

A COURT AUTHORIZED
THIS LEGAL NOTICE

If you own a Vitamix blender covered by this Settlement, you could get a \$70 gift card to purchase certain Vitamix products or a free replacement blade assembly.

A settlement has been reached in a class action lawsuit, *Linneman v. Vita-Mix Corporation*, No. 1:15-cv-748 (U.S. Dist. Ct., S.D. Ohio), alleging that the top seal of the blade assemblies in certain Vitamix containers may produce black flecks. These flecks are of a non-stick material common in cookware and many other products in the food industry. Vitamix produced information from an independent third-party lab reporting that the flecks are harmless when consumed and do not present a human health or safety risk. However, Plaintiffs allege that, as a result, Vitamix blenders are worth less than what consumers and businesses paid to purchase them. You must submit a valid claim to receive a gift card or a free replacement blade assembly that does not produce flecks. A Claim Form is attached to this Notice or you can file a claim at www.BlenderSettlement.com.

Vitamix Settlement
c/o JND Administration
PO Box 7028
Broomfield, CO 80021

First-Class
Mail
US Postage
Paid
Permit # 45

«Barcode»

Postal Service: Please do not mark barcode

«First1» «Last1»

«CO»

«Addr1»

«Addr2»4

«City», «St» «Zip»

«Country»

WHO IS A CLASS MEMBER?

In the lawsuit of *Danemora v. Vita Mix Corporation*, No. 15-718 (U.S. Dist. Ct., Ohio), you are in the Settlement Class if you: (a) own a Vitamix household blender with a blade assembly dated on or after January 1, 2007 but before October 1, 2016; or (b) own a Vitamix commercial blender that was (i) purchased on or after September 15, 2015 but before August 9, 2016 or before April 7, 2017 for XL product line commercial blenders, (ii) never used in connection with a Replacement Seal that does not produce flecks, and (iii) was purchased through a third-party commercial supplier.

WHAT ARE THE SETTLEMENT BENEFITS AND TERMS?

Class Members who timely submit a Valid Claim can receive certain benefits depending on whether they purchased a household or commercial Vitamix blender. Those who own a household blender may choose between (1) a \$70 gift card to purchase Vitamix products (capped at \$140 per household); or (2) a newly designed replacement blade assembly that does not produce flecks. Owners of commercial blenders can receive a new replacement blade assembly, with a maximum of two blade assemblies. Vitamix also agreed to pay (1) reasonable attorneys' fees and costs to Class Counsel; (2) a \$3,000 Service Award to each of the Named Plaintiffs; and (3) the costs of administering the Settlement. Payment of these amounts will not reduce the benefits available to Class Members. Class Counsel will file a fee request by January 31, 2018 seeking up to \$9 million. Defendants oppose this request. The fee request will also be posted on the Settlement Website.

WHAT ARE YOUR RIGHTS AND OPTIONS?

Submit a Claim Form. To qualify for any Settlement benefits, you must submit a timely Claim Form. A Claim Form is attached to this Notice, or you can submit a Claim Form electronically on the Settlement Website: www.blendersettlement.com. You can also download a Claim Form from the Settlement Website and mail or email it to the Settlement Administrator. Your Claim Form must be postmarked or submitted online no later than **September 28, 2018**.

Opt Out. You may exclude yourself from the lawsuit and keep your right to sue Vitamix on your own by sending a written request for exclusion to the Settlement Administrator by **March 7, 2018**. If you do not exclude yourself, you will be bound by the Settlement and give up your right to sue regarding the settled claims. Visit www.BlenderSettlement.com for more details.

Object. If you do not exclude yourself, you have the right to comment or object to the Settlement. Written objections must be signed, postmarked by **March 7, 2018**, and provide the reasons for the objection. Please visit the Settlement Website for more details.

Do Nothing. If you do nothing, you will not receive any Settlement benefits and will lose the right to sue regarding any issues relating to this action. You will be part of the Settlement Class, and you will be bound by the Court's decisions.

Attend the Fairness Hearing. The Court will hold a Fairness Hearing on **March 27, 2018 to rule on final approval of the Settlement**. All persons who timely object to the Settlement by **March 7, 2018** may ask to appear at the Fairness Hearing.

This Notice is only a summary. You can find more details about the Settlement on the website: www.blendersettlement.com or by calling toll-free (855) 233-4747. Please do not contact the Court.

VITAMIX CLAIM FORM

NAME: _____

EMAIL: _____ PHONE: _____

COMPANY NAME (if applicable): _____

ADDRESS: _____

Serial Number for Each Vita-Mix Blender: _____

HOUSEHOLD BLENDERS: If you own one or more household Vitamix blenders, select one of the below Settlement Benefits (go to www.BlenderSettlement.com for more information about each Settlement Benefit):

- Please issue a Gift Card to me.
- Please install a Free Replacement Blade Assembly in my existing Vitamix container.

COMMERCIAL BLENDERS: If you own one or more commercial Vitamix blenders, you may be entitled to a Replacement Blade Assembly. Commercial Vitamix blender owners must also submit proof of purchase (invoice) showing the purchase date(s) of your commercial Vitamix blender(s).

If you select a replacement blade assembly, by checking this box you certify that you experienced or are concerned about black flecks when using your Vitamix container and that you have not already received a replacement container or blade assembly with a new seal that does not fleck.

By signing below, you certify that you own a Vitamix blender and that the above information is correct.

Signature Required: _____

CLAIM DEADLINE: Claims must be postmarked by September 28, 2018.

All questions should be directed to the Settlement Administrator at 1-855-233-4747.

NO POSTAGE
NECESSARY IF
MAILED
IN THE
UNITED STATES

Claim ID: 1234567

BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 23 BROOMFIELD, CO

POSTAGE WILL BE PAID BY ADDRESSEE

Vitamix Settlement
c/o JND Legal Administration
PO Box 7028
Broomfield, CO 80021

