

NOTICE OF AUTHORIZATION AND APPROVAL HEARING

If you purchased DIAL COMPLETE®, you may be eligible to receive a payment from a class action settlement.

Quebec Superior Court file number: 500-06-000577-110

The parties to a legal action (“Action”) involving DIAL COMPLETE® antibacterial soap formulated with the active ingredient triclosan and/or using the “Kills 99.99% of Germs” advertising claim (“Dial Complete”) have reached a proposed settlement (“Settlement”) that may affect your rights.

If the Superior Court of Quebec (“Court”) approves the Settlement, the Settlement will: (i) resolve litigation involving allegations that Henkel Consumer Goods Canada Inc. and The Dial Corporation (“Respondents”) violated laws regarding the marketing and sale of Dial Complete in Canada; and (ii) provide a payment to Eligible Claimants who purchased Dial Complete in Canada before January, 29, 2021 (“Settlement Payment”).

The Court has authorized the Action as a class proceeding for the purpose of settlement only. The Court has also scheduled a date for a hearing to determine whether the Settlement should be approved (the “Settlement Approval Hearing”). The Settlement Approval Hearing will take place on May 4, 2021. If the Court decides to approve the Settlement, it will issue a Notice of Settlement Approval.

To receive a Settlement Payment, you must file a Claim Form. Claim Forms will be available on the Settlement Website at: www.SoapSettlement.ca after the Settlement Approval Hearing if the Settlement is approved. Claim Forms must be submitted online or by mail no later than 75 days following the date on which the Settlement is approved (“Claim Form Deadline”). If you wish to file a Claim Form, it is your responsibility to check the Settlement Website to determine the outcome of the Settlement Approval Hearing. If you wish to receive a notice by email regarding the outcome of the Settlement Approval Hearing and the commencement of the claims process, you may register your email address now at the Settlement Website by visiting www.SoapSettlement.ca.

By filing a Claim Form, you will be giving up your rights to sue the Respondents over the allegations made in the Action. If you wish to preserve these rights, you must take steps to “opt out” of the Settlement by March 15, 2021. Instructions for opting out of the Settlement are contained in this notice and the Settlement Agreement, which can be found on the Settlement Website by visiting www.SoapSettlement.ca.

This notice has been approved by the Court. Its purpose is to provide Canadian residents who purchased Dial Complete before January 29, 2021 with information about the Action, the Settlement, and their legal rights and options (summarized below) before the Court decides whether to approve the Settlement.

YOUR LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT	
File a Claim Form if the Settlement is Approved	Only Eligible Claimants will receive a Settlement Payment. Give up your rights to ever sue the Respondents over the allegations made in the Action.
Do nothing	Get no Settlement Payment. Give up your rights to ever sue the Respondents over the allegations made in the Action.
Object to the Settlement	Write to the Court by March 1, 2021 about why you think the Settlement is unfair, unreasonable or inadequate.

QUESTIONS? CALL (855) 699-2230 OR VISIT www.SoapSettlement.ca

Attend the Settlement Approval Hearing on May 4, 2021 at 9:00 AM	Ask to speak in Court about the fairness of the Settlement.
Opt Out by March 15, 2021	Get no Settlement Payment. This is the only option that preserves your right to sue the Respondents over the allegations made in the Action.

WHAT THIS NOTICE CONTAINS:

BASIC INFORMATION

1. Why is there a notice?
2. Who is in charge of the Action?
3. What is the Action about?
4. Why is this a class action?
5. Why is there a settlement?

WHO IS IN THE SETTLEMENT?

6. Am I a Settlement Class Member?
7. What if I am still not sure whether I am included in the Settlement?

SETTLEMENT BENEFITS

8. What can I get from the Settlement?
9. Who is eligible to receive a Settlement Payment?

HOW TO GET A SETTLEMENT PAYMENT

10. How can I get a Settlement Payment?
11. How and when will Settlement Payments be made?

OPTING OUT OF THE SETTLEMENT

12. What is opting out?
13. If I opt out, can I still get a Settlement Payment?
14. If I do not opt out, can I sue later?
15. How do I opt out?

OBJECTING TO THE SETTLEMENT

16. How do I tell the Court that I do not like the Settlement?
17. What is the difference between objecting to the Settlement and opting out of the Settlement Class?

THE LAWYERS REPRESENTING YOU

18. Do I have a lawyer in the case?
19. How will Class Counsel's fees be paid?
20. Why is Class Counsel recommending the Settlement?

THE SETTLEMENT APPROVAL HEARING

21. When and where will the Court decide whether to approve the Settlement?
22. Do I have to attend to the Settlement Approval Hearing?

