

NOTICE OF PENDENCY OF CLASS ACTION

If You Purchased Certain Bigelow Tea Products in California, A Class Action May Affect Your Rights

*A federal court authorized this notice. This is not a solicitation from a lawyer.
Please read this Notice carefully and in its entirety.*

- A lawsuit is pending in the United States District Court for the Central District of California (the “Court”) against Defendant R.C. Bigelow, Inc. The lawsuit is known as *Banks v. R.C. Bigelow, Inc.*, Case No. 20-cv-06208-DDP (RAOx) (the “Action”).
- Plaintiffs allege certain Bigelow tea products were falsely and deceptively labeled as Manufactured in the USA.
- R.C. Bigelow denies Plaintiffs’ claims and will defend itself at trial. There is no money available now, and no guarantee that there will be. However, your legal rights are affected, and you have a choice to make now. Please read this notice carefully.
- The Court certified a Class consisting of all natural persons who purchased at least one 18/20 count box of Bigelow Earl Grey Black Tea Caffeine, Green Tea Caffeine, Constant Comment Black Tea Caffeine, Green Lemon Tea Caffeine, Vanilla Chai Black Tea Caffeine, English Tea Time Black Tea Caffeine, Spiced Chai Black Tea Caffeine, French Vanilla Black Tea Caffeine, or Vanilla Caramel Black Tea Caffeine, labeled as “Manufactured in the USA 100% American Family Owned,” at a retail store in the state of California, at any time from October 17, 2017 to the present.

YOUR LEGAL RIGHTS AND OPTIONS	
DO NOTHING	By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. But, you give up any rights to sue R.C. Bigelow separately about the same legal claims in this lawsuit.
EXCLUDE YOURSELF FROM THE CLASS BY MAY 1, 2024	If you ask to be excluded and money or benefits are later awarded, you won’t share in those. But, you keep any rights to sue R.C. Bigelow separately about the same legal claims in this lawsuit.

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BASIC INFORMATION

1. Why should I read this notice?

You may be a part of a class action lawsuit that is now pending against R.C. Bigelow, Inc. in the United States District Court for the Central District of California, entitled *Banks v. R.C. Bigelow, Inc.*, Case No. 20-cv-06208-DDP (RAOx) (the “Action”). The Action has been certified by the Court to proceed as a class action on behalf of a group of consumers who purchased certain Bigelow tea products.

The persons who sued are called the “Plaintiffs” and the company they sued, R.C. Bigelow, Inc., is called the “Defendant” or “R.C. Bigelow.” Plaintiffs brought this lawsuit on behalf of a Class of other consumers in California who similarly purchased certain Bigelow tea products.

2. Am I part of the Class?

You are a Class member if you fall within the below Court-certified Class definition:

All natural persons who purchased at least one 18/20 count box of Bigelow Earl Grey Black Tea Caffeine, Green Tea Caffeine, Constant Comment Black Tea Caffeine, Green Lemon Tea Caffeine, Vanilla Chai Black Tea Caffeine, English Tea Time Black Tea Caffeine, Spiced Chai Black Tea Caffeine, French Vanilla Black Tea Caffeine, or Vanilla Caramel Black Tea Caffeine, labeled as “Manufactured in the USA 100% American Family Owned,” at a retail store in the state of California, at any time from October 17, 2017 to the present.

3. I’m still not sure if I am included.

If you are still not sure whether you are a Class member, you can get free help at www.TeaClassAction.com or by calling or writing to the lawyers in this case, at the phone number or address listed in question 11 below.

THE CLAIMS IN THE LAWSUIT

4. What claims are alleged in this class action lawsuit?

In this class action, Plaintiffs allege that the Bigelow tea products identified in question 2 above were falsely and deceptively labeled as Manufactured in the USA based on representations made on the tea cartons. Plaintiffs assert claims against Bigelow under: (1) the California Consumers Legal Remedies Act, (2) common law fraud and intentional misrepresentation, (3) negligent misrepresentation, and (4) breach of express warranty.

5. How does R.C. Bigelow answer?

R.C. Bigelow denies that it did anything wrong. R.C. Bigelow’s Answer to the operative Complaint is posted to the case website at www.TeaClassAction.com.

6. Has the Court decided who is right?

The Court hasn't decided whether the Plaintiffs or R.C. Bigelow are correct. By certifying the Class and authorizing this Notice, the Court is not suggesting which side will win or lose this case. A trial is scheduled to start on April 1, 2025. (See "The Trial" below on page 5).

7. What are the Plaintiffs asking for?

The Plaintiffs are asking for monetary damages owed to the Class.

8. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether R.C. Bigelow did anything wrong, and the two sides have not settled the case. There is no guarantee that money or benefits will be obtained. If they are, you will be notified about how to ask for a share.

YOUR RIGHTS AND OPTIONS

Class members may: (1) do nothing or (2) ask to be excluded ("Opt-Out") from the Class.

9. What happens if I do nothing at all?

If you do nothing, then you will remain in the Class, and you will be bound by all past, present, and future orders, findings, and judgments in this Action, whether favorable or unfavorable. If any money is awarded to the Class, either through settlement or judgment after trial, you may be entitled to receive a share of that award. If R.C. Bigelow prevails in whole or in part on any issues or claims in the Action, you will be bound by that outcome. By staying in the Class, you will give up your right to sue R.C. Bigelow for the claims in this case.

10. How do I exclude myself from the Class?

If you are a member of the Class defined above and choose to be excluded from the Class, you must notify the class administrator (address below) in writing. By doing so, you will "Opt-Out" of this Action. If you properly Opt-Out, you will not be bound by any orders, findings, and judgments in this Action, and you may individually sue R.C. Bigelow with regard to the issues in this Action. You will not, however, be entitled to receive a share of any award of money that may be recovered on behalf of the Class.

To Opt-Out of the Class, you must send a written request including: (a) a statement that "I wish to opt-out of the Class in *Banks v. R.C. Bigelow, Inc.*" or words to similar effect that make clear your intention to be excluded from Class, (b) your name, email address, telephone number, and mailing address, and (c) your personal signature and the date. In order to be timely, your request for exclusion must be mailed and postmarked on or before **May 1, 2024**, to the following address:

Tea Class Action
c/o JND Legal Administration
P.O. Box 91307
Seattle, WA 98111

THE LAWYERS REPRESENTING YOU

11. Do I have a lawyer in this case?

The Court decided that the law firms of Schneider Wallace Cottrell Konecky LLP and The Wand Law Firm P.C. are qualified to represent you and all Class members. Together the law firms are called “Class Counsel.” They are experienced in handling similar cases. Class Counsel’s contact information is below:

Todd M. Schneider and Jason H. Kim
**SCHNEIDER WALLACE
COTTRELL KONECKY LLP**
2000 Powell Street, Suite 1400
Emeryville, CA 94608
Telephone: (415) 421-7100
www.schneiderwallace.com

Aubry Wand
THE WAND LAW FIRM, P.C.
100 Oceangate, Suite 1200
Long Beach, CA 90802
Telephone: (310) 590-4503
www.wandlawfirm.com
Email: teaclassaction@gmail.com

12. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to pay that lawyer. For example, you can ask your own lawyer to appear in Court for you if you want someone other than Class Counsel to speak for you.

13. How will the lawyers be paid?

If Class Counsel recover money or benefits for the Class, they may ask the Court for fees and expenses. Class Counsel have agreed to represent the Class on a contingency basis, which means that they will be awarded attorneys’ fees and costs, subject to approval by the Court, only if they obtain a recovery for the Class from R.C. Bigelow either through settlement or judgment after trial. You will not be individually responsible for paying any attorneys’ fees or costs to Class Counsel regardless of whether there is any recovery for the Class.

THE TRIAL

14. How and when will the Court decide who is right?

The trial is currently set to start on Tuesday, April 1, 2025 at 9:00 a.m. PT, in the United States District Court for the Central District of California, located at 350 W. 1st Street, Los Angeles, CA 90012, in Courtroom 9C. During the trial, a jury will hear evidence to help them reach a decision about whether the Plaintiffs or R.C. Bigelow are right about the claims in the lawsuit. This trial date may be subject to change. For updates, please visit www.TeaClassAction.com or www.cacd.uscourts.gov/honorable-dean-d-pregerson.

15. Do I have to come to the trial?

You do not need to attend the trial. Class Counsel will present the case for the Plaintiffs, and R.C. Bigelow will present the defenses. You or your own lawyer are welcome to come at your own expense.

16. Will I get money after the trial?

If the Plaintiffs obtain money or benefits as a result of the trial or a settlement, you will be notified about how to participate. We do not know how long this will take.

GETTING MORE INFORMATION

17. Are more details available?

This Notice summarizes the Action. For more information, you can contact Class Counsel at the information listed above, or access the Court docket in this case, through the Court's Public Access to Court Electronic Records (PACER) system. You can also visit the website www.TeaClassAction.com or call the class administrator at 1-844-566-0049.

PLEASE DO NOT CONTACT THE COURT TO INQUIRE ABOUT THIS CASE