

NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT

**IF YOU PURCHASED CERTAIN BRANDED GROUND COFFEE
PRODUCT(S) BETWEEN JANUARY 1, 2016 AND JULY 29, 2020,
A CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS.**

*A court authorized this Notice. You are not being sued.
This is not a solicitation from a lawyer.*

- A proposed Settlement has been reached in a class action lawsuit (“Lawsuit”) called *Molly Becker, et al., v. Massimo Zanetti Beverage USA, Inc., Mother Parkers Tea & Coffee USA, Ltd., and Reily Foods Company*, Case No. 20PH-CV00569 pending in Phelps County Circuit Court, Missouri, which claims that the Defendants, Massimo Zanetti Beverage USA, Inc., Mother Parkers Tea & Coffee USA, Ltd., and Reily Foods Company (“Defendants”), deceptively packaged and labeled Great Value, Bonus Blend, Flavor Peak, Food Lion, Hannaford, Market Pantry, and Signature Select branded ground coffee Products as containing enough coffee to make a specific number of cups.
- You are included in the Settlement if you purchased at least one or more branded ground coffee Products for personal use between January 1, 2016 and July 29, 2020.
- Defendants deny any wrongdoing. As part of this Settlement, Defendants have agreed to change their Labeling practices and will provide up to a maximum of \$20,000,000 in payments to individuals who purchased Great Value, Bonus Blend, Flavor Peak, Food Lion, Hannaford, Market Pantry, and Signature Select ground coffee Products as well as other fees and expenses. Settlement Class Members can get up to \$1 per Unit for a maximum of \$5 per Household without Proof of Purchase, and up to \$1 per Unit for a maximum of \$30 per Household with Proof of Purchase. See Question 6 for more details.

Your legal rights are affected even if you do nothing. Read this Notice carefully.

YOUR LEGAL RIGHTS & OPTIONS IN THIS SETTLEMENT	
Submit a Claim	You must submit a Claim to get money from this Settlement. Claim Forms must be submitted online or postmarked by November 18, 2020 .
Do Nothing	If you do nothing, you remain in the Settlement, you give up your rights to sue, and you will not get any money.
Exclude Yourself	Get out of the Settlement. Get no money. Keep your rights. This is the only option that allows you to keep your right to sue about the claims in this lawsuit. You will not get any money from the Settlement. Your request to exclude yourself must be postmarked by November 2, 2020 .
File an Objection	Stay in the Settlement but tell the Court why you think the Settlement should not be approved. Objections must be submitted by November 2, 2020 .

Go to a Hearing	You can ask to speak in Court about the fairness of the Settlement, at your own expense. <i>See</i> Question 18 for more details. The Fairness Hearing is scheduled for November 16, 2020 .
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BASIC INFORMATION

1. Why did I get this Notice?

You are receiving this Notice because you may be a Class Member in a proposed Settlement regarding alleged false, misleading and deceptive Labeling found on the following brands of ground coffee Products: Great Value, Bonus Blend, Flavor Peak, Food Lion, Hannaford, Market Pantry, and Signature Select (“Products”).

This Notice explains the nature of the Lawsuits and claims being settled, your legal rights, and the Benefits to the Class.

2. What is this case about?

Judge William E. Hickel of the Circuit Court of Phelps County, Missouri is overseeing this class action. The case is known as *Molly Becker, et al., v. Massimo Zanetti Beverage USA, Inc., Mother Parkers Tea & Coffee USA, Ltd., and Reily Foods Company*. The people who sued are called the “Plaintiffs,” and the companies they sued are called the “Defendants.”

Plaintiffs Molly Becker, Sonja Bolerjack, Frank Gonzalez, Vincent Lebrecht, Maria McBain, Victoria Rodgers, Pamela Smythe, and Robin White filed a lawsuit against Defendants Massimo Zanetti Beverage USA, Inc., Mother Parkers Tea & Coffee USA, Ltd., and Reily Foods Company, individually and on behalf of anyone who purchased the Products for personal use between January 1, 2016 and July 29, 2020.

The lawsuit alleges that the Defendants improperly labeled, packaged, marketed and advertised the Products as containing enough coffee such that it makes up to a certain number of cups. Defendants deny any wrongdoing.

3. Why is there a Settlement?

By agreeing to settle, both sides avoid the cost, disruption, and distraction of further litigation. The Class Representatives, Defendants, and their attorneys believe the proposed Settlement is fair, reasonable, and adequate and, thus, best for the Class Members.

The Court did not decide in favor of the Plaintiffs or Defendants.

Full details about the proposed Settlement are found in the Settlement Agreement available at www.BeckerSettlement.com

4. Why is this a class action?

In a class action, one or more people called “Class Representatives” sue on behalf of all people who have similar claims. All of these people together are the “Class” or “Class Members.”

5. How do I know if I am included in the Settlement?

You are included in this Settlement as a Class Member if you live in the United States and purchased any of the Products from January 1, 2016 through July 29, 2020.

