

Short Form Pre-Approval Settlement Notice

ENERGY DRINK SETTLEMENT PROGRAM NOTICE OF SETTLEMENT APPROVAL HEARING Superior Court of Quebec File #500-06-000780-169

A proposed Canada-wide settlement (the “Settlement”) has been reached with respect to a class action lawsuit commenced against Red Bull Canada Ltd. and Red Bull GmbH (collectively, “Red Bull”). The lawsuit concerns Red Bull’s advertising, labeling, and marketing materials regarding the benefits and safety of Red Bull caffeinated energy drinks (“CEDs”). Red Bull denies any wrongdoing or liability. **If you are an Settlement Class Member (defined below), you may qualify for compensation under the Settlement.** The Court will have a hearing on December 17, 2019 to decide whether to approve the Settlement before any money is paid.

Am I a Settlement Class Member? You are a Settlement Class Member if you are 18 years of age or older as of July 23, 2019 and were a resident of Canada (including without limitation any of its provinces or territories) at any time between January 1, 2007 to July 23, 2019 (the “Class Period”) and you purchased and/or used or consumed one or more Red Bull CEDs in Canada during the Class Period, unless you exercised your right to opt out of the class action or are among the Released Parties (which for informational purposes only is generally comprised of Red Bull, and its affiliates, employees, contractors, and other related parties).

What Does the Settlement Provide? If the Settlement is approved, Red Bull agrees to pay the total amount of \$850,000 (the “Settlement Fund”) to be used to (a) compensate Settlement Class Members who submit timely and valid Claim Forms available at www.energydrinksettlement.ca, (b) pay all costs and expenses related to the Settlement including without limitation the costs of publishing notices, the Claims Administrator and Class Counsel’s fees (the latter not to exceed \$250,000 plus applicable taxes, subject to the Court’s approval), plus a maximum of \$15,000 in Class Counsel disbursements, and (c) pay the Plaintiff an honorarium (not to exceed \$5,000, subject to the Court’s approval). Settlement Class Members who submit a valid and timely Claim Form may receive compensation (in the form of an Interac e-Transfer) of up to \$10 per Settlement Class Member. Under the terms of the settlement, certain conditions may lead to Settlement Class Members with valid claims receiving less than this amount. For example, the compensation available will be reduced proportionately among all Settlement Class Members with valid claims if the total amount of eligible claims exceeds the Settlement Fund minus the costs and expenses of the settlement. In order to receive compensation from the Settlement, Settlement Class Members must have a valid e-mail address and a bank account capable of receiving payments via Interac e-Transfer. Although Red Bull denies any wrongdoing or liability, to avoid the distraction of litigation, Red Bull has voluntarily amended and updated its marketing and labeling directed at Canadian consumers and agreed to settle the lawsuit.

What Are My Options? If you are a Settlement Class Member and you do nothing, you will remain in the Settlement Class. You may make a claim for compensation if the Settlement is approved and you will lose any right to sue in relation to the released claims described in the Settlement Agreement.

How Do I Claim Compensation? If you are a Settlement Class Member, to ask for compensation, you must:

(1) provide your e-mail address at www.energydrinksettlement.ca by **5 pm Eastern on October 14, 2019**; and

(2) complete and submit an online Claim Form by the Claim Form Due Date (to be determined on December 17, 2019) attesting to its contents under penalty of perjury.

If you do not wish to participate in the Settlement, you may opt out by 5 pm Eastern on October 14, 2019, or you may stay in the Settlement Class and object to the Settlement by **5 pm Eastern on October 14, 2019**, in accordance with the procedures described in the Pre-Approval Notice.

Who Should I Contact for Information? For more information about the Settlement, visit www.energydrinksettlement.ca or contact the Claims Administrator (info@velvetpayments.com) or Class Counsel: Mtre Joey Zukran, LPC Avocat Inc. (514-379-1572, JZUKRAN@LPCLEX.COM).

This is only a summary notice. You may view the complete Pre-Approval Notice and Settlement Agreement at www.energydrinksettlement.ca.