

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

**If you purchased Dial Complete Liquid Hand Soap in the United States
Between January 1, 2001 and January 2, 2019.
You May be Eligible to Receive a Payment from a Class Action Settlement.**

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

- A proposed nationwide Settlement has been reached in a class action lawsuit involving Dial Complete Liquid Hand Soap. The Settlement resolves litigation over whether the Defendants allegedly violated laws regarding the marketing, advertising and sale of Dial Complete Liquid Hand Soap in the United States.
- If you purchased Dial Complete Liquid Hand Soap between January 1, 2001 and January 2, 2019, you may be eligible to participate in the proposed Settlement, if it is finally approved.
- The Settlement will provide payments to those who qualify. You will need to file a Claim Form to get a payment from the Settlement.
- Your legal rights are affected whether you act or don't act. Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

SUBMIT A CLAIM FORM BY APRIL 12, 2019	This is the only way to get a payment.
EXCLUDE YOURSELF BY MARCH 13, 2019	You will receive no payment from the Settlement. This is the only option that allows you to ever be a part of any other lawsuit against the Defendants about the legal claims in this case.
OBJECT BY MARCH 13, 2019	Write to the Court about why you think the settlement is unfair, inadequate, or unreasonable.
GO TO A HEARING ON MAY 29, 2019 AT 10:00 a.m.	Ask to speak in Court about the fairness of the Settlement.
FILE A NOTICE OF INTENT TO APPEAR MARCH 13, 2019	Your Notice of Intent to Appear must be filed with the Court and served on Class Counsel and Defendants' Counsel no later than this date.
DO NOTHING	Get no payment. Give up rights to ever sue the Defendants about the legal claims in this case.

- These rights and options—and the deadlines to exercise them—are explained in this notice. The deadlines may be moved, canceled, or otherwise modified, so please check the Settlement Website, www.soapsettlement.com regularly for updates and further details.
- The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement and after any appeals are resolved. Please be patient.

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BASIC INFORMATION

1. **Why is there a notice?**

You have a right to know about a proposed Settlement of a class action lawsuit, and about your options, before the Court decides whether to approve the Settlement.

The Court in charge of this case is the United States District Court for District of New Hampshire (the “Court”), and the case is called *In re: Dial Complete Marketing and Sales Litigation*, MDL Docket No. 11-md-2263-SM. The individuals who sued are called the Representative Plaintiffs, and the company they sued, Dial Corporation, is called the Defendant.

2. **What is this lawsuit about?**

The lawsuit alleges that the Defendant violated certain laws in the marketing, advertising and sale of Dial Complete Foaming Liquid Hand Soap in the United States. The lawsuit centers around advertising for Dial Complete including use of the active ingredient triclosan and including that Dial Complete “Kills 99.99% of Germs* (*encountered in household settings)” and the use of the phrase “#1 Doctor Recommended**” (**Antibacterial Liquid Hand Wash)”, and the claim that it “Kills more germs than any other liquid hand soap”.

The Defendant denies any and all wrongdoing of any kind whatsoever and has asserted various defenses that it believes is meritorious.

3. **Why is this a class action?**

In a class action, one or more people, called “Representative Plaintiffs,” sue on behalf of people who have similar claims. All these people are in a “class” or “settlement class members,” except for those who exclude themselves from the class. The Honorable Steven J. McAuliffe in the United States District Court for the District of New Hampshire is in charge of this class action.

4. **Why is there a Settlement?**

The Defendant denies that it did anything wrong. Both sides want to avoid the cost of further litigation. The Court has not decided in favor of the Representative Plaintiffs or the Defendant. The Representative Plaintiffs and their attorneys think the Settlement is best for everyone who is affected. The Settlement provides the opportunity for Settlement Class Members to receive Settlement benefits.

WHO IS IN THE SETTLEMENT?

