

# **If you purchased Schiff Move Free® Advanced glucosamine supplements, you may be entitled to a cash payment from a class action settlement.**

SI DESEA RECIBIR ESTA NOTIFICACIÓN EN ESPAÑOL, LLÁMENOS O VISITE NUESTRA PÁGINA WEB

*A federal court has authorized this Notice. This is not a solicitation from a lawyer.*

- A \$50 million Settlement has been reached in a class action lawsuit to resolve a lawsuit against Reckitt Benckiser LLC, relating to Schiff Move Free® Advanced glucosamine supplements, that alleges Move Free Advanced is misleadingly labelled and marketed. Defendant denies these allegations and asserts that its labelling and marketing is truthful and supported by science but has settled this case to avoid further litigation and distraction of resources from its business.
- The Settlement offers an estimated cash award of \$22 per bottle purchased. No proof of purchase is required for claims of up to 3 bottles. You may be entitled to these Settlement benefits if you purchased Move Free Advanced glucosamine supplements between May 28, 2015 to June 24, 2021 (purchased for purposes other than resale).
- Your legal rights are affected whether or not you act. ***Please read this notice carefully.***

YOUR RIGHTS AND CHOICES		DEADLINE
<b>Submit a Claim Form</b>	The only way to get a Cash Payment is to submit a Claim Form.	Submit a Claim Form by: <b>November 8, 2021</b>
<b>Exclude Yourself</b>	Get no Cash Payment, but keep any right to file your own lawsuit against Defendant about the legal claims in this case.	Submit an Exclusion: <b>October 14, 2021</b>
<b>Object</b>	Tell the Court why you don't like the Settlement. You will still be bound by the Settlement if the Court approves it and you may still file a Claim Form for a Cash Payment.	Deadline to file an Objection: <b>October 14, 2021</b>
<b>Attend A Hearing</b>	Ask to speak to the Court about the fairness of the Settlement.	Deadline to file a Notice of Appearance: <b>October 21, 2021</b>
<b>Do Nothing</b>	Get no Cash Payment. Give up legal rights.	

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Awards will be sent if the Court approves the Settlement and after appeals are resolved. Please be patient.

**Questions? Call 1-855-435-0524, or Visit [www.MoveFreeAdvancedSettlement.com](http://www.MoveFreeAdvancedSettlement.com)**

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## BASIC INFORMATION

### 1. Why should I read this Notice?

If you purchased Move Free Advanced in the United States between May 28, 2015 and June 24, 2021, other than solely for purposes of resale, you are a member of a Settlement Class.

This Notice explains the class action lawsuit, the proposed Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get the benefits.

The Court in charge of this case is the United States District Court for the Northern District of California. The lawsuit is known as *Yamagata v. Reckitt Benckiser LLC*, Case No. 3:17-cv-03529-VC. You may obtain additional updates on the status of the case by contacting Class Counsel (listed in Question 11 below), going to [www.MoveFreeAdvancedSettlement.com](http://www.MoveFreeAdvancedSettlement.com) or [www.BHOLaw.com](http://www.BHOLaw.com) or viewing case information through the Court's system at [www.Pacer.gov](http://www.Pacer.gov).

### 2. What is this lawsuit about?

This lawsuit is about whether Defendant engaged in deceptive or unfair conduct in violation of consumer protection laws by advertising Move Free Advanced as providing joint health benefits that it does not actually provide. Defendant denies that it did anything wrong and says that its claims about Move Free Advanced are true and supported by scientific evidence. The Court has not decided who is right.

### 3. Why is the lawsuit a class action?

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 Reckitt Benckiser LLC) 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. U.S. District Judge Vince Chhabria is in charge of this class action.

### 4. Why is there a Settlement?

The Court did not decide in favor of Plaintiffs or Defendant. Instead, both sides agreed to a settlement. By agreeing to settle, both sides avoid the cost and risk of a trial, and people who submit valid claims will get compensation. The Class Representatives and their attorneys believe the Settlement is best for the Settlement Class and its members.

## WHO IS IN THE SETTLEMENT?

To see if you are eligible for benefits, you first have to determine if you are a Class Member.

### 5. Am I part of the Settlement?

You are a Class Member if you purchased between May 28, 2015 and June 24, 2021, within the United States and its territories, Move Free Advanced, Move Free Advanced Plus MSM, or Move Free Advanced Plus MSM & Vitamin D (collectively "Move Free Advanced"), other than solely for purposes of resale.

Excluded from the Settlement are: (i) jurists and mediators who are or have presided over the lawsuit, Plaintiffs' Counsel and Defendant's Counsel, their employees, legal representatives, heirs,

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successors, assigns, or any members of their immediate family; (ii) any government entity; (iii) Reckitt Benckiser and any entity in which Reckitt Benckiser has a controlling interest, any of its subsidiaries, parents, affiliates, and officers, directors, employees, legal representatives, heirs, successors, or assigns, or any members of their immediate family; and (iv) any persons who timely opts-out of the Settlement Class.