GETTING MORE INFORMATION

23. How do I get more information?

BASIC INFORMATION

1. Why is there notice?

The Quebec Superior Court authorized this notice because you have the right to know about the Action, the Settlement, and your legal rights and options regarding the Settlement, before the Court decides whether to approve the Settlement.

2. Who is in Charge of the Action?

The Honourable Madam Justice Suzanne Curchesne of the Superior Court of Quebec is in charge of the Action, which is known as ██████ v. *Henkel Consumer Goods Canada Inc. and The Dial Corporation*, Court File No. 500-06-000577-110.

3. What is the Action about?

The Petitioner in this action claims that: (i) the Respondents marketed and sold Dial Complete in Canada using misrepresentations about the hand soap's efficacy in eliminating germs and bacteria; and (ii) Dial Complete contains an amount of triclosan exceeding the maximum amount permitted by Health Canada. The Petitioner further claims that the alleged misrepresentations caused economic loss to purchasers of Dial Complete. Accordingly, the lawsuit seeks monetary compensation from the Respondents. The lawsuit also seeks an injunction prohibiting the Respondents from continuing the alleged misrepresentations and from selling Dial Complete formulated with the active ingredient triclosan in a concentration exceeding 0.3%.

The Respondents deny the Petitioner's allegations of wrongdoing and assert numerous defences to the Petitioner's claims. The Court has made no determination about the strengths or weaknesses of any of the Petitioner's claims or any of the Respondents' defences. Instead, the Petitioner and the Respondents have entered into the proposed Settlement to end the lawsuit.

4. Why is this a class action?

In a class action, one or more people sue on behalf of other people who allegedly have similar claims. All of these people are "settlement class members", except for those who opt out of the settlement class. One court resolves the action for all class members, except for those who opt out of the settlement class.

5. Why is there a Settlement?

The Court did not decide in favor of the Petitioner or the Respondents. Instead, both sides agreed to settle this case to end the Action and avoid the cost and risk of a trial. The proposed Settlement does not mean that any law was broken or that the Respondents did anything wrong. The Respondents deny all legal claims in this case. The Petitioner and her lawyers think the proposed Settlement is best for all Settlement Class Members. The Settlement will not actually take effect unless and until it is approved by the Court after a public Settlement Approval Hearing and any appeals therefrom have been finally resolved and the Settlement has been upheld and the time for appeals has passed.

WHO IS INCLUDED IN THE SETTLEMENT?

6. Am I a Settlement Class Member?

You are a Settlement Class Member if you are a resident of Canada who purchased Dial Complete in Canada before January 29, 2021. However, the following people are excluded from being Settlement Class Members: (i) officers, employees and appointees of the Court; (ii) officers, directors, employees, contractors, agents and representatives of the Respondents; (iii) class counsel; (iv) people who opt out of the proposed Settlement in accordance with the terms of the Settlement Agreement.

7. What if I am still not sure whether I am included in the Settlement?

If you are still not sure whether you are in the Settlement, or have questions about the Settlement, visit the Settlement Website at www.SoapSettlement.ca or call the toll-free number (855) 699-2230. You may also write with questions to the Settlement Administrator at: Soap Settlement Administrator, 5-112 Elizabeth Street, Suite #289, Toronto ON, M5G 1P5 or send an e-mail to info@SoapSettlement.ca.

SETTLEMENT BENEFITS

8. What can I get from the Settlement?

Eligible Claimants will receive one payment per household equal to CAD \$0.36 for each bottle of Dial Complete they purchased in Canada before January 29, 2021, up to a maximum of 30 bottles (“Settlement Payment”). No proof of purchase is required.

All Settlement Payments are subject to deductions and limitations set out in the Settlement Agreement. Pursuant to the laws of Quebec, the Settlement Administrator is required to deduct 2% from all Settlement Payments to Eligible Claimants residing in Quebec and remit it to the *Fonds d’aide aux actions collectives*. Furthermore, if the total amount claimed by all Eligible Claimants exceeds CAD \$172,000, then each Settlement Payment will be reduced on a *pro rata* basis so that the total of all Settlement Payments (before deductions) equals CAD \$172,000.

In the event of any conflict between this notice and the Settlement Agreement, the Settlement Agreement will prevail. The Settlement Agreement can be found at the Settlement Website www.SoapSettlement.ca.

9. Who is eligible to receive a Settlement Payment?

Only Eligible Claimants will receive a Settlement Payment. An Eligible Claimant is a Settlement Class Member who has submitted a valid Claim Form and has not opted out of the Settlement. A valid Claim Form is: (i) submitted by the Claim Form Deadline; (ii) contains all the required information; and (iii) is deemed valid by the Settlement Administrator. The Settlement Administrator’s decision regarding the validity of a Claim Form is final.

