

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS

Barnes v. Unilever United States Incorporated
Case No. 1:21-cv-06191 (N.D. Ill.)

If you purchased **Suave 24-Hour Protection Powder Aerosol Antiperspirant** or **Suave 24-Hour Protection Fresh Aerosol Antiperspirant** between January 1, 2018 and March 7, 2024, you could 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 Unilever United States, Inc. (“Unilever” or “Defendant”) in a class action lawsuit concerning **Suave 24-Hour Protection Powder Aerosol Antiperspirant** and **Suave 24-Hour Protection Fresh Aerosol Antiperspirant** (the “Covered Products”), which were subjected to a nationwide recall by the Defendant after an internal review showed slightly elevated levels of benzene in some product samples.
- You are included in this Settlement as a Settlement Class Member if you are a natural person who, between January 1, 2018, and March 7, 2024, purchased in the United States any Covered Product for personal, family or household use, and not resale.
- The lawsuit is captioned *Barnes v. Unilever United States Incorporated*, Case No. 1:21-cv-06191, pending in the United States District Court for the Northern District of Illinois. The Defendant denies the Plaintiffs’ allegations and all charges of wrongdoing or liability but has agreed to the Settlement to avoid the costs and risks associated with continued litigation.
- Your rights are affected whether you act or do not act. Please read this Notice carefully.

Questions? Visit www.suavesettlement.com or call toll-free 1-888-903-7198

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT		DEADLINE
SUBMIT A CLAIM	The only way to receive a cash payment from this Settlement is by submitting a valid and timely Claim Form. You can submit your Claim Form online at www.suavesettlement.com or download the Claim Form from the Settlement Website and mail it to the Claims Administrator. You may also call or email the Claims Administrator to receive a paper copy of the Claim Form.	July 15, 2024
OPT OUT OF THE SETTLEMENT	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.	July 15, 2024
OBJECT TO THE SETTLEMENT AND/OR ATTEND A HEARING	If you do not opt out of the Settlement, you may object to it by writing to the Court about why you do not 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 submit a claim form.	July 15, 2024
DO NOTHING	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.	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

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT	1
BASIC INFORMATION.....	3
WHO IS IN THE SETTLEMENT?	4
THE SETTLEMENT BENEFITS.....	4
HOW TO GET A PAYMENT - MAKING A CLAIM.....	5
THE LAWYERS REPRESENTING YOU.....	6
EXCLUDING YOURSELF FROM THE SETTLEMENT	7
COMMENTING ON OR OBJECTING TO THE SETTLEMENT	8
THE FINAL APPROVAL HEARING	9
IF I DO NOTHING.....	9
GETTING MORE INFORMATION.....	10

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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 Matthew F. Kennelly of the United States District Court for the Northern District of Illinois is overseeing this class action. The lawsuit is called *Barnes v. Unilever United States Incorporated*, Case No. 1:21-cv-06191 (N.D. Ill.). The people that filed this lawsuit are called the “Plaintiffs” and the companies they sued, Unilever United States, Inc. (“Unilever”) is called the “Defendant.”

2. What is this lawsuit about?

This lawsuit claims that certain lots of the Covered Products may contain elevated levels of the chemical benzene and that Defendant engaged in unfair business practices by selling potentially adulterated products. The Covered Products were recalled nationwide on March 30, 2022, after Defendant’s internal review showed slightly elevated levels of benzene in some product samples.

Defendant denies all of Plaintiffs’ allegations and all charges of wrongdoing or liability against it arising out of any of the conduct, statements, acts, or omissions alleged, or that could have been alleged against it in the litigation.

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 the “Plaintiffs” or “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 Class Representatives are Yvonne Barnes, Patricia Dean, Antonio Morris, and Bernadette Bogdanovs.

4. Why is there a Settlement?

The Court did not decide in favor of the Plaintiffs or the Defendant. The Defendant denies all claims and that they violated any law. Plaintiffs and the Defendant have 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 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 natural persons who, between January 1, 2018, and March 7, 2024, purchased in the United States any Covered Product for personal, family or household use, and not resale.

Covered Products means Suave 24-Hour Protection Powder Aerosol Antiperspirant and Suave 24-Hour Protection Fresh Aerosol Antiperspirant.

6. Are there exceptions to being included?

Yes. The Settlement Class does not include: (1) the judge presiding over this matter and members of his or her immediate family; (2) Unilever; (3) any entity in which Unilever has a controlling interest; (4) any of Unilever'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 the Claims Administrator at:

Suave Antiperspirant Settlement
c/o Claims Administrator
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
info@suavesettlement.com

You may also view the Settlement Agreement and Release ("Settlement Agreement") at www.suavesettlement.com.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

The Defendant has agreed to pay two million dollars (\$2,000,000) into a Settlement Fund for payment of: (i) Valid Claim Forms for cash benefits submitted by Settlement Class Members; (ii) the notice and other administrative costs incurred by the Claims Administrator; (iii) Attorneys' Fees and Costs, as may be ordered by the Court, and (iv) any Service Award to the Class Representatives, not to exceed \$1,500 per Class Representative, as may be ordered by the Court.

Questions? Visit www.suavesettlement.com or call toll-free 1-888-903-7198

8. How much will my payment be?

All members of the Settlement Class who submit a Valid 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 a Valid Claim.

