

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

**IF YOU PURCHASED PROCTER & GAMBLE’S PROBIOTIC
SUPPLEMENT ALIGN® IN CALIFORNIA, ILLINOIS, NORTH
CAROLINA, FLORIDA OR NEW HAMPSHIRE, A CLASS ACTION
MAY AFFECT YOUR RIGHTS.**

A Federal Court authorized this Notice. This is not a solicitation from a lawyer.

- Customers sued Procter & Gamble Company, alleging Procter & Gamble falsely advertises its Align probiotic supplement by claiming Align provides digestive health benefits that it does not actually provide.
- The “Class” includes all people who purchased Align in California, Florida, Illinois, New Hampshire, or North Carolina from March 1, 2009 to June 6, 2016.
- The Court has not decided whether Procter & Gamble did anything wrong. There is no money or other benefit available now, nor is there any guarantee that there will be. However, your legal rights are affected, and you have a choice to make now:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
DO NOTHING	<p>Stay in this lawsuit. Await the outcome. Give up certain rights for the possibility of receiving certain benefits.</p> <p>By doing nothing, you keep the possibility of getting money or benefits that may come from the lawsuit. But, you give up any rights to sue Procter & Gamble separately about the same legal claims in this lawsuit, and will instead be bound by the result of this lawsuit.</p>
ASK TO BE EXCLUDED	<p>Get out of this lawsuit. Get no benefits from it. Keep rights.</p> <p>If you ask to be excluded and money or benefits are later awarded, you will not share in those monies or benefits. But, you keep any rights to sue Procter & Gamble separately about the same legal claims in this lawsuit.</p>

- Your options are explained in this Notice. To ask to be excluded, you must act before **August 5, 2016.**
- Lawyers must prove the claims against Procter & Gamble at a trial set for October 16, 2017. If money or benefits become available from Procter & Gamble, you will be notified about how to seek it.

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BASIC INFORMATION

1. Why should I read this Notice?

If you purchased Align in California, Illinois, North Carolina, New Hampshire or Florida, you are part of the Class. This notice explains that the Court has allowed, or “certified,” a class action lawsuit that may affect you. You have legal rights and options you may exercise before the Court holds a trial. The Court has scheduled the trial on October 16, 2017. The trial is to decide whether the allegations being made against Procter & Gamble, on your behalf, are correct. Trial will be held in the United States District Court for the Southern District of Ohio. The lawsuit is known as *Rikos v. The Procter & Gamble, Company*, Case No. 11-CV-00226-TSB.

2. What is this lawsuit about?

This lawsuit is about whether Procter & Gamble engaged in deceptive or unfair conduct in violation of state consumer protection laws by advertising that its probiotic supplement Align provides digestive health benefits that it does not actually provide.

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

In a class action lawsuit, one or more people called “Class Representatives” sue on behalf of other people who have similar claims. The people together are a “Class” or “Class Members.” The people who sue – and all the Class Members like them – are called the “Plaintiffs.” The company the Plaintiffs sued (in this case Procter & Gamble,) is called the “Defendant.” One court resolves the issues for everyone in the Class.

4. Why is this lawsuit a class action?

The Court decided that this lawsuit can be a class action and move towards a trial because it meets the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. Specifically, the Court found that:

- There are factual and legal questions that are common to each of the members of the Class;
- The Class Representatives’ claims are typical of the claims of the rest of the Class;
- The Class Representatives and the lawyers representing the Class will fairly and adequately represent the Class’ interests;
- The common legal questions and facts predominate over questions that affect only individuals; and
- This class action will be more efficient than having many individual lawsuits.

THE CLAIMS IN THE LAWSUIT

5. What is the lawsuit about?

In the lawsuit, the Plaintiffs say that Procter & Gamble's digestive health advertising claim for Align is false and deceptive and, for that reason, Procter & Gamble has violated state consumer protection laws prohibiting deceptive and unfair trade practices. Plaintiffs claim that because of the false advertising Procter & Gamble was able to charge for a product that did not provide the advertised health benefits. You can read the Plaintiffs' Class Action Complaint and the Order Granting Plaintiffs' Motion for Class Certification at www.AlignProbioticLawsuit.com.

6. How does Procter & Gamble answer the allegations?

Procter & Gamble responds that its digestive health claims about Align are true and supported by scientific evidence.

7. Has the Court decided who is right?

The Court has not decided whether the Plaintiffs or Procter & Gamble is correct. By establishing the Class and issuing this Notice, the Court is not suggesting that the Plaintiffs will win or lose this case. The Plaintiffs must prove their claims at trial.

8. What are the Plaintiffs asking for?

Plaintiffs are asking that Procter & Gamble provide monetary compensation to each Class Member, that Procter & Gamble change its advertising to make it truthful and that Procter & Gamble undertake a corrective advertising campaign. Plaintiffs will also seek attorneys' fees and costs incurred by them in connection with the prosecution of this action.

9. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether Procter & Gamble did anything wrong or whether consumers are entitled to money or other benefits. There is no guarantee that money or benefits ever will be obtained. If they are, you will be notified about how to seek money or other benefits from the lawsuit.

WHO IS IN THE CLASS?

