

If You Purchased or Used a Yes To Grapefruit Vitamin C Glow-Boosting Unicorn Paper Mask, You Could Receive a Cash Payment as Part of a Proposed Class Action Settlement

A federal court authorized this notice. This is not a solicitation from a lawyer.

- A Proposed Settlement has been reached in a class action lawsuit. Purchasers and users of Yes To Grapefruit Vitamin C Glow-Boosting Unicorn Paper Masks (the “Masks”) have sued their manufacturer, Yes To, Inc. (“Defendant”), alleging that that the Masks cause irritation, redness, and a burning sensation.
- The Proposed Settlement creates a \$750,000 Settlement Fund from which to pay Class Member claims and other costs and expenses related to the litigation and Settlement as detailed below.
- You are a Class Member if you purchased or used the Yes To Grapefruit Vitamin C Glow-Boosting Unicorn Paper Mask in the United States at any time.
- If you are eligible to participate in this Proposed Settlement because you purchased or used one or more of the Masks in the United States, you can submit a Claim for a Cash Payment from the Settlement Fund.

**Please read this Notice carefully and in its entirety.
Your rights may be affected by the Proposed Settlement of this Lawsuit,
and you have a choice to make now about how to act:**

YOUR LEGAL RIGHTS AND OPTIONS	
WHAT IS THIS?	A Proposed Settlement has been reached in a class action lawsuit. The lawsuit alleges that Defendant’s Masks cause irritation, redness, and a burning sensation in violation of state laws.
SUBMIT A CLAIM FORM POSTMARKED BY AUGUST 13, 2021	This is the only way to receive the Settlement Benefit of a Cash Payment. By submitting a claim, you will give up any rights to sue Defendant separately about the same facts or legal claims in this lawsuit. Claim Forms are available at www.YesToClassAction.com .
EXCLUDE YOURSELF FROM THE CLASS BY AUGUST 13, 2021	If you opt out of the Proposed Settlement, you will not be eligible to receive the Settlement Benefit, but you will keep your right to sue Defendant about the same facts or legal claims in this lawsuit. Requests for exclusion must be postmarked by August 13, 2021 and mailed to Whitfield v Yes To, c/o Settlement Administrator, PO Box 181, Warminster, PA 18974-0181.

OBJECT OR COMMENT BY JUNE 29, 2021	You may write to the Court about why you do, or do not, like the Proposed Settlement. You must remain in the class to comment in support of or in opposition to the Proposed Settlement. Objections and comments must be submitted to the Settlement Administrator by June 29, 2021.
APPEAR IN THE LAWSUIT OR ATTEND A HEARING ON SEPTEMBER 24, 2021	You may ask to speak in Court about the fairness of the Proposed Settlement or make an appearance in the Lawsuit. A statement of your intent to appear and speak at the Final Fairness Hearing must be included in your written objection. You may enter your appearance in the Lawsuit through an attorney at your own expense if you so desire. The Final Fairness Hearing is September 24, 2021 at 10:00 a.m.
DO NOTHING	If you do nothing, you will receive no Settlement Benefit. You also give up your right to sue Defendant on your own regarding any claims that are part of the Proposed Settlement.

- These rights and options, **and the deadlines to exercise them**, are further explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Proposed Settlement. The Settlement Benefit will be made available if the Court approves the Proposed Settlement and after any appeals are resolved.
- If you have any questions, please read on and visit www.YesToClassAction.com.

BASIC INFORMATION

1. Why did I get this notice?

If you purchased or used one or more of the Masks in the United States as described on page 1 of this Notice, you have a right to know about a proposed Settlement or a class action lawsuit and your options. If the Court approves the Proposed Settlement, and after objections and appeals are resolved, an administrator approved by the Court will oversee the distribution of the Settlement Benefits that the Proposed Settlement allows. You will be informed of the progress of the Proposed Settlement.

This Notice explains the lawsuit, the Proposed Settlement, your legal rights, what Benefits are available, who is eligible for them, and how to get them. The Court in charge of the case is the United States District Court for the Central District of California, and the case is known as *Whitfield v. Yes To, Inc.*, Case No. 2:20-cv-00763-AB-AS. The people who sued are called the Plaintiffs, and the company they sued, Yes To, Inc., is called the Defendant.

2. What is this lawsuit about?

This lawsuit is about whether Defendant's masks cause irritation, redness, and a burning in violation of state laws. You can read Plaintiffs' First Consolidated Class Action Complaint at www.YesToClassAction.com.

Defendant denies any wrongdoing and denies the Plaintiffs' allegations. You can read Defendant's answer at www.YesToClassAction.com.

