

**United States District Court for the Western District of Tennessee**

*In re Family Dollar Stores, Inc., Pest Infestation Litigation, Case No. 2:22-md-03032-SHL-TMP*

**NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION**

If you are a Person<sup>1</sup> who resides within Arkansas, Alabama, Louisiana, Mississippi, Missouri, or Tennessee, and from January 1, 2020, through February 18, 2022, inclusive, purchased any product from an Affected Family Dollar Store, you may be eligible for a \$25 Family Dollar Gift Card 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 between Defendants Family Dollar Stores of Tennessee, LLC; Family Dollar Stores of Arkansas, LLC; Family Dollar Stores of Alabama, LLC; Family Dollar Stores of Louisiana, LLC; Family Dollar Stores of Missouri, LLC; Family Dollar Stores of Mississippi, LLC; Family Dollar Services, LLC; Family Dollar Stores, LLC (formerly Family Dollar Stores, Inc.); Family Dollar, LLC (formerly Family Dollar, Inc.); Dollar Tree, Inc.; and Dollar Tree Stores, Inc. (“Defendants”) and Plaintiffs in a class action lawsuit pending in the United States District Court for the Western District of Tennessee.
- You are included in this Settlement as a Settlement Class Member if you reside within Arkansas, Alabama, Louisiana, Mississippi, Missouri, or Tennessee and from January 1, 2020, through February 18, 2022, inclusive (the “Class Period”), purchased any product from an Affected Family Dollar Store.
- The lawsuit is known as *In re Family Dollar Stores, Inc. Pest Infestation Litigation, Case No. 2:22-md-03032-SHL-TMP* (W.D. Tennessee). Defendants deny that they violated any law, and the Court has not ruled in favor of any party. But the parties have agreed to the Settlement to avoid the costs and risks associated with continuing this case, and to allow the Settlement Class Members to receive Family Dollar Gift Cards from the Settlement.
- Your rights are affected whether you act or don’t act. Please read this Notice carefully.

<b>Summary of Your Legal Rights and Options in This Settlement</b>		<b>Deadline</b>
<b>Submit Claim</b>	<b>a</b> The only way to receive a Family Dollar Gift Card from this Settlement is by submitting a timely and properly completed Claim Form that obtains approval from the Settlement Administrator.	January 9, 2024

<sup>1</sup> All capitalized terms in this Notice are defined in the Settlement Agreement, a copy of which is available at [www.FDWarehouseSettlement.com](http://www.FDWarehouseSettlement.com).

	<p>Claim Forms may be submitted online at <a href="http://www.FDWarehouseSettlement.com">www.FDWarehouseSettlement.com</a> or printed from the website and mailed to the Settlement Administrator at <i>Family Dollar MDL Settlement</i>, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.</p> <p>You may also contact the Settlement Administrator by telephone 1-866-774-4449, by email <a href="mailto:info@FDWarehouseSettlement.com">info@FDWarehouseSettlement.com</a>, or by U.S. mail at <i>Family Dollar MDL Settlement</i>, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103 to request a Claim Form.</p> <p>For more information see <b>Question 10</b>.</p>	
<b>Opt Out of the Settlement</b>	<p>You can choose to opt out of the Settlement and not receive a Family Dollar Gift Card. 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. Counsel for the class will not represent you. You can elect your own legal counsel at your own expense.</p> <p>For more information see <b>Question 17</b>.</p>	January 9, 2024
<b>Object to the Settlement and/or Attend a Hearing</b>	<p>If you do not opt out of the Settlement, you may object to it by writing to the Court about why you do not approve of 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 Form for a Family Dollar Gift Card.</p> <p>For more information see <b>Question 18</b>.</p>	January 9, 2024
<b>Do Nothing</b>	<p>Unless you opt out of this Settlement, you are automatically part of the Settlement. If you do nothing, you will not get a Family Dollar Gift Card as a result of the 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>	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.

**What This Notice Contains**

**Page**

1.	Why was this Notice issued? .....	4
2.	What is this lawsuit about? .....	4
3.	What is a class action lawsuit?.....	4
4.	Why is there a Settlement? .....	5
5.	Who is in the Settlement? .....	5
6.	What are the Affected Family Dollar Stores?.....	5
7.	Are there exceptions to being included in the Settlement?.....	5
8.	What does the Settlement provide?.....	6
9.	What claims am I releasing if I stay in the Settlement Class? .....	6
10.	How do I submit a claim and get a gift card? .....	6
11.	What is the deadline for submitting a claim?.....	7
12.	Someone with whom I live and I both want to submit a claim. Will we both receive Family Dollar Gift Cards?.....	7
13.	When will I receive my Family Dollar Gift Card? .....	7
14.	Do I have a lawyer in the case? .....	7
15.	Should I get my own lawyer? .....	8
16.	How will the lawyers be paid?.....	8
17.	How do I opt out of the Settlement? .....	8
18.	How do I object to the Settlement?.....	9
19.	What is the difference between objecting and excluding?.....	10
20.	When is the Court’s Final Approval Hearing? .....	10
21.	Do I have to come to the Final Approval Hearing? .....	11
22.	What happens if I do nothing at all? .....	11
23.	How can I learn more about this lawsuit?.....	11