HOW TO GET A PAYMENT

10. How can I get a Settlement Payment?

To be eligible for a Settlement Payment, you must complete and submit a Claim Form. You can complete and submit a Claim Form online at the Settlement Website, www.SoapSettlement.ca. Alternatively, you can print and mail the completed Claim Form to the Settlement Administrator. You can also write to the Settlement Administrator asking that a Claim Form be sent to you by mail. The Settlement Administrator’s address is: Soap Settlement Administrator, 5-112 Elizabeth Street, Suite #289, Toronto, ON M5G 1P5.

Claim Forms will be available on the Settlement Website, and by mail, after the Settlement Approval Hearing if the Settlement is approved. Claim Forms must be submitted online at the Settlement Website or mailed and postmarked by the Claim Form Deadline, which is 75 days following the date on which the Settlement is approved.

If you wish to file a Claim Form, it is your responsibility to monitor the Settlement Website for information regarding the outcome of the Settlement Approval Hearing. If you wish to receive a notice by email regarding the outcome of the Settlement Approval Hearing and the commencement of the claims process, you may register your email address now at the Settlement Website at www.SoapSettlement.ca.

11. How and when will I get my payment?

A Settlement Payment will be sent via PayPal to each Eligible Claimant using the email address provided in their Claim Form. If an Eligible Claimant does not have a PayPal account connected to the email address provided in their Claim Form, they must set up such an account in order to accept their Settlement Payment. No Settlement Payment will be made until the Court approves the Settlement and all appeals therefrom are finally resolved and the Settlement is upheld and the time for appeals has passed. Please be patient.

OPTING OUT OF THE SETTLEMENT

12. What is opting out?

If you do not want to participate in this proposed Settlement and you want to preserve the right to sue the Respondents over the allegations made in the Action, then you must take steps to get out of the Settlement. This is known as “opting out” of the Settlement Class.

13. If I opt out, can I still get a Settlement Payment?

No. If you opt out, you will not get anything from the Settlement. Nor will you be able to object to the proposed Settlement. However, if you opt out, you will have the ability to sue the Respondents in the future because you will not be bound by anything that happens in this Action.

14. If I do not opt out, can I sue later?

No. If you do not opt out of the Settlement Class, then you will remain a Settlement Class Member and you will give up the right to sue the Respondents for all of the claims that the Settlement resolves. If you want to participate in a lawsuit against the Respondents relating to the allegations made in the Action, then you must opt out of the Settlement Class by following the “opt-out” procedure set out below in this Notice and in the Settlement Agreement.

15. How do I opt out?

There are two ways to opt out. First, you can complete and submit an Opt-Out Form on the Settlement Website by visiting www.SoapSettlement.ca. The Opt-Out Form must be submitted by the Opt-Out Deadline, which is March 15, 2021. Alternatively, you can send the Settlement Administrator a written opt-out request by mail, provided that it contains all of the following information:

- ✓ The name of the lawsuit and court file number: [REDACTED] v. *Henkel*, Court File No. 500-06 000577-110.
- ✓ Your full name and current address.
- ✓ The name and address of your lawyer, but only if you have one.
- ✓ A statement that you purchased Dial Complete and the approximate date of such purchase(s), if known.

- ✓ A statement that you want to be excluded from the Settlement Class
- ✓ Your signature and the date on which you signed the request.

Your written opt-out request must be mailed to: Soap Settlement Administrator, 5-112 Elizabeth Street, Suite #289, Toronto ON M5G 1P5.

If you do not comply with these opt-out procedures, including the Opt-Out Deadline, you will remain a Settlement Class Member and lose the ability to exclude yourself from the Settlement. As a Settlement Class Member, your rights will be determined in this lawsuit by the Settlement Agreement, provided the Court approves the Settlement Agreement.

OBJECTING TO THE SETTLEMENT

16. How do I tell the Court that I do not like the Settlement?

If you remain a Settlement Class Member and do not opt out of the Settlement Class, you may tell the Court that you object to the proposed Settlement, or class counsel’s request for legal fees and disbursements. To do so, you (or your lawyer) must file a written objection, together with any supporting documents, with the Court. Your written objection must include:

- ✓ The name and court file number of this lawsuit: ██████████ *v. Henkel Consumer Goods Canada Inc. and The Dial Corporation*, Court File No. 500-06-000577-110
- ✓ Your full name and current address
- ✓ A statement that you have purchased at least one bottle of Dial Complete
- ✓ A clear statement of your objection and the reasons for your objection
- ✓ All of the evidence and documents that you want the Court to consider in support of your objection
- ✓ Your signature
- ✓ The date of your signature

If you or your lawyer want to appear at the Settlement Approval Hearing and be heard orally, you may do so only if you also state in your written objection that you wish to appear personally, or by your lawyer, at the Settlement Approval Hearing. Objections must be filed with the Court, and separate copies served on the lawyer representing the Settlement Class Members (“Class Counsel”) and the Respondents’ lawyer (“Defence Counsel”) by regular mail, no later than March 1, 2021 at the following addresses:

Class Counsel	Defence Counsel
Jeff Orenstein Consumer Law Group Inc. 1030 Berri St., Suite 102 Montreal, Quebec H2L 4C3	Scott Maidment McMillan LLP Brookfield Place, 181 Bay St. Suite 4400 Toronto, Ontario M5J 2T3

If you do not comply with these procedures and the deadline for objections, you will lose any opportunity to have your objection considered at the Settlement Approval Hearing or otherwise to contest the approval of the Settlement or to appeal from any order or judgment entered by the Court in connection with the Settlement.

17. What is the difference between objecting to the Settlement and opting out of the Settlement?

Objecting is telling the Court that you do not like something about the proposed Settlement. You can only object if you are a Settlement Class Member. Opting out is removing yourself from the Settlement Class so that you are no longer a Settlement Class Member. If you opt out, you cannot object to the proposed Settlement because you are not bound by anything that happens in the Action.

THE LAWYERS REPRESENTING YOU

18. Do I have a lawyer in the Action?

Jeff Orenstein and other lawyers at Consumer Law Group Inc. act as Class Counsel in this litigation. If you are a Settlement Class Member, then you will be represented by Class Counsel.

You will not be charged for the work of Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense.

If you hire your own lawyer, your lawyer must file an appearance with the Quebec Superior Court no later than March 1, 2021, with a copy to Class Counsel and Defence Counsel by regular mail at the addresses provided herein, postmarked no later March 1, 2021.

19. How will Class Counsel be paid?

If the Court approves the Settlement, Class Counsel will apply to the Court for the payment of legal fees and disbursements by the Respondents in the amount of CAD \$265,000, plus applicable taxes. Settlement Class Members will not be responsible for the payment of legal fees and disbursements of Class Counsel, and the payment of such fees and disbursements will not reduce any benefits to the Settlement Class Members.

20. Why is Class Counsel recommending the proposed Settlement?

Class Counsel reached this Settlement after weighing the risks and benefits to the Settlement Class of this proposed Settlement compared with those of continuing the litigation. The factors that Class Counsel considered included the uncertainty and delay associated with continued litigation, a trial and appeals, and the uncertainty of particular legal and factual issues that are yet to be determined by the Court. Class Counsel balanced these and other substantial risks in determining that the Settlement is fair, reasonable, and adequate in light of all circumstances and in the best interests of members of the Settlement Class.

THE SETTLEMENT APPROVAL HEARING

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

The Settlement Approval Hearing will take place on May 4, 2021 at 9:00 AM at the Montreal Courthouse, 1 rue Notre-Dame East, Montreal. At the Settlement Approval Hearing, the Court will determine whether the proposed Settlement is fair and reasonable and in the best interest of the Settlement Class Members. The Court will also consider Class Counsel's application for an award of legal fees and disbursements.

This Settlement Approval Hearing may be continued or rescheduled by the Court without further notice to Settlement Class Members. If you wish to attend the Settlement Approval Hearing, it is your responsibility to confirm the date of the Settlement Approval Hearing by checking the Settlement Website regularly for updates.

22. Do I have to attend the Settlement Approval Hearing?

Settlement Class Members who support the Settlement do not need to attend the hearing or take any other action to indicate their approval of the Settlement. Class Counsel will answer any questions the Court may have. However, you are welcome to attend the hearing to observe at your own expense.

Settlement Class Members who object to the Settlement, may follow the steps outlined above under the heading, "Objecting to the Settlement."

GETTING MORE INFORMATION

23. How do I get more information?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement, which can be found on the Settlement Website by visiting www.SoapSettlement.ca.

Further information is available as follows:

MAIL: Soap Settlement Administrator, 5-112 Elizabeth Street, Suite #289, Toronto ON, M5G 1P5

EMAIL: info@SoapSettlement.ca.

TOLL-FREE: (855) 699-2230

SETTLEMENT WEBSITE: www.SoapSettlement.ca – Updates will be posted as information about the Settlement becomes available.

CLASS COUNSEL:

Jeff Orenstein
Consumer Law Group Inc.
1030 Berri St., Suite 102
Montreal, Quebec H2L 4C3

You may also seek advice and guidance from your own private lawyer at your own expense.

PLEASE **DO NOT** WRITE OR TELEPHONE THE COURT, HENKEL CONSUMER GOODS CANADA INC., THE DIAL CORPORATION, OR ANY RETAIL LOCATION SELLING DIAL COMPLETE FOR INFORMATION ABOUT THE CLASS SETTLEMENT OR THE ACTION