The Court has not made any ruling on Defendant's liability, if any.

Questions? Visit www.YesToClassAction.com

3. What is a class action and who is involved?

In a class action lawsuit, one or more people called “Class Representatives” (in this case, Plaintiffs Imani Whitfield, Shawanna Mccoy, and Josey Parsons Aughtman) sue on behalf of other people who have similar claims. The people together are a “Class” or “Class Members.” The named plaintiffs who sued – and all the Class Members like them – are called the Plaintiffs. The company they sued (in this case, Defendant Yes To, Inc.) is called the Defendant. One court resolves the issues for everyone in the Class – except for those people who choose to exclude themselves from the Class.

4. Why is there a Proposed Settlement?

The Court has not decided in favor of either side in the case. Defendant denies all allegations of wrongdoing or liability against them, and contend that its conduct was lawful. Defendant is settling to avoid the expense, inconvenience, and inherent risk of litigation, as well as the related disruption of its business operations. Plaintiffs and their attorneys assert that the Proposed Settlement is in the best interests of the Class, because it provides an appropriate recovery now while avoiding the risk, expense, and delay of pursuing the case through trial and any appeals.

Who is in the Proposed Settlement?

To see if you will be entitled to the Settlement Benefit from this Proposed Settlement, you first have to decide if you are a Class Member.

5. How do I know if I am part of the Proposed Settlement?

You are a Class Member if you purchased or used the Yes To Grapefruit Vitamin C Glow-Boosting Unicorn Paper Mask product (the “Product”) in the United States at any time.

THE PROPOSED SETTLEMENT BENEFITS

6. What does the Proposed Settlement provide if I submit a claim?

The Settlement provides that Defendant will pay \$750,000 in cash into a Settlement Fund (the “Settlement Fund”). The Settlement Fund will be used to (i) pay Notice and Claims Administration Costs, (ii) Attorneys’ Fees, (iii) Litigation Costs and Expenses, (iv) an Incentive Award to the Class Representatives’, and (v) pay cash to Class Members. Class Counsel estimates that after these costs and expenses are accounted for, approximately \$479,000 will be available to pay Claims (“available portion of the Settlement Fund”).

Each class member may submit a claim, either electronically through the Website, www.YesToClassAction.com or by mail, for each of the Products purchased or used during the class period. You will recover cash based on the average retail price of the Product, which is \$3 for each Product for up to six Products. Claims for Products purchased or used during the class period will be paid without requiring proof of purchase.

Your recovery, and the recovery of every other claimant, will be proportionally adjusted to account for the available portion of the Settlement Fund. Depending on the total dollar amount of all Valid Claims, this adjustment may increase or decrease your recovery. For instance, if the total dollar amount of all Valid Claims is less than the available portion of the Settlement Fund, then claimant recoveries will be proportionally increased. Similarly, if the total dollar amount of all Valid Claims is more than the available portion of the Settlement Fund, then claimant recoveries will be proportionally decreased.

All payments to Settlement Class Members who submit Valid Claims will be made within forty-five (45) days after the Settlement Approval Order and Final Judgment becomes final (“Final Settlement Approval Date”). All Settlement Class Members who do not opt out of the Proposed Settlement and who submit a Valid Claim shall receive a Cash Award as set forth above.

In addition, the Settlement Fund will be used for the following: (1) notice to the Class and Administration costs related to the Settlement; (2) an Incentive Award not to exceed \$5,000 to each Plaintiff (\$15,000 total), subject to court approval, and (3) Plaintiffs’ Attorneys’ Fees, Costs and Expenses, subject to court approval.

HOW YOU GET A CASH PAYMENT — SUBMITTING A CLAIM FORM

7. How can I get a Cash Payment from the Proposed Settlement?

Class Members who wish to receive a payment must submit claims.

To submit a claim, you must complete a Claim Form.

You can make a claim on the Internet at www.YesToClassAction.com. Read the instructions carefully, and submit it online on or before August 13, 2021.

Alternatively, you may also download and print a Claim Form on the Internet at www.YesToClassAction.com and submit it by mailing it to the following address: Whitfield v Yes To, c/o Settlement Administrator, PO Box 181, Warminster, PA 18974-0181. It must be postmarked no later than August 13, 2021.

You can also request that a Claim Form be sent to you by mail. Call toll-free 1-844-367-8812.

TO BE VALID, ALL CLAIMS MUST BE POSTMARKED OR SUBMITTED NO LATER THAN August 13, 2021.

