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From: info@NationalBenefiberSettlement.com  
Subject: Legal Notice of National Benefiber Settlement

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Dear

**If you bought certain Benefiber products between June 19, 2014 and June 8, 2021, you may receive an estimated \$10 or \$12 per qualifying purchase in a class action settlement**

*Para una notificación en español, visite: [www.NationalBenefiberSettlement.com](http://www.NationalBenefiberSettlement.com)*

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

You received this email because you have the right to know about your rights and options in a proposed class action settlement that has been reached in the cases captioned *Swetz v. GSK Consumer Health, Inc.*, No. 20-cv-04731 (S.D.N.Y.) and *White v. GSK Consumer Health, Inc.*, No. 20-cv-04048 (N.D. Cal.).

**What is this about?** Plaintiffs Susan Swetz and Phillip White claim that Defendants GSK Consumer Health, Inc. and GlaxoSmithKline Consumer Healthcare Holdings (US) LLC (“GSK”) deceptively marketed, advertised, labeled, and sold Benefiber Original Prebiotic Powder Fiber Supplement, Benefiber Sugar-Free Powder Fiber Supplement, Benefiber Prebiotic Powder Fiber Supplement On-The-Go Stick Packs (Flavored or Unflavored), and Benefiber Prebiotic Fiber Supplement Chewables. (collectively, “Benefiber Original”) and/or Benefiber Healthy Shape Prebiotic Powder Fiber Supplement (“Benefiber Healthy Shape”) (collectively, the “Covered Products”) as “100% Natural” or “natural” and also that Benefiber Healthy Shape allegedly was mislabeled as “clinically proven to cure cravings” even though it is the same product as Benefiber Original. GSK vigorously denies all allegations made in the lawsuit and has asserted numerous defenses, including that the sole ingredient, wheat dextrin, is derived from natural wheat and that satiety statements regarding Benefiber Healthy Shape are substantiated by clinical studies. Both sides have agreed to a settlement to avoid the risk, cost, and time of further litigation.

**Who is affected?** You are a Settlement Class Member if you purchased Benefiber Original and/or Benefiber Healthy Shape for personal or household use, and not for resale, in the United States between June 19, 2014 and June 8, 2021.

**What does the settlement provide?** The settlement provides both monetary and injunctive relief.

**Monetary Relief:** GSK has agreed to pay \$6.5 million to a Settlement Fund, which will be used to pay: (1) monetary benefits to eligible Settlement Class Members as described below; (2) reasonable settlement administration expenses, not to exceed \$675,000; (3) attorneys’ fees and expenses in the amount approved by the Court, but not to exceed one-third (1/3) of the Gross Settlement Fund (\$2,166,666); and (4) a class representative service award of \$3,000 per class representative.

**Injunctive Relief:** GSK has also agreed to (1) cease manufacturing the Covered Products with labels stating “100% Natural” and will exclude that statement from any future marketing or advertisements created by GSK or at GSK’s direction that describes the Covered Products; and (2) cease manufacturing Benefiber Healthy Shape with labels stating “clinically proven to cure cravings” and will exclude that statement from any future marketing or advertisements created by GSK or at GSK’s direction that describes Benefiber Healthy Shape.

**What can I get?** Settlement Class Members who timely submit a valid approved Claim Form may be eligible to receive:

- **An estimated \$10.00\* per qualifying purchase of Benefiber Original**, up to a maximum of five (5) units without proof of purchase. Qualifying Proof of Purchase for each unit is required for all Claims for more than five (5) units.
- **An estimated \$12.00\* per qualifying purchase of Benefiber Healthy Shape**, up to a maximum of five (5) units without proof of purchase. Qualifying Proof of Purchase for each unit is required for all Claims for more than five (5) units.

\* Settlement Payments are subject to a possible pro rata adjustment (upwards or downwards) depending on the number of timely and valid Claims submitted. Only one Claim can be filed per household. For more information, go to [www.NationalBenefiberSettlement.com](http://www.NationalBenefiberSettlement.com).

**How do I file a Claim?** To receive a cash payment, go to [www.NationalBenefiberSettlement.com](http://www.NationalBenefiberSettlement.com) to file or download a Claim Form. You can also write: National Benefiber Settlement, c/o JND Legal Administration, P.O. Box 91412, Seattle, WA 98111, or email: [info@NationalBenefiberSettlement.com](mailto:info@NationalBenefiberSettlement.com). All Claim Forms must be submitted online by **October 6, 2021** or by mail and postmarked by **October 6, 2021**.

**What are my other options?** You can do nothing, exclude yourself, or object to the settlement.

**Do Nothing:** If you do nothing, you will not get a payment and you will give up your right to sue or continue to sue GSK for the claims released by the settlement.

**Exclude Yourself:** If you exclude yourself or remove yourself from the Settlement Class, you will not receive a payment. You will keep your right to sue or continue to sue GSK for the claims released by the settlement. Exclusion requests must be postmarked by **September 7, 2021**.

**Object.** If you do not exclude yourself from the settlement you may object to it or tell the Court what you don’t like about the settlement. Objections must be postmarked by **September 7, 2021** and sent to the Court and the Settlement Administrator.

For details about your rights and options and how to exclude yourself or object, go to [www.NationalBenefiberSettlement.com](http://www.NationalBenefiberSettlement.com).

**What happens next?** The Court will hold a Final Approval Hearing on November 18, 2021, at 10:00 a.m. Eastern Time to consider whether to approve the settlement, Class Counsel’s attorneys’ fees and expenses, and class representative service awards. The Final Approval Hearing will be held before the Honorable Nelson S. Román, via teleconference, details of which are provided on the Settlement Website.

To access the teleconference, please follow these directions: (1) Dial the Meeting Number: 1-877-336-1839; (2) Enter the Access Code: 1231334 #; Press Pound (#) to enter the teleconference as a guest.

Be sure to check the Settlement Website for updates. The Court has appointed Jason P. Sultzer of The Sultzer Law Group; Melissa S. Weiner of Pearson, Simon & Warshaw, LLP; Douglas J. McNamara of Cohen Milstein Sellers & Toll PLLC; Gary E. Mason of Mason Lietz & Klinger LLP; Charles E. Schaffer of Levin Sedran & Berman; Ryan J. Clarkson and Katherine A. Bruce of Clarkson Law Firm, P.C.; and Christopher D. Moon of Moon Law APC as Co-Lead Class Counsel. Class Counsel will answer any questions that the Court may have. You may appear at the hearing, either yourself or through an attorney hired by you, but you don't have to.

**How do I get more information?** For more information and to view the full notice, go to [www.NationalBenefiberSettlement.com](http://www.NationalBenefiberSettlement.com), write National Benefiber Settlement, c/o JND Legal Administration, P.O. Box 91412, Seattle, WA 98111, email [info@nationalbenefibersettlement.com](mailto:info@nationalbenefibersettlement.com), or call 1-833-636-2116.

**PLEASE DO NOT CONTACT THE COURT OR THE COURT CLERK'S OFFICE**

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