5. **How do I know if I am in the Settlement?**

The Settlement Class includes: All persons in the United States who purchased the Dial Complete Product from January 1, 2001 through January 2, 2019. Excluded from the Settlement Class are the following: (a) the Court and its officers, employees, appointees, and relatives; (b) Dial and its affiliates, subsidiaries, officers, directors, employees, contractors, agents, and representatives; (c) all Plaintiffs’ Counsel; (d) government entities; and (e) Opt-Outs.

6. **Which Products are included in the Settlement?**

The “Dial Complete Product” means Dial Complete Liquid Hand Soap formulated with the active ingredient triclosan and/or using the Kills 99.99% of Germs* (*encountered in household settings) advertising claim.

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

If you are not sure whether you are a Settlement Class Member, or have any other questions about the Settlement Agreement, you should visit the Settlement Website, www.soapsettlement.com, or call the toll-free number, 888-576-8327.

SETTLEMENT BENEFITS

8. **What does the Settlement provide?**

The Settlement provides for a Settlement Fund in the amount of \$7,400,000, consisting of (a) one component of One Million and Nine Hundred Thousand U.S. Dollars (\$1,900,000) in connection with the Rule 23(b)(2) relief; and (b) another component of Five Million and Five Hundred Thousand U.S. Dollars (\$5,500,000) in connection with the Rule 23(b)(3) relief. The Gross Settlement Proceeds shall be the sum total of Dial's monetary obligation under the Settlement, regardless of the number of valid approved claims or for any other reason, and shall be used to pay all costs associated with the Settlement, including but not limited to (a) the costs of notice and administration of the Settlement, including for a Settlement Notice and Claims Administrator to process claims, objections, and opt-out requests; (b) the payment of valid approved claims; (c) attorneys' fee awards (if any); (d) attorneys' costs (actually incurred litigation expenses and other hard costs apart from fees); (e) service awards (if any) to the Representative Plaintiffs; and (f) any other expenses.

9. **What can I get from the Settlement?**

Settlement Class Members who timely submit a valid approved claim are entitled to receive settlement compensation of Twenty-Seven Cents (\$0.27) per package of the Dial Complete Product purchased during the Class Period. Settlement Class Members are capped at thirty (30) packages per Class Member, except that Settlement Class Members who provide actual purchase receipts for additional purchases to the satisfaction of the Settlement Notice and Claims Administrator may receive Twenty-Seven Cents (\$0.27) per package as settlement compensation for all packages purchased. If, after subtracting from the Settlement Fund amount the Attorneys' Fees and Expenses, Notice and Claim Administration Expenses, and any Service Awards made by the Court to Plaintiffs, the funds remaining are insufficient to pay all timely valid approved Claims, then payments will be reduced proportionately on a *pro rata* basis.

10. **What am I giving up to stay in the Class?**

Unless you exclude yourself from the Settlement, you cannot sue the Defendant, continue to sue, or be part of any other lawsuit against the Defendant about the claims released in this Settlement. It also means that all of the decisions by the Court will bind you. The Released Claims and Released Parties are defined in the Settlement and describe the legal claims that you give up if you stay in the Settlement Class. The Released Claims do not include any claim against the Released Parties for bodily injury allegedly suffered in connection with the Dial Complete Product. The Settlement Agreement is available at the Settlement Website, www.soapsettlement.com.

HOW TO GET A PAYMENT

11. **How can I get a payment?**

To be eligible to receive a payment from the Settlement, you must complete and submit a timely Claim Form. You can complete and submit your Claim Form online at the Settlement Website, www.soapsettlement.com. The Claim Form can be downloaded from the Settlement Website, as well. You can also request a Claim Form be sent to you by sending a written request to the Settlement Notice & Claims Administrator by mail or by email.

MAIL: Soap Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103

EMAIL: info@soapsettlement.com

Please read the instructions carefully, fill out the Claim Form, and mail it postmarked no later than April 12, 2019 to the Settlement Notice & Claims Administrator: Soap Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103, or submit your Claim Form online at the Settlement Website, www.soapsettlement.com, by April 12, 2019.