YOUR RIGHTS AND CHOICES – EXCLUDING YOURSELF FROM THE PROPOSED SETTLEMENT

If you do not want to receive the Settlement Benefits from this Proposed Settlement, but you want to keep the right to sue Defendant, on your own, about the subject matter of this lawsuit, then you must take steps to get out of the Proposed Settlement. This is called excluding yourself – or is sometimes referred to as opting out of the Class.

8. How do I get out or exclude myself from the Proposed Settlement?

To exclude yourself from the Proposed Settlement, which is sometimes call “opting-out” of the Class, you must send a letter by mail saying that you want to be excluded from this lawsuit.

To exclude yourself from the Class, you must postmark a written Request for Exclusion to Whitfield v Yes To, PO Box 181, c/o Settlement Administrator, Warminster, PA 18974-0181.

The written Request for Exclusion must be postmarked no later than August 13, 2021.

Your written Request for Exclusion must contain: (1) the name of this lawsuit, *Whitfield v. Yes To, Inc.*, Case No. 2:20-cv-00763-AB-AS; (2) your full name and current address; (3) a clear statement of intention to exclude yourself such as “I wish to be excluded from the Class”; and (4) your signature.

You cannot exclude yourself on the phone or by email. If you ask to be excluded, you will not get any Settlement Benefit, and you cannot object to the Proposed Settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) Defendant in the future.

9. If I don’t exclude myself, can I sue Defendant for the same things later?

No. If you do not properly and timely submit a written Request for Exclusion, you waive your right to opt out and will be deemed to be a member of the Class. Unless you exclude yourself, you give up the right to sue Defendant for the facts and claims that this Proposed Settlement resolves, and you will be bound by the terms of this Proposed Settlement. If you have a pending lawsuit against Defendant, other than this class action, speak to your lawyer in that lawsuit immediately. You must exclude yourself from *this* Class to continue your own lawsuit. Remember, any exclusion request must be signed, mailed, and postmarked by August 13, 2021.

10. If I exclude myself, can I get the Settlement Benefits from this Proposed Settlement?

No. If you exclude yourself, do not send in a Claim Form to ask for any money. But you may sue, continue to sue, or be part of a different lawsuit against Defendant.

YOUR RIGHTS AND CHOICES – OBJECTING TO THE PROPOSED SETTLEMENT

You can tell the Court that you do not agree with the Proposed Settlement or some part of it.

11. How do I tell the Court that I don’t like the Proposed Settlement?

If you are a Class Member, you can object to the Proposed Settlement if you do not like any part of it, including the proposed plan to reimburse Class Members, Class Counsel’s fee award, or the Class Representatives’ Incentive Awards. You can give reasons why you think the Court should not approve it. The Court will consider your views.

To object, you must send a letter that contains the following:

- Your name, current address and telephone number, or your lawyer’s name, address and telephone number if you are objecting through counsel;
- The name of the lawsuit, *Whitfield v. Yes To, Inc.*, Case No. 2:20-cv-00763-AB-AS;
- A statement of your objections and the reasons for each objection you make, including the facts supporting your objection and the legal grounds on which your objection is based;
- A list of any documents you may give the Court to support your objection, if any;
- A list of legal authorities you want the Court to consider;
- The names and addresses of any witness you want to call to testify, and a summary of the witnesses’ expected testimony;

- If you (or your lawyer) want to appear and speak at the Fairness Hearing, a statement that you wish to appear and speak;
- Documents sufficient to establish your membership in the Settlement Class, such as verification under oath as to the date and location of your purchase of a Settlement Class Product, or a Proof of Purchase; **and**
- Your signature (or your lawyer's signature).

To object, you must file a written objection with the Settlement Administrator **no later than** June 29, 2021. The Settlement Administrator is located at:

Settlement Administrator:
Whitfield v. Yes To.
c/o Settlement Administrator
P.O. Box 181
Warminster, PA 18974-0181

You must also send copies of your objection along with any supporting documents so **that it is submitted no later than** June 29, 2021 to the following address:

Clerk of Court
U.S. District Court
Central District of California
First Street U.S. Courthouse
350 W 1st Street, Suite 4311
Los Angeles, CA 90012-4565

If you object through a lawyer, you will have to pay for the lawyer yourself. Importantly, only Class Members who submit timely, written objections may voice their objections at the hearing.

12. What's the difference between objecting and excluding?

Objecting is simply telling the Court you do not like something about the Proposed Settlement. You can object only if you stay in the Class. Excluding yourself is telling the Court you do not want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

YOUR RIGHTS AND CHOICES – APPEARING IN THE LAWSUIT

13. Can I appear or speak in this lawsuit and Proposed Settlement?

As long as you do not exclude yourself, you can (but do not have to) participate and speak for yourself in this lawsuit and Proposed Settlement. This is called making an appearance. You can also have your own lawyer appear in court and speak for you, but you will have to pay for the lawyer yourself.