If you are not sure whether you are in the Class, or have any other questions about the Settlement, visit www.BeckerSettlement.com, or write with questions to Becker v Massimo, Mother Parkers and Reily Foods, c/o Settlement Administrator, PO Box 34685, Philadelphia, PA. 19101-4685 or call toll free 1-844-491-5742 .

THE SETTLEMENT BENEFITS

6. What does this Settlement provide?

The proposed Settlement, if approved by the Court, will provide the following Benefits:

1. **Labeling Practices:** Defendants have agreed to change their Labeling practices.
2. **Individual Claims:** Class Members are eligible for payments with or without Proof of Purchase:

Tier 1 - Claims without Proof of Purchase:

You can get up to \$1 per Unit for up to \$5 maximum per Household.

Tier 2 - Claims with Proof of Purchase:

You can get up to \$1 per Unit for up to \$30 maximum per Household.

Only one Claim may be submitted per Household under either Tier 1 or Tier 2 and final amounts paid may be reduced based on total number of Claims Received.

You must file a Claim to get any money from the proposed Settlement. The Deadline to submit a Claim is **November 18, 2020**.

7. How to submit a Claim?

You must submit a Claim Form, with or without Proof of Purchase, in order to be eligible to receive any money from the Settlement, if it is approved. You can download a Claim Form at www.BeckerSettlement.com or you can call the Settlement Administrator at 1-844-491-5742 to request a Claim Form.

Your Claim Form must be postmarked or submitted online no later than 11:59 p.m. Central Time by **November 18 , 2020**.

8. What am I giving up as part of the Settlement?

Unless you exclude yourself, you will be included as part of the Settlement Class, if the Settlement is approved. By staying in the Class, you will be eligible to receive Benefits included in the Settlement to which you are entitled, and you will be releasing Defendants and all Released Parties from any liability, cause of action, claim, right to damages or other relief, and any other legal rights to which you may otherwise be entitled under the law(s) of your state or any other applicable law.

This means that you will no longer be able to sue Defendants or any of the other Released Parties, including retailers who sell the Products manufactured by Defendants, which retailers include Walmart Inc., Target Corporation, Food Lion LLC, Hannaford Bros. Co, LLC and Albertsons Companies, Inc. In addition, you will not be able to sue any of the Defendants' or other Released Parties direct and indirect parent companies, predecessor entities, successor entities, related companies, direct and indirect subsidiaries, divisions, holding entities, past and present affiliates and banners, franchisees, distributors, wholesalers, retailers, advertising and production agencies, licensors, and agents, including all current and former officers, directors, managers, members, partners, owners, employees, shareholders, consultants, attorneys, legal representatives, insurers, agents, assigns, and other equity interest holders of any of the foregoing, and their heirs, executors, administrators, and assigns regarding any of the settled claims if you are a Class Member and do not exclude yourself from the Class.

The Settlement Agreement, includes all the provisions about settled claims and Releases, is available at www.BeckerSettlement.com.

9. Will the Class Representatives receive compensation?

Yes. Molly Becker, Sonja Bolerjack, Frank Gonzalez, Vincent Lebrecht, Maria McBain, Victoria Rodgers, Pamela Smythe, and Robin White will request a service award of up to a maximum total amount of \$30,000 in the aggregate, to compensate them for their services as Class Representatives and their efforts in bringing the lawsuit. The Court will make the final decision as to the amount, if any, to be paid to the Class Representatives.

EXCLUDE YOURSELF

10. How do I exclude myself from the Settlement?

If you do not want to be included in the Settlement, you must send a written request for exclusion that is postmarked no later than **November 2, 2020** to:

Becker v Massimo, Mother Parkers and Reily Foods
c/o Settlement Administrator
PO Box 34685
Philadelphia, PA 19101-4685

Instructions on how to submit a request for exclusion are available at www.BeckerSettlement.com or from the Settlement Administrator by calling 1-844-491-5742.

If you exclude yourself, you will not be able to receive Benefits from the Settlement and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit.

11. If I do not exclude myself, can I sue later?

No. If you do not exclude yourself from the Settlement, you forever give up the right to sue the Released Parties (listed in Question 8) for the claims this Settlement resolves.

12. What happens if I do nothing at all?

If you do nothing, you will be bound by the Settlement if the Court approves it, you will not be able to start or proceed with a lawsuit, or be part of any other lawsuit against the Released Parties (listed in Question 8) about the settled claims in this case at any time.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the case?

Yes. The Court has ordered that the Law Office of L. DeWayne Layfield, PLLC; KamberLaw LLC; Southern Atlantic Law Group, PLLC; and Steelman & Gaunt (together, “Class Counsel”) will represent the interests of all Class Members. Class Members will not be separately charged for these lawyers.

If you want to be represented by your own lawyer, you may hire one at your own expense.

14. How will the lawyers be paid?

Class Counsel will apply to the Court for an award of Attorneys’ Fees and Litigation Expenses in an amount up to \$4,700,000.

A copy of Class Counsel’s Application for Attorneys’ Fees and Expenses will be posted on the Settlement Website, www.BeckerSettlement.com, before the Fairness Hearing. The Court will make the final decisions as to the amounts to be paid to Class Counsel, and may award less than the amounts requested by Class Counsel.