## 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 Sheryl H. Lipman of the United States District Court for the Western District of Tennessee is overseeing this class action. The case is titled *In re Family Dollar Stores, Inc. Pest Infestation Litigation*, Case No. 2:22-md-03032-SHL-TMP (W.D. Tenn.). The people that filed this lawsuit are called the “Plaintiffs” and the companies they sued, Family Dollar Stores of Tennessee, LLC; Family Dollar Stores of Arkansas, LLC; Family Dollar Stores of Alabama, LLC; Family Dollar Stores of Louisiana, LLC; Family Dollar Stores of Missouri, LLC; Family Dollar Stores of Mississippi, LLC; Family Dollar Services, LLC; Family Dollar Stores, LLC; Family Dollar, LLC; Dollar Tree, Inc.; and Dollar Tree Stores, Inc., are called the “Defendants.”

### 2. What is this lawsuit about?

This lawsuit alleges that rodents were present at times during the Class Period in Family Dollar’s West Memphis Distribution Center (“West Memphis Distribution Center”) located in West Memphis, Arkansas. The lawsuit further alleges that, as a result, Family Dollar sold potentially contaminated products in certain Family Dollar stores located in the states of Arkansas, Alabama, Louisiana, Mississippi, Missouri, and Tennessee that were serviced by the West Memphis Distribution Center during the Class Period. Settlement Class Members include any Person who resides within Arkansas, Alabama, Louisiana, Mississippi, Missouri, or Tennessee, and purchased any product from an Affected Family Dollar Store during the Class Period. Family Dollar expressly denies any liability or wrongdoing.

### 3. What is a class action lawsuit?

In a class action, one or more individuals sue on behalf of other people with similar claims. These individuals are known as “class representatives.” 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 the settlement. In this Settlement, the Settlement Class Representatives are Plaintiffs Sheena Bibbs, Tina Bishop, Beverly Gordon, Julian Graves, Martha Lacy, Taylor Lorimer, Sonya Mull, Vinnie Smith, Sandra Walker, and Jerome Whitney.

#### **4. Why is there a Settlement?**

The Court did not decide in favor of the Settlement Class Representatives or Defendants. Defendants deny all claims and that they violated any law. The Settlement Class Representatives and Defendants agreed to a Settlement to avoid the costs and risks of a trial, and to allow the Settlement Class Members to receive Family Dollar Gift Cards from the Settlement. The Settlement Class Representatives and their attorneys 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 who reside within Arkansas, Alabama, Louisiana, Mississippi, Missouri, or Tennessee, and purchased any product from an Affected Family Dollar store during the Class Period.

#### **6. What are the Affected Family Dollar Stores?**

The “Affected Family Dollar Stores” are Family Dollar stores located in the states of Arkansas, Alabama, Louisiana, Mississippi, Missouri, and Tennessee that were serviced by the West Memphis Distribution Center during the Class Period.

#### **7. Are there exceptions to being included in the Settlement?**

Yes. The Settlement Class does not include: (i) Defendants; (ii) Defendants’ agents, parents, officers, predecessors, directors, legal representatives, heirs, successors or wholly or partly owned subsidiaries or affiliates of Defendants; (iii) Class Counsel and any other attorneys who represent Settlement Class Representatives or the Settlement Class in this Action, as well as their agents and employees; (iv) the judicial officers and court staff assigned to this case, as well as their immediate family members; and (v) Persons who timely request to be excluded from this Settlement as provided below in **Question 17**.

You may submit a Claim Form if you purchased any product from an Affected Family Dollar Store during the Class Period.

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@FDWarehouseSettlement.com](mailto:info@FDWarehouseSettlement.com) or calling the Settlement Administrator at 1-866-744-4449. You may also view the Settlement Agreement at [www.FDWarehouseSettlement.com](http://www.FDWarehouseSettlement.com).

## THE SETTLEMENT BENEFITS

### 8. What does the Settlement provide?

If the Settlement is approved by the Court, Family Dollar will provide one Family Dollar Gift Card per Household, each with a value of \$25, to Settlement Class Members who submit a Claim Form that is approved by the Settlement Administrator (an “Approved Claim”). A Family Dollar Gift Card can be used to buy all products/goods at any Family Dollar store in any state (other than alcohol, tobacco, and anything else prohibited by applicable law). The Family Dollar Gift Cards will be fully transferrable, will not expire, and may be used in conjunction with other promotions or discounts. There is no requirement to make any separate purchase, or to spend any of your own money to redeem the Family Dollar Gift Card.

