

**NOTICE OF CLASS ACTION SETTLEMENT REGARDING**  
**BIMBO BAKERIES USA, INC. LABELING CLAIMS**

Pratt & Associates and Fleischmann Bonner & Rocco LLP (“Class Counsel”) and Bimbo Bakeries USA, Inc. (“BBUSA”) are pleased to announce the settlement of a lawsuit that Class Counsel commenced in 2013 in the U.S. District Court for the Northern District of California. The case is entitled *Ang v. Bimbo Bakeries USA, Inc.* (Case No. 13-CV-01196-HSG-NC) and claims that statements on the labels and in the ingredient lists of certain BBUSA products were unlawful, misleading or deceptive to consumers. BBUSA has denied and continues to deny the allegations in the lawsuit. After limiting the claims and the number of products that were subject to the lawsuit, on August 31, 2018, the U.S. District Court certified a class of California purchasers of certain BBUSA products for purposes of injunctive relief only, and denied class certification of any damages claims (the “Class Certification Order”). All persons or entities who or that made purchases in California of any BBUSA products identified in the Class Certification Order are part of the injunctive relief class (“Class Members”). A full list of the products at issue can be found in the Court’s Class Certification Order, which is available on this website.

This notice summarizes the proposed settlement on behalf of Plaintiffs and all Class Members.

**Terms of the Settlement**

The settlement provides immediate benefits to Class Members in the form of an agreement by BBUSA to certify that it has changed, removed or discontinued the labels or ingredient statements of the products challenged in the lawsuit. A list of the specific changes to the product labels and ingredients can be found in the. BBUSA has also agreed, for a period of two (2) years, to notify Class Counsel of any changes to the label statements or ingredients of the products at issue, if the changes relate to the challenged claims listed in the Settlement Agreement. If Class Counsel objects to the Settlement Agreement changes that BBUSA intends to make to those product labels or ingredients, Class Counsel and BBUSA will work together to resolve any dispute.

BBUSA is providing these benefits to Class Members in exchange for a release of Class Members' rights to sue BBUSA for an injunction, declaratory judgment or other related claims to stop or change the labeling and ingredient statements challenged in the lawsuit because those changes have already been made. If the settlement is approved by the Court, Class Members will release their ability to seek or obtain injunctive relief relating to the claims asserted in the lawsuit. Class Members will not release any individual claims for monetary relief.

#### Attorneys' Fees

As part of the settlement, Class Counsel can apply to the Court for an award of up to \$305,000 in attorneys' fees and costs to reimburse them for the time and effort they spent in bringing and litigating the case. Class Counsel will also request that the Court award \$10,000 to each of the Plaintiffs for their efforts in litigating the case and assisting Class Counsel. With the Court's approval, BBUSA has agreed to pay to Plaintiffs and Class Counsel any attorneys' fees and costs that the Court awards, as well as any incentive awards, provided the total amount does not exceed \$325,000.

#### Access to Case Documents

You may view the Settlement Agreement and other related documents (including the Joint Motion for Preliminary Approval of Class Action Settlement, the Court's Order Granting Preliminary Approval of Class Action Settlement, the Motion for Final Approval of Class Action Settlement, Plaintiffs' Motion for Award of Attorneys' Fees and Incentive Awards and any opposition or reply papers related to these motions) as they become available by clicking [here](#).

You may also review any case documents by accessing the Court docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 1301 Clay Street, Suite 400 S, Oakland, California 94612, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays. PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT.

### Court Approval of the Settlement

The Court must approve the settlement. On April 28, 2020, the Court granted preliminary approval of the settlement. On August 27, 2020, at the United States District Court for the Northern District of California, Oakland Courthouse, Courtroom 2 - 4th Floor, 1301 Clay Street, Oakland, California 94612, before the Honorable Haywood S. Gilliam, Jr., the Court will hold a hearing to determine whether final approval of this class action settlement is appropriate. The date of the final approval hearing may change without special notice to Class Members. Class Members should check this website or the Court's PACER site to confirm that the date has not changed.

### Comments and Objections

Because BBUSA is providing injunctive relief to the class as a whole under the settlement, Class Members cannot "opt out" of the settlement. However, Class Members may submit comments or ask the Court to deny approval by filing an objection to the settlement. Class Members cannot ask the Court to order a different settlement; the Court can only approve or reject the settlement that the parties have reached. If the Court denies approval, no injunctive relief will be provided and the lawsuit will continue.

Any objection to the proposed settlement must be in writing. Any Class Member who timely files a timely written objection may, but is not required to, appear at the Final Approval Hearing, either in person or through an attorney. If a Class Member appears through an attorney, the Class Member is responsible for hiring and paying that attorney. All written objections and supporting papers must (1) clearly identify the case name and number (*Ang v. Bimbo Bakeries USA, Inc.*, Case No. 13-CV-01196-HSG-NC), (2) be submitted to the Court either by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, 1301 Clay Street, Oakland, California 94612, or by filing them in person at any location of the United States District Court for the Northern District of California, and (3) be filed or postmarked on or before July 24, 2020.