If you do not submit a valid Claim Form by the deadline, you will not receive a payment, and your claims will be extinguished.

12. **When will I get my payment?**

Payments will be made to Settlement Class Members who submit valid and timely Claim Forms after the Court grants "final approval" to the Settlement and after all appeals are resolved. If the Court approves the Settlement, there may be appeals. It's always uncertain whether these appeals can be resolved and resolving them can take time.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want a payment from the Settlement, and you want to keep the right to sue or continue to sue the Defendant on your own about the claims released in this Settlement, then you must take steps to get out. This is called excluding yourself—or it is sometimes referred to as “opting out” of the Settlement Class.

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

To exclude yourself (or “Opt-Out”) from the Settlement, you must complete and mail to the Settlement Notice & Claims Administrator a written request. The request to opt out must:

- bear the Handwritten Signature of the Class Member seeking to opt out;
- set out the Class Member's full legal name, valid mailing address, and functioning telephone number;
- state that the Class Member has reviewed and understood the Class Notice and chooses to be excluded from the Settlement Class and understands that, by opting out, the Class Member shall not share in any recovery obtained by judgment on behalf of the Settlement Class; and
- provide the name of and contact information for the Class Member's attorney, if represented.

You must mail your exclusion request, postmarked no later than March 13, 2019 to:

Class Action Opt-Outs
ATTN: Soap Settlement
PO BOX 58220
1500 John F Kennedy Blvd
Suite C31
Philadelphia, PA 19102

No person or entity may opt-out on behalf of another Class Member.

If you don't include the required information or timely submit your request for exclusion, you will remain a Settlement Class Member and will not be able to sue the Defendant about the claims in this lawsuit.

14. **If I don't exclude myself, can I sue the Defendants for the same thing later?**

No. Unless you exclude yourself, you give up any right to sue the Defendant for the claims that this Settlement resolves. If you have a pending lawsuit, speak to your lawyer in that lawsuit immediately. You must exclude yourself from this Settlement Class to continue your own lawsuit. If you properly exclude yourself from the Settlement Class, you shall not be bound by any orders or judgments entered in the Action relating to the Settlement Agreement.

15. **If I exclude myself, can I still get a payment?**

No. You will not get any money from the Settlement if you exclude yourself. If you exclude yourself from the Settlement, do not send in a Claim Form asking for benefits.

OBJECTING TO THE SETTLEMENT

16. **How can I tell the Court if I do not like the Settlement?**

Any Class Member who does not timely and properly opt out of the Settlement may object to the fairness, reasonableness, or adequacy of the proposed Settlement under Federal Rule of Civil Procedure 23. Each Class Member who wishes to object to any term of this Agreement must do so, in writing, by filing a written objection with the Clerk of the Court and mailing it to Settlement Class Counsel, counsel for Dial, and the Settlement Notice and Claims Administrator.

The written objection must include: (a) copies of any materials that the objector intends to submit to the Court or present at the Fairness Hearing; (b) be personally signed by the Class Member and, if represented, by his or her counsel; (c) include information or documents sufficient to show that the objector is a Class Member; and (d) clearly

state in detail (i) the legal and factual ground(s) for the objection, (ii) the Class Member’s name, mailing address, email address, and telephone number, (iii) if represented by counsel, such counsel’s name, email address, mailing address, and telephone number, (iv) any request to present argument to the Court at the Fairness Hearing; (v) previous objections that the Class Member has filed in class action settlements in the past five years and the results of those objections (including any settlements that were reached concerning his or her objection); and (vi) previous objections that the objecting Class Member’s class counsel has filed either in a representative capacity or on their own behalf in the past five years (including any settlements that were reached concerning those objections).

