

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA

KUKORINIS V. WALMART INC., CASE NO. 8:22-CV-02402-VMC-TGW

SUMMARY NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

TO: All Persons who Purchased Weighted Goods and/or Bagged Citrus in-person at a Walmart retail store, supercenter, or neighborhood market in the United States or Puerto Rico (“Walmart Store”) from October 19, 2018 through and including January 19, 2024 (the “Settlement Class Period”).

YOU MAY BE ELIGIBLE FOR A CASH PAYMENT FROM A CLASS ACTION SETTLEMENT. YOUR RIGHTS WILL BE AFFECTED BY THE SETTLEMENT.

YOU ARE HEREBY NOTIFIED, pursuant to an Order of the United States District Court for the Middle District of Florida, that a hearing will be held on **June 12, 2024, at 10:00 am**, before the Honorable Virginia M. Hernandez Covington in Courtroom 14B of the Sam M. Gibbons United States Courthouse, 801 North Florida Avenue, Tampa, Florida 33602, for the purpose of determining (1) whether the proposed Settlement of this Action, reached between the parties, consisting of Forty-Five Million Dollars (\$45,000,000)(the “Class Settlement Amount”) in cash, as set forth in the Settlement Agreement dated November 15, 2023, should be approved as fair, reasonable, and adequate to Class Members; (2) whether the release by Class Members of claims as set forth in the Settlement Agreement should be authorized; (3) whether the proposed plan to distribute the Settlement proceeds is fair, reasonable, and adequate; (4) whether to approve Class Counsel’s request for an award of award of Attorneys’ Fees, Costs, and Expenses seeking fees up to, but not to exceed, 20% of the Class Settlement Amount, plus reimbursement of costs and expenses (which costs and expenses will not exceed \$200,000) incurred in connection with prosecuting the Action, plus any interest on such attorneys’ fees, costs, and expenses at the same rate and for the same periods as earned by the Class Settlement Fund (until paid); (5) whether this Action should be dismissed with prejudice against Walmart Inc.; and, (6) whether the Judgment and Order of Dismissal should be entered. The date, time, and location of the settlement hearing are subject to change without further notice; any change to the date, time or location of the settlement hearing will be posted on the Settlement website at www.WalmartWeightedGroceriesSettlement.com.

A Settlement was reached in a class action that alleged that persons who purchased in-person at Walmart Stores certain sold-by-weight meat, poultry, pork, and seafood products (called “Weighted Goods”) and certain organic oranges, grapefruit, tangerines, and navel oranges sold in bulk in mesh or plastic bags (called “Bagged Citrus”) paid more than the lowest in-store advertised price for those products. Walmart denies these allegations and that it did anything wrong.

The Settlement website, www.WalmartWeightedGroceriesSettlement.com, contains product descriptions and a searchable list of UPC Codes for the Weighted Goods and Bagged Citrus, and examples of those products can be viewed in the FAQs and in the Plaintiff’s Amended Complaint on the Settlement website, www.WalmartWeightedGroceriesSettlement.com.

ADDITIONAL INFORMATION ABOUT THE CASE AND SETTLEMENT, INCLUDING HOW TO FILE A CLAIM, A COPY OF THE DETAILED NOTICE DISCUSSING THE SETTLEMENT AND YOUR RIGHTS, INFORMATION ABOUT THE WEIGHTED GOODS AND BAGGED CITRUS PRODUCTS, AND A COPY OF THE SETTLEMENT AGREEMENT ARE AVAILABLE AT:
www.WalmartWeightedGroceriesSettlement.com or call toll-free 1-833-987-9998.

If you are a Class Member, in order to share in the distribution of the Net Settlement Fund, you must submit a Claim *online or, if mailed, postmarked no later than June 5, 2024*. No supporting documentation is required to be eligible to receive a payment: You may submit a Claim even if you no longer have receipts. You can submit your Claim online at www.WalmartWeightedGroceriesSettlement.com. You may also download the Claim Form from the Settlement Website, or call the Claims Administrator **toll-free 1-833-987-9998** to get a paper copy of the Claim Form, and mail your Claim Form to the Claims Administrator. Unless the deadline is extended, your failure to submit your Claim by the above deadline will preclude you from receiving any payment from the Settlement.

If you are a Class Member and you desire to be excluded from the Class, you must submit a request for exclusion, such that it is *postmarked no later than May 22, 2024*, in the manner and form explained in the detailed Notice, available at www.WalmartWeightedGroceriesSettlement.com. All Class Members who do not timely and validly

request exclusion from the Class will be bound by any judgment entered in the Action. If you exclude yourself from the Class, you will not receive any payment from the Settlement.

If you are a Class Member and want to object to the Settlement or Class Counsel's fee and expense application, the objection must be in the form and manner explained in the detailed Notice, which is available at www.WalmartWeightedGroceriesSettlement.com. Your objection must be mailed to each of the following recipients, such that it is *postmarked no later than May 22, 2024*:

Court Clerk:

Clerk, United States District Court Middle
District of Florida, Tampa Division
801 North Florida Avenue
Tampa, Florida 33602

Class Counsel:

Kimberly M. Donaldson-Smith
Chimicles Schwartz Kriner &
Donaldson-Smith, LLP
361 West Lancaster Avenue
Haverford, PA 19041

Defense Counsel:

Naomi G. Beer
Greenberg Traurig, LLP
1144 15th Street, Ste. 3300
Denver, Colorado 80202

PLEASE DO NOT CONTACT THE COURT, THE CLERK'S OFFICE, WALMART, OR DEFENSE COUNSEL REGARDING THIS NOTICE. If you have any questions about the Settlement, you may contact Class Counsel at the address listed above. Additional information about the Settlement can be found at www.WalmartWeightedGroceriesSettlement.com or by calling toll-free 1-833-987-9998.

DATED: January 19, 2024

**BY ORDER OF THE COURT
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA**