

Legal Notice

## **If You Purchased Certain Post Cereals Since August 29, 2012 You Could Receive A Cash Payment As Part Of A Class Action Settlement.**

**What is the lawsuit about?** The lawsuit contends that Post Foods, LLC (“Post”) made certain statements on the labels of various sizes and varieties of Honey Bunches of Oats, Great Grains, Raisin Bran, Bran Flakes, Honey Bunches of Oats Granola, Selects, Honeycomb, Shredded Wheat, Alpha-Bits, Waffle Crisp, and Golden Crisp cereals (the “Post Cereals”) that are misleading because the statements suggested the cereals are healthy, when Plaintiffs allege they are unhealthy because of their added sugar. Post maintains that the statements on its cereals are true and that the Post Cereals are nutrient-dense, healthy foods. The Court has not determined whether Plaintiffs or Post are correct.

**Who is included?** You are a Class Member if you bought one of the Post Cereals for household use, and not for resale or distribution, between August 29, 2012 and November 2, 2020. For a complete list of the Post Cereals in the class, please visit the Settlement Website, [www.AddedSugarClassAction.com](http://www.AddedSugarClassAction.com), or call (844) 970-1302.

**What does the settlement provide?** Post has agreed to establish a \$15,000,000 “Settlement Fund” to pay all settlement expenses, including the costs of class notice and administration, attorneys’ fees and costs, service awards for the Plaintiffs, and cash refunds for Class Members who make claims. Your legal rights will be affected if you are a Class Member and do not exclude yourself.

### **What are your options?**

**Submit A Claim:** To receive Settlement benefits, you must complete and submit a Claim Form. Claim Forms are available at the Settlement Website and can be submitted electronically or mailed to the Class Administrator. A Claim Form must be **submitted online or postmarked by May 19, 2021**.

**Opt-Out or Object:** If you opt-out, you will retain your rights to sue Post separately, however, you will not be eligible to receive any benefits. You must submit a request for exclusion. An example exclusion form is available at the Settlement Website. Requests for exclusion must be **postmarked on or before May 19, 2021**. Detailed instructions are available on the Settlement Website.

You may also object to any part of this Settlement. Details about how to object are available at the Settlement Website. Objections must be filed with or mailed to the Court **on or before May 19, 2021**.

**Do Nothing:** If you do nothing, you will not be eligible to receive any benefits and will be bound by the terms of the Settlement Agreement and Final Judgment.

**Has the Court approved the Settlement?** No. The Court has set a hearing for June 23, 2021 to determine whether to approve the Settlement and what attorneys’ fees, expenses, and service payments to award. Class Counsel will file a motion seeking an award of up to one-third of the Settlement Fund in fees, and reimbursement of case expenses totaling approximately \$967,607, plus any expenses incurred after preliminary approval. Class Counsel will also seek on behalf of the Class Representatives service awards of \$7,500 each for Debbie Krommenhock and Stephen Hadley. The Court will determine the amount of fees, expenses, and service awards that will be paid from the Settlement Fund.

After Class Counsel's motion for attorneys' fees, expenses, and service awards is filed on or before April 14, 2021, it will be posted on the Settlement Website and you will have an opportunity to review and comment on the motion via an Objection.

You do not need to appear at the hearing but you may come at your own expense. The Court has appointed The Law Office of Jack Fitzgerald, PC and Jackson & Foster LLP as Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

This is only a summary of the key Settlement terms. A full copy of the Settlement Agreement is available at the Settlement Website or by calling 1-(844) 970-1302.

[www.AddedSugarClassAction.com](http://www.AddedSugarClassAction.com)

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