You need to decide whether you are affected by this lawsuit.

10. Am I part of the Class?

All people who purchased Align in California, Florida, Illinois, New Hampshire or North Carolina from March 1, 2009 to June 6, 2016 are Class Members.

11. Are any purchasers of Align not included in the Class?

If you did not purchase Align in one of the five listed states within the listed time period, then you are **NOT** a Class Member. You are also not a Class Member if you purchased Align for the purpose of reselling it.

12. I am still not sure if I am included.

If you are still not sure whether you are included, you can get free help at www.AlignProbioticLawsuit.com, or by calling or writing to the lawyers in this case, at the phone number or address listed in question 22.

YOUR RIGHTS AND OPTIONS

You have to decide whether to stay in the Class or ask to be excluded before the trial, and you have to decide this now.

13. What happens if I do nothing at all?

You don't have to do anything now if you want to keep the possibility of getting money or benefits from this lawsuit. By doing nothing, you are staying in the Class. If you stay in and the Plaintiffs win, you will be notified about how to seek money or other benefits from the lawsuit. Keep in mind that if you do nothing now, regardless of whether the Plaintiffs win or lose the trial, you will not be able to sue, or continue to sue, Procter & Gamble as part of any other lawsuit about the same legal claims that are the subject of this lawsuit. You will also be legally bound by all of the Orders the Court issues and judgments the Court makes in this class action.

14. Why would I ask to be excluded?

If you already have your own lawsuit against Procter & Gamble regarding Align and want to continue with it, you need to ask to be excluded from the Class. Or, you may not agree with the allegations raised by the Plaintiffs and do not wish to be part of this lawsuit. If you exclude yourself from the Class – which also means to remove yourself from the Class, and is sometimes called “opting-out” of the Class – you will not get any money or benefits from this lawsuit even if the Plaintiffs obtain them as a result of the trial. However, you may then be able to sue or continue to sue Procter & Gamble regarding Align. If you exclude yourself, you will not be legally bound by the Court's judgments in this class action.

If you start your own lawsuit against Procter & Gamble regarding Align after you exclude yourself, you will have to hire and pay your own lawyer for that lawsuit, and you will have to prove your claims. If you do exclude yourself so you can start or continue your own lawsuit against Procter & Gamble regarding Align, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations.

15. How do I ask the Court to exclude me from the Class?

To ask to be excluded, you must send an “Exclusion Request” in the form of a letter sent by mail, stating that you want to be excluded from *Rikos v. The Procter & Gamble Company, Case No. 11-CV-00226-TSB*. **Be sure to include your name and address, and sign the letter. You must mail your Exclusion Request postmarked by August 5, 2016, to: Rikos v. The Procter & Gamble Company, 1801 Market Street, Suite 660, Philadelphia, PA 19103.**

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

The Court decided that Timothy G. Blood of the law firm of Blood Hurst & O’Reardon, LLP is qualified to represent you and all Class Members as Class Counsel. Timothy Blood and Blood Hurst & O’Reardon, LLP are experienced in handling similar class action cases. More information about Blood Hurst & O’Reardon, LLP and Timothy Blood is available at www.bholaw.com.

17. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to pay that lawyer. For example, you can ask him or her to appear in Court for you if you want someone other than Class Counsel to speak for you.

18. How will the lawyers be paid?

If Class Counsel gets money or benefits for the Class, they may ask the Court for fees and expenses. You will not have to pay these fees and expenses. If the Court grants Class Counsels’ request, the fees and expenses would be either deducted from any money obtained for the Class or paid separately by Procter & Gamble.

THE TRIAL

The Court has scheduled a trial on October 16, 2017 to decide who is right in this case.

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

Class Counsel will have to prove the Plaintiffs’ allegations at a trial. The date for trial is October 16, 2017 and will go forward in the United States District Court, Southern District of Ohio, in the Potter Stewart U.S. Courthouse, 100 East Fifth Street, Cincinnati, Ohio 45202, Courtroom 815. During the trial, a Jury and the Judge will hear all of the evidence to help them reach a decision about whether Plaintiffs or Procter & Gamble is right about the allegations in the lawsuit. There is no guarantee that Plaintiffs will win, or that they will get any money for all or some members of the Class.

20. Do I have to come to the trial?

You do not need to attend the trial. Class Counsel will present the case for the Plaintiffs, and lawyers for Procter & Gamble will present on the company's behalf. You or your own lawyer is welcome to attend at your own expense.

21. Will I get money after the trial?

If Plaintiffs obtain money or benefits as a result of the lawsuit, you will be notified about how to participate. We do not know how long this will take.

GETTING MORE INFORMATION

22. Are more details available?

Visit the websites, www.AlignProbioticLawsuit.com or www.bholaw.com, where you will find the Court's Order on the Plaintiffs' Motion for Class Certification, the Court of Appeals decision affirming class certification, and the Complaint. You may also contact someone about the case by emailing AlignNotice@bholaw.com, by calling 619-338-1100, or by writing to: *Rikos v. The Procter & Gamble Company*, 1801 Market Street, Suite 660, Philadelphia, PA 19103.

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

DATED: May 23, 2016

BY ORDER OF THE UNITED STATES
DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF OHIO