## THE SETTLEMENT BENEFITS – WHAT YOU GET

### 6. What does the Settlement provide?

The \$50 million Settlement Fund will provide Cash Payments to Class Members who submit valid claims. Class notice and claim administration expenses, Plaintiffs' Counsel's attorneys' fees and expenses and any service awards to the Class Representatives (discussed below) will also be paid out of the Settlement Fund, if approved by the Court. The settlement distribution process will be administered by an independent Settlement Administrator approved by the Court.

### 7. What can I get from the Settlement?

If you request an award for **3 bottles of Move Free Advanced or less**, no proof of purchase is necessary.

If you request an award for **more than 3 bottles of Move Free Advanced**, you must provide proof of purchase for each of those units purchased between May 28, 2015 and June 24, 2021.

**Cash Payment:** The estimated cash award is **\$22** per bottle purchased. This award is based on the \$22 average retail price of Move Free Advanced. These cash award amounts may be increased or decreased depending on the total collective value of the claims made by Class Members and other factors specified in the Settlement Agreement and in this Notice.

Any money remaining in the Settlement Fund after payment of settlement notice and administration, attorneys' fees and costs (Question 12 below), and Class Representative service awards (Question 12 below) ordered by the Court, and valid Class Member claims, will be paid pursuant to the *cy pres* doctrine to the Orthopaedic Research Society.

## HOW TO GET BENEFITS FROM THE SETTLEMENT

### 8. How can I get my Cash Payment?

If you are a Class Member, you must fill out and submit a Claim Form to qualify for a cash payment. You can easily file your Claim at [www.MoveFreeAdvancedSettlement.com](http://www.MoveFreeAdvancedSettlement.com). You can also download a paper Claim Form from the website or get one by calling the Settlement Administrator at 1-855-435-0524. The completed Claim Form must be submitted online by **November 8, 2021**, or by mail at the address below, **postmarked by November 8, 2021**.

Move Free Advanced Settlement Administrator  
P.O. Box 5439  
Portland, OR 97228-5439

Upon receiving a completed claim form, the Settlement Administrator will review the documentation and confirm or deny your eligibility for an award.

**Questions? Call 1-855-435-0524, or Visit [www.MoveFreeAdvancedSettlement.com](http://www.MoveFreeAdvancedSettlement.com)**

## 9. When will I receive my Cash Payment?

The Court will hold a hearing on **October 28, 2021**, at **2:00 p.m.** (which is subject to change), to decide whether to approve the Settlement. Even if the Court approves the Settlement, there may be appeals. The appeal process can take time, perhaps more than a year. You will not receive your Cash Payment until any appeals are resolved. Please be patient.

## 10. What am I giving up to receive these Settlement benefits?

Unless you exclude yourself (“opt out”) from the Settlement Class by timely submitting an Exclusion Request (see Questions 13-14 below), you will remain in the Settlement Class. By remaining in the Settlement Class you “release” and can’t sue, continue to sue, or be part of any other lawsuit against Reckitt Benckiser about the “Released Claims” in this case. These Released Claims are only those claims that you could have brought based on the identical factual predicate of those claims brought in this case about the alleged misleading marketing and labeling of Move Free Advanced sold between May 28, 2015 and June 24, 2021.

The Settlement Agreement at Section VIII (titled “Releases”) describes these “Released Claims” and the “Released Parties” in necessary legal terminology, so read these sections carefully. For ease of reference, the full release section of the Settlement Agreement is attached to this Notice as Appendix A. The Settlement Agreement is available at [www.MoveFreeAdvancedSettlement.com](http://www.MoveFreeAdvancedSettlement.com) or in the public court records on file in this lawsuit. For questions regarding the Releases or what they mean, you can also talk to one of the lawyers listed in Question 11 below for free, or you can, talk to your own lawyer at your own expense.

## THE LAWYERS REPRESENTING YOU

### 11. Do I have lawyers in this case?

The Court has appointed attorneys from the law firm Blood Hurst & O’Reardon, LLP, of San Diego, CA, to represent you and the other Class Members. The lawyers are called Class Counsel. They are experienced in handling similar class action cases. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

You may contact Class Counsel if you have any questions about this Notice or the Settlement. ***Please do not contact the Court.***

**Class Counsel:**  
Timothy G. Blood  
Thomas J. O’Reardon II  
Blood Hurst & O’Reardon, LLP  
501 W. Broadway, Suite 1490  
San Diego, CA 92101  
Tel: 619-338-1100  
Email: [info@bholaw.com](mailto:info@bholaw.com)  
Website: [www.bholaw.com](http://www.bholaw.com)

### 12. How will the lawyers be paid?

Class Counsel will ask the Court for an award of attorneys’ fees up to 25% of the Settlement Fund (\$12,500,000) and for reimbursement of expenses of up to \$750,000. Any award of attorneys’ fees

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and costs will be paid from the Settlement Fund. Class Counsel will also ask the Court for service awards to each of the Class Representatives: up to \$7,500 for Gordon Noburo Yamagata, Stamatis F. Pelardis and Maureen Carrigan, and up to \$500 to Lori Coletti, Ann-Marie Maher, Carol Marshall, Deborah A. Rawls, Oneita Steele, and Maxine Tishman. The purpose of the service awards is to compensate the Plaintiffs for their time, efforts and risks taken on behalf of the Settlement Class. Any award of payment to the Class Representatives will be paid from the Settlement Fund.

## **YOUR RIGHTS – EXCLUDING YOURSELF FROM THE SETTLEMENT**

If you don't want a Cash Payment, but want to keep the right to sue or continue to sue Reckitt Benckiser, on your own, about the legal issues in this case, then you must take steps to exclude yourself from the Settlement (get out of the Settlement). This is called "excluding yourself"—or is sometimes referred to as "opting out" of the settlement class.

### **13. How do I get out of the Settlement?**

To exclude yourself from the Settlement, you must send a "Request for Exclusion" in the form of a letter or Request for Exclusion form stating that you want to be excluded from *Yamagata v. Reckitt Benckiser, LLC*, Case No. 3:17-cv-03529-VC. Be sure to include your name, address, telephone number, and basis upon which you are a Class Member. You must mail your Request for Exclusion **postmarked by October 14, 2021** to: Move Free Advanced Settlement Administrator, P.O. Box 5439, Portland, OR 97228-5439. Request for Exclusion forms can be obtained and submitted online at [www.MoveFreeAdvancedSettlement.com](http://www.MoveFreeAdvancedSettlement.com).

If you do not follow these procedures and deadlines, you will remain a Class Member and lose any opportunity to exclude yourself from the Settlement. This means that your rights will be determined in this lawsuit by the Settlement Agreement if it receives final approval from the Court.

### **14. If I exclude myself, can I get anything from this Settlement?**

No. If you exclude yourself, you cannot receive Cash Payments. But, you may sue, continue to sue, or be part of a different lawsuit against Reckitt Benckiser about the legal issues in this case.

## **YOUR RIGHTS – OBJECTING TO THE SETTLEMENT**

You can tell the Court that you don't agree with the Settlement or some part of it.

### **15. How do I tell the Court that I don't like the Settlement?**

If you're a Class Member, you can object to the Settlement if you don't like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views. Note: You can't ask the Court to order a different Settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no settlement awards will be sent out and the lawsuit will continue. If that is what you want to happen, you must object.

To object, you must send a letter. Be sure to include the following information:

- a. The case name and number (*Yamagata v. Reckitt Benckiser, LLC*, Case Number 3:17-cv-03529-VC);
- b. Your name, address, telephone number and, if represented by counsel, the name, address, and telephone number of your counsel;
- c. A statement under oath that you are a Class Member;

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- d. A statement whether you intend to appear at the Final Approval Hearing, either in person or through counsel;
- e. A statement of all your objections and the specific grounds supporting your objections;
- f. A statement whether the objection applies only to you, to a specific subset of the Settlement Class, or to the entire Settlement Class;
- g. Copies of any papers, briefs, or other documents upon which your objection is based; and
- h. Your handwritten, dated signature (the signature of your counsel, an electronic signature, and the annotation “/s” or similar annotation will not suffice).

Your objection must be submitted to the Court either by mailing (or by filing it at any location of the United States District Court for the Northern District of California) and served on Class Counsel and Defendant’s Counsel received no later than **October 14, 2021**, to the following addresses:

<u><b>Court:</b></u>	<u><b>Class Counsel:</b></u>	<u><b>Defense Counsel:</b></u>
Class Action Clerk United States District Court, Northern District of California 450 Golden Gate Avenue San Francisco, CA 94201-3489	Timothy G. Blood Thomas J. O’Reardon II Blood Hurst & O’Reardon, LLP 501 W. Broadway, Suite 1490 San Diego, CA 92101	David T. Biderman Jasmine W. Wetherell Perkins Coie LLP 1888 Century Park East, Suite 1700 Los Angeles, CA 90067

If you timely file an objection it will be considered by the Court at the Final Approval Hearing. You do not need to attend the Final Approval Hearing for the Court to consider your objection.

The Court will require substantial compliance with these requirements above. If you do not submit a written objection in accordance with the deadline and procedure set forth above, you will waive your right to be heard at the Final Approval Hearing. However, the Court may excuse your failure to file a written objection upon a showing of good cause, which, if granted, would permit you to still appear at the Final Approval Hearing and object to the Settlement.