- Settlement Class Members who timely submit a Valid Claim with Proof of Purchase shall receive the purchase price 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 the average retail price—\$3.29—for up to three (3) Covered Products claimed per household.
- Each Settlement Class Member's payment shall be decreased by the amount of cash or voucher payments that Settlement Class Member has received or will receive for claims made in the Recall Reimbursement Program (provided that the payment shall not be reduced below \$0.00).
- Settlement Class Member payments may be increased or decreased on a pro rata basis, as necessary, 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 Defendant about any of the legal claims this Settlement resolves. The "Release" section in the Settlement Agreement describes the legal claims that you give up ("Released Claims") if you remain in the Settlement Class. The Settlement Agreement can be found at www.suavesettlement.com.

HOW TO GET A PAYMENT - MAKING A CLAIM

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

To qualify for a settlement payment, you must complete and submit a Claim Form by July 15, 2024. You may complete and submit a Claim Form online at www.suavesettlement.com or mail a completed Claim Form to Suave Antiperspirant Settlement, c/o Claims Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103. Claim Forms are also available by calling 1-888-903-7198, or by emailing info@suavesettlement.com.

Settlement Class Members will have the option to receive their payment by electronic deposit (through Venmo or Zelle), or pre-paid MasterCard, at the Settlement Class Member's option—with paper checks available upon request.

If there are any funds remaining from unclaimed payments or payments that could not be issued, the Parties shall request the Court approve awarding those remaining funds *cy pres* to a 501(c)(3) not-for-profit entity mutually agreeable to the Parties.

Questions? Visit www.suavesettlement.com or call toll-free 1-888-903-7198

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 **July 15, 2024**. If submitting a Claim Form online, you must do so by **July 15, 2024**.

12. When will I get my payment?

The Court will hold a Final Approval Hearing at **9:00 a.m. (CT) on September 13, 2024**, in Courtroom 2103, located at the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, IL 60604. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. After the hearing, the Court will 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 not be distributed until 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.suavesettlement.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 Plaintiffs' Counsel:

LEVIN SEDRAN & BERMAN

Charles E. Schaffer, Esq.
510 Walnut Street, Suite 500
Philadelphia, PA 19106

MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN PLLC

Nick Suci, III
6905 Telegraph Rd., Suite 115
Bloomfield Hills, MI 48301

SHUB & JOHNS LLC

Jonathan Shub
Four Tower Bridge
200 Barr Harbor Dr. Ste. 400
West Conshohocken, PA 19428

Questions? Visit www.suavesettlement.com or call toll-free 1-888-903-7198

BURSOR & FISHER, P.A.

Max S. Roberts
1330 Avenue of the Americas, 32nd Floor
New York, NY 10019

THE SULTZER LAW GROUP, P.C.

Jason P. Sultzer
85 Civic Center Plaza, Suite 200
Poughkeepsie, NY 12601

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 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 may apply to the Court for an award of their Attorneys' Fees and Costs in a total amount not to exceed six hundred sixty thousand dollars (\$660,000.00). They will also ask the Court to approve Service Awards for each of the Class Representatives not to exceed \$1,500 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 **July 15, 2024**.

To exclude yourself from the Settlement, you may submit your exclusion request online at www.suavesettlement.com. Alternatively, you can download, complete, and submit the Opt-Out Form available at www.suavesettlement.com. You may also submit a written request for exclusion that includes the following information: (i) the name of the litigation, *Barnes v. Unilever United States Incorporated*, Case No. 1:21-cv-06191 (N.D. Ill.); (ii) your name and current address; (iii) your personal signature; and (iv) a statement clearly indicating your intent to be excluded from the Settlement.

Your request for exclusion must be submitted online at www.suavesettlement.com or via U.S. mail at the address below:

Questions? Visit www.suavesettlement.com or call toll-free 1-888-903-7198

Suave 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.

Your online request for exclusion must be submitted on or before **July 15, 2024**.

If submitted by U.S. mail, the Opt-Out Form, or any written request to opt-out must be mailed with a postmark date no later than **July 15, 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 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.

Objections must be electronically filed via the Court's ECF system or delivered 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 July 15, 2024.

Each objection must include: (i) the case name *Barnes et al. v. Unilever United States, Inc.*, Case No. 1:21-cv-06191; (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; (iv) documents or testimony sufficient to establish membership in the Settlement Class; (v) a detailed statement of any objection asserted, including the grounds therefore; (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.

Questions? Visit www.suavesettlement.com or call toll-free 1-888-903-7198

<https://ecf.ilnd.uscourts.gov/cgi-bin/ShowIndex.pl>

Thomas G. Bruton
Clerk of the Court
Dirksen U.S. Courthouse
219 S. Dearborn Street
Chicago, IL 60604

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 will hold a Final Approval Hearing at **9:00 a.m. (CT) on September 13, 2024**, in Courtroom 2103, located at the Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, IL 60604. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. It will also consider whether to approve Plaintiffs' Counsel's request for an award of Attorneys' Fees and Costs, as well as Service Awards to the Class Representatives. If there are objections, the Court will consider them. The Court may listen to people who have asked to speak at the hearing. You or your own lawyer may appear and speak at the hearing at your own expense, but there is no requirement that you or your own lawyer do so. 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.suavesettlement.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?

Questions? Visit www.suavesettlement.com or call toll-free 1-888-903-7198

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 Defendant 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.suavesettlement.com.

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

Email: info@suavesettlement.com

Toll-Free: 1-888-903-7198

Mail: Suave Antiperspirant Settlement, c/o Claims 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 Northern District of Illinois or by reviewing the Court's online docket.

Please do not contact the Court, the Clerk, or the Defendant to inquire about the Settlement.