14. How can I appear in this lawsuit?

You may enter an appearance in this Lawsuit, at his or her own expense, individually or through counsel who is qualified to appear in the jurisdiction. If you do not enter an appearance, you will be represented by Class Counsel.

IF YOU DO NOTHING

15. What happens if I do nothing at all?

If you do nothing, you will get no Settlement Benefit from this Proposed Settlement. But, unless you exclude yourself, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendant about the subject matter of this lawsuit, ever again.

THE LAWYERS REPRESENTING YOU

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

The Court has appointed Bursor & Fisher, P.A., Golomb & Honik, and Milstein Jackson Fairchild & Wade LLP as legal counsel for the Class. Counsel for the Class are frequently referred to as “Class Counsel.” You will not be charged for these lawyers.

17. How will the lawyers be paid?

From the inception of the litigation in January 2020 to the date of the Proposed Settlement, Class Counsel has not received any payment for their services in prosecuting the case or obtaining Settlement, nor have they been reimbursed for any out-of-pocket expenses they have incurred. When they ask the Court to grant final approval of the Proposed Settlement, Class Counsel will also make a motion to the Court for an award of Attorneys’ Fees in a total amount not to exceed one-third of the Settlement Fund. Separately, Class Counsel will also seek payment from the Settlement Fund for their costs and expenses incurred during the course of the litigation. No matter what the Court decides with regard to the Requested Attorneys’ Fees, Costs and Expenses, Class Members will never have to pay anything toward the fees or expenses of Class Counsel. Class Counsel will seek final approval of the Proposed Settlement on behalf of all Class Members. You may hire your own lawyer to represent you in this case if you wish, but it will be at your own expense.

THE COURT’S FINAL FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Proposed Settlement. You may attend and you may ask to speak, but you do not have to attend or speak.

18. When and where will the Court decide whether to approve the Proposed Settlement?

The United States District Court for the Central District of California (the “Court”) will hold a hearing (the “Fairness hearing”) at First Street U.S. Courthouse located at 350 W 1st Street, Suite 4311, Los Angeles, CA 90012-4565 on September 24, 2021 to decide whether the Settlement is fair, reasonable, and adequate and to determine the amount of Attorneys’ Fees, Costs and Expenses, and Incentive Fee awards. If there are timely and properly filed objections, the Court will consider them. The Court may also discuss Class Counsel’s request for an award of Attorneys’ Fees and Reimbursement of Costs. After the hearing, the Court will decide whether to approve the Settlement and whether to grant Class Counsel’s request for Attorneys’ Fees and Expenses. We do not know how long these decisions will take.

19. Do I have to come to the hearing?

No. Class Counsel is working on your behalf and will answer any questions the Court may have, but you are welcome to attend the hearing at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

FINAL SETTLEMENT APPROVAL

20. What is the effect of Final Settlement Approval?

If the Court grants final approval of the Proposed Settlement, all members of the Class will release and forever discharge any and all claims or causes of action that have been, might have been, are now, or could have been brought relating to the transactions, actions, conduct and events that are the subject of this Action or Settlement, arising from or related to the allegations in the complaint filed in the Action or Defendant's marketing, advertising, selling, promoting or distributing of the Masks.

If the Proposed Settlement is not approved, the case will proceed as if no Settlement had been attempted. If the Proposed Settlement is not approved and litigation resumes, then there can be no assurance that the Class will recover anything.

GETTING MORE INFORMATION

21. Are there more details about the Proposed Settlement?

This Notice is only intended to provide a summary of the Proposed Settlement. You may obtain the complete text of the Settlement at www.YesToClassAction.com, by writing to the Settlement Administrator (at the address listed above), or from the court file, which is available for your inspection during regular business hours at the Office of the Clerk of the United States District Court for the Central District of California, First Street U.S. Courthouse located at 350 W 1st Street, Suite 4311, Los Angeles, CA 90012-4565.

Visit the Website, at www.YesToClassAction.com, where you will find the Plaintiffs' Complaint, Defendant's Answer, the Settlement Agreement, and other documents related to the Settlement and a Claim Form. You may also contact Class Counsel by email at info@bursor.com, or by writing to Whitfield v Yes To, c/o Settlement Administrator, PO Box 181, Warminster, PA 18974-0181.

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

DATED: April 15, 2021

**BY ORDER OF THE UNITED STATES DISTRICT
COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA**