

LEGAL NOTICE

If You Purchased any Flavor of GoodBelly Probiotic JuiceDrink Sold in a 1 Quart (32oz.) Container Between August 13, 2017 and November 27, 2023, 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 NextFoods, Inc. (“NextFoods”) in an action alleging that certain “health and wellness” representations on GoodBelly Probiotic JuiceDrink products were misleading in light of the drinks’ sugar content. The case is known as *Andrade-Heymsfield v. NextFoods, Inc.*, No. 21-cv-1446-BTM-MSB (S.D. Cal.). NextFoods denies the allegations and denies that its product labeling was misleading or unlawful.

This is only a summary of the key settlement terms. A full copy of the Settlement Agreement and Class Notice is available at www.GoodBellySettlement.com, or by calling 1-844-527-6610.

Who is Included?

The Settlement Class includes all persons in the United States who, between August 13, 2017 and November 27, 2023 (the “Class Period”), purchased in the United States, for household use and not for resale or distribution, any flavor of GoodBelly Probiotic JuiceDrink sold in a 1 Quart (32oz.) container. See the Settlement Website, www.GoodBellySettlement.com, for the specific products included in the Settlement.

What Does the Settlement Provide?

The proposed settlement will provide the Class with \$1,250,000 in monetary benefits (the “Settlement Fund”); and with injunctive relief in the form of labeling changes NextFoods 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.GoodBellySettlement.com. **The deadline for submitting a claim is January 29, 2024.**

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 NextFoods 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.GoodBellySettlement.com. Alternatively,

Opt-Out Forms can be downloaded, filled out, and mailed to the Class Administrator at: GoodBelly Settlement Administrator, P.O. Box 108, Baton Rouge, LA 70821. **Opt-Out Forms must be submitted online or postmarked on or before January 29, 2024.**

Class Members may also object to any part of this Settlement by filing an Objection with the Clerk of Court. Further details regarding the procedures for objecting are available at www.GoodBellySettlement.com. **Objections must be postmarked or filed on or before January 29, 2024.** Class members who object to the Settlement will still be eligible to receive settlement benefits if the Settlement becomes final, if they also submitted claims.

Has the Court Approved the Settlement?

The Court has not yet approved the Settlement, but has set a Final Approval Hearing for March 11, 2024, 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 \$206,669. The court has set January 15, 2024 as the deadline for the motion, which will be posted on the Settlement Website, www.GoodBellySettlement.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 in the amount of their lodestar (the amount expended on the case) of approximately \$530,000, and reimbursement of case expenses of approximately \$37,000, along with incentive awards of \$5,000 each for Class Representatives Evelyn Andrade-Heymsfield and Valerie Gates.

You do not need to appear at the Final Approval Hearing, but you may come at your own expense. The Court has appointed Fitzgerald Joseph LLP 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 January 15, 2024, please visit the Settlement Website, www.GoodBellySettlement.com.

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