettlement.com. Alternatively, you can submit your own written request for exclusion that includes the following information: (i) the lawsuits in the litigation, *Patora v. Colgate-Palmolive Co.*, Case No. 7:23-cv-01888 (S.D.N.Y.), *Dixon v. Colgate-Palmolive America Inc., et al.*, Case No. 1:23-cv-00038 (W.D.N.C), and *Dorsey, et al. v. Colgate-Palmolive Company*, Case No. 7:23-cv-01426 (S.D.N.Y.); (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 online at www.CleaningProductRecallSettlement.com, after which you must verify the opt-out at the email address you provide, or via U.S. mail at the address below:

Cleaning Product Recall Settlement Administrator
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.

If submitted electronically, the Opt-Out Form or any written request to opt-out must be submitted on or before **March 13, 2024**.

If submitted by U.S. mail, the Opt-Out Form, or any written request to opt-out must be postmarked no later than **March 13, 2024**.

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 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 contain: (i) a caption or title that clearly identifies the proceeding and that the document is an objection, (ii) information sufficient to identify and contact the objecting Class Member or his or her attorney if represented, (iii) information sufficient to establish the person's standing as a Settlement Class Member, (iv) a clear and concise statement of the Class Member's objection, as well as any facts and law supporting the objection, (v) the objector's signature, and (vi) the signature of the objector's counsel, if any.

Class Members must electronically file via the Court's ECF system or deliver to the Clerk of the Court a written notice of objection no later than **March 13, 2024**.

United States District Court for the Southern District of New York
c/o Clerk of the Court
300 Quarropas St
White Plains, NY 10601-4150

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, as well as a description of any evidence the objecting Class Member may offer at the Final Approval Hearing and copies of any exhibits the objecting Class Member may introduce at the Final Approval Hearing.

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 FINAL APPROVAL HEARING

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

The Court has scheduled a Final Approval Hearing on April 25, 2024. The hearing will be located at United States District Court for the Southern District of New York, 300 Quarropas St, White Plains, NY 10301-4150 in Courtroom 620.

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 Class Counsel's request for a Fee Award, as well as the Class Representative Service Awards. If there are objections, the Court will consider them. The Honorable Vincent L. Briccetti 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.CleaningProductRecallSettlement.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 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 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 Defendant and the Released Colgate-Palmolive Persons 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 Class Action Settlement Agreement & Release, available on the Settlement Website, www.CleaningProductRecallSettlement.com.

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

Email: info@CleaningProductRecallSettlement.com

Toll-Free: 1-833-366-4387

Mail: Cleaning Product Recall Settlement Administrator, 1650 Arch St, Ste 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 Southern District of New York or reviewing the Court's online docket.

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