**16. What’s the difference between objecting and asking to be excluded?**

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

**YOUR RIGHTS – APPEARING AT THE FINAL APPROVAL HEARING**

The Court will hold a “Final Approval Hearing” to decide whether to approve the Settlement. You may attend and you may ask to speak, but you don’t have to.

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

The Court will hold a Final Approval Hearing at **2:00 p.m.** on **October 28, 2021**, at the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, in Courtroom 4 – 17th Floor.

At the hearing, the Court will hear any comments, objections, and arguments concerning the fairness of the proposed Settlement, including the amount requested by Class Counsel for attorneys’ fees and expenses. If there are objections, the Court will consider them. You do not need to attend this hearing. You also do not need to attend to have a comment or objection considered by the Court. After the

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hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

Note: The date and time of the Final Approval Hearing are subject to change by Court Order. Any change will be posted at [www.MoveFreeAdvancedSettlement.com](http://www.MoveFreeAdvancedSettlement.com). You should check this website or the Court’s PACER website to confirm that the date and/or time have not changed.

### **18. Do I have to attend the Final Approval Hearing?**

No. Class Counsel will answer all questions Judge Chhabria may have. But, you are welcome to attend the hearing at your own expense. If you submit an objection, you do not have to attend the hearing to talk about your objection. As long as you filed your written objection by the deadline, the Judge will consider it. You may also pay your own lawyer to attend, but it is not necessary.

### **19. May I speak at the Final Approval Hearing?**

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

If you want to appear, or if you want your own lawyer instead of Class Counsel to speak for you in this lawsuit, you must send a letter saying that it is your “Notice of Intention to Appear in *Yamagata v. Reckitt Benckiser, LLC*.” Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be postmarked by **October 21, 2021**, and be sent to the Clerk of Court at the address listed in Question 15.

If you want to speak at the Final Approval Hearing without having followed these procedures, you may do so if you demonstrate good cause to the Court.

## **YOUR RIGHTS – DO NOTHING**

### **20. What happens if I do nothing at all?**

If you do nothing, you’ll be part of the Settlement Class, but get no Cash Payment from the Settlement. Unless you exclude yourself, you will not be permitted to continue to assert Released Claims in any other lawsuit against Reckitt Benckiser about the legal issues in this case, ever again.

## **GETTING MORE INFORMATION**

### **21. Are there more details about the Settlement?**

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at [www.MoveFreeAdvancedSettlement.com](http://www.MoveFreeAdvancedSettlement.com), or by contacting Class Counsel by email or telephone at the address or number listed in response to Question 11 above.

### **22. How do I get more information?**

You can call toll-free 1-855-435-0524, write to Move Free Advanced Settlement, P.O. Box 5439, Portland, OR 97228-5439; or go to [www.MoveFreeAdvancedSettlement.com](http://www.MoveFreeAdvancedSettlement.com), where you will find answers to common questions about the Settlement, a Claim Form, motions for approval of the Settlement and Class Counsel’s request for attorneys’ fees and expenses, and other important documents in the case.

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You can also access information about this case through the Court's Public Access to Court Electronic Records (PACER) system. To learn about PACER and register for a PACER account, go to <https://www.Pacer.gov/>. Once you have a PACER account, you can access and retrieve documents from the Court's docket for the Action at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>. You can also access and retrieve documents from the Court's docket by visiting the Clerk's Office located at United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT'S CLERK OFFICE TO  
INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS**

**Appendix A**

VIII. RELEASES

A. Upon the Effective Date, each and every Releasing Party shall by order of this Court be deemed to have released, waived, forfeited and shall be permanently barred and enjoined from initiating, asserting, and/or prosecuting any Released Claim against any Released Party based on the identical factual predicate in any court or any forum.

B. In addition, with respect to the Released Claims, Plaintiffs specifically acknowledge and affirmatively waive any rights or benefits available to them under California Civil Code section 1542. California Civil Code section 1542 provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

Plaintiffs hereby waive any and all federal and state statutes similar in substance, meaning or application to California Civil Code section 1542.

C. In consideration for the Agreement, Defendant and its parents, subsidiaries, divisions, departments, and affiliates, and any and all of its past and present officers, directors, employees, stockholders, agents, successors, attorneys, insurers, representatives, licensees, licensors, subrogees, and assigns shall be deemed to have, and by operation of the Final Approval Order and Judgment shall have, released Class Counsel and Plaintiffs from any and all causes of action that were or could have been asserted pertaining solely to the conduct in filing and prosecuting the litigation or in settling the Action.

D. The Court shall retain exclusive and continuing venue and jurisdiction over the Parties and the Class Members to interpret and enforce the terms, conditions, and obligations under the Settlement Agreement and any disputes over such issues shall be brought in this Court.