

## LEGAL NOTICE

### **If You Purchased Kellogg's Raisin Bran, Smart Start, or Frosted Mini-Wheats Cereal Between August 29, 2012 and May 1, 2020, You May Be Affected by a Proposed Class Action Settlement.**

*The United States District Court has authorized this notice. This is not a solicitation from a lawyer.*

A proposed settlement has been reached against Kellogg Sales Co. ("Kellogg") alleging that certain health and wellness representations on Kellogg cereals were misleading in light of their high added sugar content, or otherwise unlawful. The case is known as *Hadley et al. v. Kellogg Sales Co.*, Case No. 16-cv-4955-LHK (N.D. Cal.). Kellogg denies the allegations.

This is only a summary of the key settlement terms. A full copy of the Settlement Agreement and Class Notice is available at [www.CerealClaims.com](http://www.CerealClaims.com), or by calling (844) 907-1160.

#### Who is Included?

The Settlement Class includes all persons in the United States who, between August 29, 2012 and May 1, 2020 (the "Class Period"), purchased in the United States, for household use and not for resale or distribution, certain Raisin Bran, Smart Start, and Frosted Mini-Wheats cereals. See the Settlement Website, [www.CerealClaims.com](http://www.CerealClaims.com), for the specific cereals included in the Settlement.

#### What Does the Settlement Provide?

The proposed settlement will provide the Class with \$13,000,000 in monetary benefits (the "Settlement Fund"); and with injunctive relief in the form of labeling changes Kellogg has agreed to make.

#### Who Can Receive a Payment?

Class Members who timely submit a valid approved claim are entitled to compensation. Each timely, valid claimant will receive a payment based on the type and estimated amount of Class Products purchased during the Class Period. The amount of the Cash Award any individual receives will depend on both the number of claims made, and each claimant's purchase history.

Claim Forms and more information about the claims process are available on the Settlement Website, [www.CerealClaims.com](http://www.CerealClaims.com). **The deadline for submitting a claim is September 7, 2021.**

#### What are Class Members' Other Options?

Class Members may opt out of this Settlement. A Class Member who opts out will retain rights to sue Kellogg separately, but will not be eligible to receive any compensation under the Settlement. To opt out, a Class Member must submit an Opt-Out Form on the Settlement Website, [www.CerealClaims.com](http://www.CerealClaims.com). Alternatively, Opt-Out Forms can be downloaded, filled out, and mailed to the Class Administrator at: Postlethwaite & Netterville, P.O.

Box 5098, Baton Rouge, LA 70821-5098. **Opt-Out Forms must be submitted online or postmarked on or before September 7, 2021.**

Class Members may also object to any part of this Settlement by mailing an Objection to the Class Administrator at Postlethwaite & Netterville, P.O. Box 5098, Baton Rouge, LA 70821-5098. Alternatively, Class Members may file an Objection with the Court. Further details regarding the procedures for objecting are available at [www.CerealClaims.com](http://www.CerealClaims.com). **Objections must be postmarked or filed on or before September 7, 2021.**

#### Has the Court Approved the Settlement?

The Court has not yet approved the Settlement, but has set a Final Approval Hearing for November 18, 2021, to determine whether the Settlement is fair, reasonable, and adequate for the Class. The Court will also consider during that hearing whether and in what amount to award attorneys' fees and expenses to Class Counsel, and service awards to the Class Representatives, which shall come from the Settlement Fund, along with Notice and Administration expenses currently estimated at \$630,045. Prior to making that determination, the Court will set a deadline for Class Counsel to make a motion, the motion will be posted on the Settlement Website, [www.CerealClaims.com](http://www.CerealClaims.com), and Class Members will have an opportunity to respond and object.

As described further on the Settlement Website, Class Counsel intend to seek an award of fees of up to thirty percent of the Settlement Fund (or \$3.9 million), and reimbursement of case expenses of approximately \$1,180,923, along with incentive awards for Class Representatives in the amount of \$10,000 for Class Representative Stephen Hadley, and \$5,000 each for Class Representatives Melody DiGregorio, Eric Fishon, Kerry Austin, and Nafeesha Madyun.

You do not need to appear at the Final Approval Hearing, but you may come at your own expense. The Court has appointed The Law Office of Jack Fitzgerald, PC, and Jackson & Foster LLC as Class Counsel. The lawyers representing you will be paid, only with the Court's approval, from the Settlement Fund. If you want to be represented by your own lawyer, you may hire one at your own expense. For more information, or to view the motion for attorneys' fees, expenses, and service awards after it is filed on or before August 3, 2021, please visit the Settlement Website, [www.CerealClaims.com](http://www.CerealClaims.com)

**PLEASE DO NOT CALL OR WRITE THE COURT FOR INFORMATION OR ADVICE.**