

LEGAL NOTICE

A federal court authorized this notice. This is not a solicitation from a lawyer.

If you purchased Neurobrands Beverage Products in California between January 1, 2012 and October 15, 2020, your rights may be affected by a proposed class action settlement.

For More Information, Please Visit www.NeurobrandsClassAction.com

WHAT IS THIS CASE ABOUT?

A proposed settlement has been reached in a class action lawsuit. The lawsuit alleges that the labeling and marketing of certain Neurobrands Products was false or deceptive. Defendant denies these claims and denies it did anything wrong. The Court has not decided which side was right. Instead, the parties have decided to settle the case.

ARE YOU A CLASS MEMBER?

You are a class member if you are a California citizen and purchased in California for household or personal use and not for resale, any of the following Neurobrands Products between January 1, 2012 and October 15, 2020: NeuroSONIC Superfruit Infusion; NeuroSONIC Orange Passion; NeuroBLISS White Raspberry; NeuroBLISS Citrus Berry; NeuroBLISS Tropical Lychee; NeuroPROTEIN Watermelon Mint; NeuroPROTEIN Cherry Vanilla; NeuroDAILY Tangerine Citrus; and NeuroGASM Passion Fruit (the "Products"). You should read the entire Notice carefully because your legal rights may be affected.

WHAT DOES THIS SETTLEMENT PROVIDE?

Defendant has agreed to use its best efforts to reformulate the Products to remove DL-malic acid as an ingredient. If after using best efforts Defendant determines that one or more of the reformulated Products are not scientifically or commercially feasible, Defendant has agreed to modify its packaging, labeling and advertising for all Products containing dl-malic acid by:

- Adding "(DL-malic acid)" after "malic acid" in the ingredient list of all such Products;
- Replacing the phrase "no artificial colors or flavors" with "no artificial colors" from the labeling and advertising of all such Products;
- Modifying its website to disclose the presence of synthetic malic acid or other acidulants; and
- Adding an asterisk or similar reference after or adjacent to the "natural flavors" representation on the top front of each Product label, which directs consumers to the statement "**Learn More at [the URL or webpage of the Neurobrands website] containing the disclosure of synthetic malic acid in the Products.

The complete Settlement Agreement is found at www.NeurobrandsClassAction.com.

WHAT HAPPENS NOW?

The Court will hold a hearing in this case on October 8, 2021 at 9:00 a.m. at the federal courthouse located at 1301 Clay Street, Oakland, CA 94612, Courtroom 5, to consider final approval of the Settlement, payment of attorneys' fees of up to \$750,000 inclusive of costs, incentive awards of up to \$5,000 for the Class Representatives in the lawsuit, and related issues. The motion(s) by Class Counsel for attorneys' fees and costs and incentive awards for the Class Representatives will be available for viewing on the settlement website after they are filed. You may appear at the hearing in person or through your attorney at your own cost, but you are not required to do so.

WHAT ARE YOUR OPTIONS?

Do Nothing	If you do nothing, then you will automatically receive benefits under this Settlement in the form of Defendant's Product reformulations and/or labeling modifications that are described in this notice. You will also give up your right to sue Defendant and certain related entities and individuals regarding any claims for injunctive relief that are part of or related to the Settlement. You will not give up any claims for monetary damages.
Object or Comment by September 8, 2021	If you are a Class Member, you may write to the Court about why you object to the Settlement. Objections must be in writing, must be submitted to the Court, and must be postmarked no later than September 8, 2021.
Appear in the lawsuit by September 8, 2021 and Attend a Hearing on October 8, 2021 at 9:00 a.m.	If you are a Class Member, you may ask to speak in Court about the fairness of the Settlement. You may enter your appearance in Court either pro se or through an attorney at your own expense if you so desire.

WWW.NEUROBRANDSCCLASSACTION.COM

DO NOT CALL DEFENDANT NEUROBRANDS OR THE COURT

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Your rights and options – and the deadlines to exercise them – are only summarized in this notice. The Detailed Notice describes, in full, how to object to the Settlement and provides other important information. For more information and to obtain a Detailed Notice, and the complete text of the Settlement Agreement, visit www.NeurobrandsClassAction.com or email the Notice Administrator at: info@NeurobrandsClassAction.com. You may also

contact class counsel at 619-696-9006 or 651 Arroyo Drive, San Diego, California 92103, access the Court docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or visit the office of the Clerk of the Court for the United States District Court for the Northern District of California, Oakland Division, 1301 Clay Street, Oakland, CA 94612 between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

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