All Settlement Class Members who have not opted out of the Settlement and who have submitted Approved Claims will receive gift cards of equal amounts. No Settlement Class Member will receive a greater, or lesser, gift card value than any other Settlement Class Member.

### 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 concerning any of the legal claims this Settlement resolves. The “Released Claims” section in the Settlement Agreement describes the legal claims that you give up (“release”) if you remain in the Settlement Class. The Settlement Agreement can be found at [www.FDWarehouseSettlement.com](http://www.FDWarehouseSettlement.com).

## HOW DO I MAKE A CLAIM AND RECEIVE A FAMILY DOLLAR GIFT CARD

### 10. How do I submit a claim and get a gift card?

You may submit a Claim Form if you reside within Arkansas, Alabama, Louisiana, Mississippi, Missouri, or Tennessee, and purchased any product from an Affected Family Dollar Store during the Class Period.

Claim Forms may be submitted online at [www.FDWarehouseSettlement.com](http://www.FDWarehouseSettlement.com) or printed from the website and mailed to the Settlement Administrator at: *Family Dollar MDL Settlement*, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

You may also contact the Settlement Administrator to request a Claim Form by telephone 1-866-774-4449, by email [info@FDWarehouseSettlement.com](mailto:info@FDWarehouseSettlement.com), or by U.S. mail at *Family Dollar MDL Settlement*, c/o Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103.

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

If you submit a Claim Form by U.S. mail, the completed and signed Claim Form must be postmarked by **January 9, 2024**. If submitting a Claim Form online, you must do so by 11:59 PM, CT on **January 9, 2024**.

**12. Someone with whom I live and I both want to submit a claim. Will we both receive Family Dollar Gift Cards?**

Only one Person per Household may receive a Family Dollar Gift Card. If more than one Person residing in the same Household submits a Claim Form, only the first Claim Form that meets all of the requirements of the Settlement Agreement will be deemed an Approved Claim, and only the Person who submitted that Claim Form will receive a Family Dollar Gift Card.

**13. When will I receive my Family Dollar Gift Card?**

Family Dollar Gift Cards from the Settlement will be distributed if the Court grants Final Approval of the Settlement and after any possible appeals are resolved.

The Court has scheduled a Final Approval Hearing for the Settlement of this case on **April 5, 2024 at 10:00 a.m.** and during the hearing will consider: (1) whether to approve the Settlement; (2) any objections; (3) the requests for awards to certain of the Settlement Class Representatives; and (4) the request for an award of attorneys' fees and costs to 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.

The briefs and declarations in support of the Final Approval of the Settlement and the requests described above will be included on the Settlement Website, [www.FDWarehouseSettlement.com](http://www.FDWarehouseSettlement.com), after they are submitted to the Court. 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**

**14. Do I have a lawyer in the case?**

Yes. The Court has appointed J. Gerard Stranch, IV, Sarah Sterling Aldridge, and Charles J. LaDuca to represent the Settlement Class as Class Counsel. You will not be charged for their services.

**15. 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.

**16. How will the lawyers be paid?**

Class Counsel will ask the Court for an award of attorneys' fees not to exceed \$10,000,000, as well as reasonable expenses incurred in the litigation not to exceed \$500,000. They will also ask the Court to approve a Service Award for certain of the Settlement Class Representatives not to exceed \$5,000 each, and a Service Award for other Settlement Class Representatives not to exceed \$2,000. The Court may award less than these amounts. The attorneys' fees and costs and Service Awards will not decrease the value of the Family Dollar Gift Cards provided to Settlement Class Members who submit Approved Claims.

**EXCLUDING YOURSELF FROM THE SETTLEMENT**

**17. 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 **January 9, 2024**.

To exclude yourself from the Settlement, you must submit a completed and signed opt-out form online at [www.FDWarehouseSettlement.com](http://www.FDWarehouseSettlement.com) or by U.S. mail at the below address. Alternatively, you can submit a written request for exclusion that includes the following information: (i) the case name of the Action, *In re Family Dollar Stores, Inc. Pest Infestation Litigation*, Case No. 2:22-md-03032-SHL-TMP (W.D. Tenn.); (ii) your name, current address, email address, and phone number; (iii) your personal signature; (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); (v) a statement that you personally purchased a product from an Affected Family Dollar Store during the Class Period; and (vi) a list of the Affected Family Dollar Store(s) from which you purchased a product during the Class Period.

Your request for exclusion must be submitted online at [www.FDWarehouseSettlement.com](http://www.FDWarehouseSettlement.com) after which you must verify the opt-out at the email address you provide, or via U.S. mail at the address below:

*Family Dollar MDL Settlement*, c/o Settlement Administrator, Attn: Exclusion Request, P.O. 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 Family Dollar Gift Card if you exclude yourself.

You may only exclude yourself—not any other Person. Opt-out requests seeking exclusion on behalf of more than one individual will be found invalid by the Settlement Administrator.

If you submit electronically, the Opt-Out Form must be submitted and verified no later than 11:59 p.m. CT on or before January 9, 2024.

If submitted by U.S. mail, the Opt-Out Form or any written request to opt-out must be postmarked no later than January 9, 2024.

Please see Paragraph 9 of the Settlement Agreement for more details.

## OBJECTING TO THE SETTLEMENT

### 18. How do I object to 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 and number: *In re Family Dollar Stores, Inc. Pest Infestation Litigation*, Case No. 2:22-md-03032-SHL-TMP (W.D. Tenn.); (ii) your full name, address, telephone number, and email address, and, if you are represented by counsel, the full name, address, telephone number, and email address of your counsel; (iii) a statement that you purchased a product from an Affected Family Dollar Store during the Class Period; (iv) a list of the Affected Family Dollar Store(s) from which you purchased a product during the Class Period; (v) any supporting papers, materials, or briefs you wish the Court to consider when reviewing your objection; (vi) a statement of whether your objection applies only to you, to a specific subset of the class, or to the entire class; (vii) a statement of the number of times in which you (and, where applicable, your counsel) have objected to a class action settlement within the five years preceding the date that you file the objection, along with the caption of each case in which you made such objection; (viii) a statement of the specific grounds for the objection, including any legal and factual support and any evidence in support of the objection; (ix) a statement of whether you intend to appear at the Final Approval Hearing, and if so, whether personally or through counsel; and (x) your signature.

Lawyers asserting objections on behalf of Settlement Class Members must: (1) file a notice of appearance with the Court by the deadline set by the Court in the Preliminary Approval Order, or as the Court otherwise may direct; (2) file a sworn declaration attesting to his or her representation of each Settlement Class Member on whose behalf the objection is being filed or file (*in camera*) a copy of the contract between that lawyer and each such Settlement Class Member; and (3) comply with all of the requirements and procedures described in the Settlement Agreement. Lawyers asserting objections on behalf of Settlement Class Members also must file a sworn declaration that specifies the number of times during the prior five-year period they have objected to a class action settlement on their own behalf or on behalf of a member of a class.

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 Settlement Class Member may offer at the Final Approval Hearing and copies of any exhibits the objecting

Settlement Class Member may introduce at the Final Approval Hearing. Please see Paragraph 10 of the Settlement Agreement for more details.

Any comments or objections must be submitted to the Court either by mailing them to the Clerk of Court Offices, United States District Court for the Western District of Tennessee; or by filing them in person at any location of the United States District Court for the Western District of Tennessee, and they must be filed or postmarked on or before January 9, 2024.

**Clerk of Court**  
**United States District Court for the Western District of Tennessee**  
**Odell Horton Federal Building**  
**167 North Main Street, Suite 1072**  
**Memphis, TN 38103-1837**

Any Settlement Class Member who fails to object to the Settlement in the manner described in the Settlement Agreement and the Preliminary Approval Order shall be deemed to have waived any such objection, shall not be permitted to object to any terms of or approval of the Settlement at the Final Approval Hearing, and shall be precluded from seeking any review of the Settlement or the terms of this Settlement Agreement by appeal or any other means.

**19. 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**

**20. When is the Court's Final Approval Hearing?**

The Court has scheduled a Final Approval Hearing at 10:00 a.m. on April 5, 2024. The hearing will be held at the Odell Horton Federal Building, Courtroom 1—11th Floor, 167 North Main Street, Memphis, TN 38103.

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 an award of attorneys' fees and expenses, as well as certain Settlement Class Representatives' Service Awards. If there are objections, the Court will consider them. Chief Judge Lipman will listen to people who have asked to speak at the hearing (see **Question 18** 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.FDWarehouseSettlement.com](http://www.FDWarehouseSettlement.com), for any updates.

**21. 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**

**22. 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 above, 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 Family Dollar Gift Card from this Settlement.

**GETTING MORE INFORMATION**

**23. How can I learn more about this lawsuit?**

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.FDWarehouseSettlement.com](http://www.FDWarehouseSettlement.com).

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

Email: [info@FDWarehouseSettlement.com](mailto:info@FDWarehouseSettlement.com)

Toll-Free: 1-866-774-4449

Mail: *Family Dollar MDL 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 Tennessee or reviewing the Court's online docket.

***Please do not contact the Court, its Clerks, or Defendants.***