

Short Form Pre-Approval Settlement Notice

CANADA DRY SETTLEMENT PROGRAM NOTICE OF SETTLEMENT APPROVAL HEARING

Superior Court of Quebec File #500-06-000968-194

A proposed Quebec settlement (the “Settlement”) has been reached with respect to a class action lawsuit commenced against Canada Dry Mott’s Inc. and Keurig Dr Pepper Inc. (collectively, “Defendants”). The lawsuit alleges that Defendants’ advertising, labeling, and marketing materials regarding the ingredients in Canada Dry Ginger Ale soft drinks were improper. Defendants deny any wrongdoing or liability. **If you are a Settlement Class Member (defined below), you may qualify for compensation under the Settlement.** The Court will have a hearing on **March 16th, 2021** to decide whether to approve the Settlement before any money is paid.

Am I a Settlement Class Member? You are a Settlement Class Member if at any time between January 14, 2016 to November 11, 2020 (the “Class Period”) you purchased five or more Canada Dry Ginger Ale soft drinks in Quebec during the Class Period, unless you exercised your right to opt out of the class action or if you are one of the Released Parties.

What Does the Settlement Provide? If the Settlement is approved, Defendants agree to make available the total amount of \$650,000 (the “Total Settlement Cap”) to be used to: a) compensate Settlement Class Members who timely submit valid Claim Forms; (b) pay all costs and expenses related to the settlement including without limitation the costs of the Claims Administrator (as defined in the Settlement Agreement) and Plaintiff’s Class Counsel’s fees (\$195,000 plus taxes) and disbursements (\$15,000 plus taxes), subject to the Court’s approval; (c) reimburse the Fonds Disbursement (\$30,830.50); and (d) pay the Plaintiff’s disbursement and honorarium of up to \$5,000, subject to the Court’s approval. Settlement Class Members who submit a valid and timely Claim Form may receive compensation (in the form of an Interac e-Transfer) of **up to \$7.50 per Settlement Class Member**. Under the terms of the settlement, certain conditions may lead to Settlement Class Members with valid claims receiving less than this amount. For example, the compensation available will be reduced proportionately among all Settlement Class Members with valid claims if the total amount of eligible claims exceeds the Total Settlement Cap minus the costs and expenses of the settlement. In order to receive compensation from the Settlement, Settlement Class Members must have a valid e-mail address and a bank account capable of receiving payments via Interac e-Transfer.

What Are My Options? If you are a Settlement Class Member and you do nothing, you will remain in the Settlement Class. You may make a claim for compensation if the Settlement is approved and you will lose any right to sue in relation to the released claims described in the Settlement Agreement.

How Do I Claim Compensation? If you are a Settlement Class Member, to ask for compensation, you must:

(1) provide your e-mail address at www.canadadrysettlement.ca by 5 pm Eastern on January 15, 2021; and

(2) complete and submit an online Claim Form by the Claim Form Due Date (to be determined by the Court following the approval hearing) attesting to its contents under penalty of perjury.

If you do not wish to participate in the Settlement, you may opt out by 5 pm Eastern on **February 1, 2021**, or you may stay in the Settlement Class and object to the Settlement by 5 pm Eastern on **February 1, 2021**, in accordance with the procedures described in the Settlement Agreement and Long Form Pre-Approval Notice available on the Settlement Website.

Who Should I Contact for Information? For more information about the Settlement, visit www.canadadrysettlement.ca or contact the Claims Administrator (1-888-684-7379) or Class Counsel: Mtre Joey Zukran, LPC Avocat Inc. (514-379-1572, JZUKRAN@LPCLEX.COM).

This is only a summary notice. You may view the complete Pre-Approval Notice and Settlement Agreement at www.canadadrysettlement.ca

This notice has been approved by the Court.