Your objection, along with any supporting material you wish to submit, must be filed with the Court, with a copy delivered to Settlement Class Counsel, Defendant’s Counsel and the Settlement Notice & Claims Administrator no later than March 13, 2019 at the following addresses:

Clerk of the Court	Settlement Class Counsel
Office of the Clerk United States District Court for the District of New Hampshire 55 Pleasant Street Room 110 Concord, NH 03301	Lucy J. Karl Shaheen & Gordon, P.A. P.O. Box 2703 107 Storrs Street Concord, NH 03301
Counsel for Dial	Settlement Notice & Claims Administrator
Patrick Haney Kirkland & Ellis LLP 655 Fifteenth Street NW Washington DC 20005	Class Action Objections ATTN: Soap Settlement PO BOX 58220 1500 John F Kennedy Blvd Suite C31 Philadelphia, PA 19102

17. What is the difference between objecting and excluding?

Objecting is simply telling the Court that you don’t like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is telling the Court that you don’t want to be part of the Settlement. If you exclude yourself from the Settlement, you have no basis to object to the Settlement because it no longer affects you.

THE LAWYERS REPRESENTING YOU

18. Do I have a lawyer in this case?

Yes. The Court has appointed Lucy J. Karl of Shaheen & Gordon, P.A., on behalf of the Plaintiffs’ Executive Subcommittee and Plaintiffs’ Steering Committee, as Class Counsel.

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.

19. How will the lawyers be paid?

Class Counsel intends to file a motion on or before February 27, 2019 seeking an award up to \$1,900,000 in fees from the Rule 23(b)(2) Component of the Settlement Fund, \$1,925,000 from the Rule 23(b)(3) Component of the Settlement Fund, and approximately \$650,000 in out of pocket expenses, as well as service awards in the amount of \$5,000 for each of the Representative Plaintiffs, to be drawn from the Settlement Fund. The Court will determine the amount of fees and expenses, and service awards.

THE COURT'S FAIRNESS HEARING

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

The Court will hold a Fairness Hearing on May 29, 2019 at 10:00 a.m. at the United States District Court for the District of New Hampshire, before the Honorable Steven J. McAuliffe, United States District Judge, in Courtroom 101, located at United States District Court for the District of New Hampshire, 55 Pleasant Street, Concord, NH 03301.

At the Fairness Hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider how much to pay Class Counsel and the Representatives Plaintiffs. If there are objections, the Court will consider them at this time. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

21. Do I have to come to the hearing?

No. Class Counsel will answer any questions that the Court may have, but you may come at your own expense. If you submit an objection, you don't have to come to Court to talk about it. As long as you filed and mailed your written objection on time to the proper addresses, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

22. May I speak at the hearing?

Yes. You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter saying that it is your "Notice of Intent to Appear." Your request must be filed with the Clerk of the Court and served on Class Counsel and Defendant's Counsel no later than March 13, 2019.

Any such request must state the name, address, and telephone number of the Class Member, as well as the name, address, and telephone number of the person that shall appear on his or her behalf. Any request for appearance that fails to satisfy these requirements, or that has otherwise not been properly or timely submitted, shall be deemed ineffective and a waiver of such Class Member's rights to appear and to comment on the Settlement at the Fairness Hearing. Only the Parties, Settlement Class Members, or their counsel may request to appear and be heard at the Fairness Hearing. Persons or entities that opt out may not request to appear and be heard at the Fairness Hearing.

IF YOU DO NOTHING

23. What happens if I do nothing at all?

If you do nothing, you will not get a payment from the Settlement. Unless you exclude yourself, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendant about the legal issues in this case, ever again.

GETTING MORE INFORMATION

24. How do I get more information?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement, available at the Settlement Website, www.soapsettlement.com. If you have additional questions or want to request a Claim Form, you can visit the Settlement Website or contact the Settlement Notice & Claims Administrator:

MAIL: Soap Settlement Administrator, 1650 Arch Street, Suite 2210, Philadelphia, PA 19103

EMAIL: info@soapsettlement.com

TOLL-FREE: 1-888-576-8327

Updates will be posted at the Settlement Website, www.soapsettlement.com, as information about the Settlement process becomes available.

PLEASE DO NOT CONTACT THE COURT OR THE CLERK'S OFFICE CONCERNING THIS CASE.