OBJECTING TO THE SETTLEMENT

15. How do I tell the Court that I do not like the Settlement?

If you want to tell the Court that you do not agree with the proposed Settlement or some part of it, you can submit an Objection to the Court telling them why you do not think the Settlement should be approved.

Your Objection must include all the following information:

- (i) The case name and number: *Molly Becker, et al., v. Massimo Zanetti Beverage USA, Inc., Mother Parkers Tea & Coffee USA, Ltd., and Reily Foods Company*, Case No. 20PH-CV00569 (Phelps County Circuit Court, Missouri).
- (ii) Your full name, address, telephone number and email address.
- (iii) The name and address of any lawyer(s) representing you or who may be entitled to compensation in connection with Objection.
- (iv) A detailed statement of the Objection(s), including the grounds for the Objection(s).
- (v) Copies of any papers, briefs, or other documents upon which the Objection is based.
- (vi) Indicate if you intend to appear at the Fairness Hearing, with or without counsel.
- (vii) Identify any counsel who will appear on your behalf at the Fairness Hearing and any Person who will be called to testify to support your Objection.

- (viii) A statement that you are a Class Member in the proposed Settlement, including all information from the Claim Form.
- (ix) Your signature in addition to the signature of any attorney representing you in connection with the Objection.
- (x) A detailed list of any class action settlement Objections made by you or your lawyer in the last five years.

Your Objection must be filed with the Court by **November 2, 2020**, at:

Clerk of the Court
 Phelps County Circuit Court
 200 North Main Street
 Rolla, MO 65401

In addition, you must provide your Objection to Class Counsel and Defense Counsel by **November 2, 2020**:

CLASS COUNSEL	DEFENSE COUNSEL
STEELMAN & GAUNT Attention: Stephen F. Gaunt, Attention: David L. Steelman 901 Pine Street, Suite 110 Rolla, Missouri 65401 Email:sgaunt@steelmanandgaunt.com Email:dsteelman@steelmanandgaunt.com	Baker Botts L.L.P. Attention: Jessica Pulliam 2001 Ross Avenue, Suite 900 Dallas, Texas 75201 Email: Jessica.Pulliam@bakerbotts.com

If you do not submit your Objection with all requirements, or you do not timely file and serve your Objection by **November 2, 2020**, you will be considered to have waived all Objections and will not be entitled to speak at the Fairness Hearing.

16. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you stay in the Class.

Excluding yourself is telling the Court that you don't want to be part of the Class. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

THE FAIRNESS HEARING

17. When and where will the Court decide whether to approve the Settlement?

The Court will hold the Fairness Hearing at 9:00 a.m. on **November 16, 2020**, at the Phelps County Courthouse, 200 North Main Street, Suite 201, 2nd Floor, Rolla Missouri 65401. The hearing may be

moved to a different date, time or location without additional notice, so it is recommended that you periodically check www.BeckerSettlement.com for updated information.

At the Hearing, the Court will consider whether the proposed Settlement is fair, reasonable, adequate, and is in the best interests of Class Members, and if it should be approved. If there are valid, timely Objections, the Court will consider them and will listen to people who have asked to speak at the Hearing if the request was made properly. The Court will also consider the award of Attorneys' Fees and Expenses to Class Counsel and the request for Service Awards to the Class Representatives.

18. Do I have to come to the hearing?

No, you are not required to come to the Fairness Hearing. However, you are welcome to attend the Hearing at your own expense.

If you submit an Objection, you do not have to come to the Hearing to talk about it. If your Objection was submitted properly and on time, the Court will consider it. You also may pay your own lawyer to attend the Fairness Hearing, but that is not necessary.

19. May I speak at the hearing?

Yes, you can speak at the Fairness Hearing but you must ask the Court for permission. To request permission to speak, you must file an Objection according to the instructions in Question 15, including all the information required.

You cannot speak at the hearing if you exclude yourself from the Settlement.

DO NOTHING

20. What happens if I do nothing?

If you do nothing, you will not get any money from the Settlement, you will not be able to sue for the claims in this case and you release the claims against Defendants listed in Question 8.

GET MORE INFORMATION

21. How do I get more information about the Settlement?

This is only a summary of the proposed Settlement. If you want additional information about this lawsuit, including a copy of the Settlement Agreement, the complaints, the Court's Preliminary Approval Order, Class Counsel's Application for Attorneys' Fees and Expenses, and more, please visit www.BeckerSettlement.com or call 1-844-491-5742.

You may also contact the Settlement Administrator in writing at Becker v Massimo, Mother Parkers and Reily Foods, c/o Settlement Administrator, PO Box 34685, Philadelphia, PA. 19101-4685.

You may also visit or call the Clerk's office at the Phelps County Circuit Court, 200 North Main Street, Rolla, MO 65401; (573) 458-6200. The Clerk will tell you how to obtain the complete file for inspection and copying at your own expense.

PLEASE DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT OR LITIGATION TO THE CLERK OF THE COURT OR THE JUDGE.