

## Schedule B

### Pre-Approval Notice

# **IF YOU PURCHASED ORGANIX® BRAND HAIR CARE AND SKIN CARE PRODUCTS YOUR RIGHTS MAY BE AFFECTED BY A PROPOSED CLASS ACTION SETTLEMENT**

A proposed class action settlement has been reached involving Organix® brand hair care and skin care products Products.

## **WHO IS INCLUDED?**

You may be a Class Member if you purchased Organix Products in Canada from October 25, 2008 until May 25, 2015.

## **WHAT IS THIS CASE ABOUT?**

The lawsuit claims that Vogue International LLC and related companies made certain misrepresentations regarding the ingredients of their Organix® brand hair care and skin care products in their marketing and sales. Vogue denies it did anything wrong. The Court did not decide which side was right. Instead, the parties have decided to settle.

## **WHAT DOES THIS SETTLEMENT PROVIDE?**

A maximum Settlement Cap of not more than CDN \$325,000 is intended to pay claims to eligible Class Members, the costs of the settlement notice, attorneys' fees, an award to the representative Plaintiff and the costs of settlement administration as of April 2<sup>nd</sup>, 2015. Vogue is also agreeing to refrain from certain practices. Full details about the Settlement are on the website [www.haircaresettlement.ca](http://www.haircaresettlement.ca).

## **WHAT TYPE OF COMPENSATION CAN YOU RECEIVE?**

Vogue will provide to each individual Class Member that qualifies for Compensation the following:

- CDN \$4.00 for each Organix Product purchased in Canada during the Class Period, up to a total of CDN \$28 less any applicable deductions and adjustments as specified below.

For Quebec residents, it is understood that the *Fondsd'aide aux recours collectifs* will be entitled to claim 2% on each individual Compensation paid in money to Class Members.

For each Claimant who submits a valid Claim, Vogue shall provide payment as described above, so long as providing such Compensation does not exceed the Settlement Cap. If providing each Claimant with such Compensation will exceed the Settlement Cap, then in such circumstances each Claimant's Compensation shall be reduced on a *pro rata* basis.

### **HOW DO YOU ASK FOR A PAYMENT?**

To receive money, eligible Class Members must submit a claim form through the Settlement Website, by email, or by mail sent no later than **July 20, 2015**.

### **WHAT ARE YOUR OPTIONS?**

If you are a Class Member, you may (1) do nothing; (2) exclude yourself; (3) send in a Claim Form; and/or (4) object to the settlement. If you don't want to be bound by the settlement, you must exclude yourself. However, if you exclude yourself, you can't get a payment, but you can sue Vogue for these claims. If you stay in the Class, you may submit a Claim Form and/or object to the settlement.

### **WHAT ARE THE IMPORTANT DATES AND DEADLINES?**

A motion to approve the Settlement will be heard by the Superior Court of Quebec, 1 Notre Dame Street East, Montréal, Quebec on **May 25, 2015 at 3:00 P.M. in room 15.07**.

If the proposed Settlement is approved, it will be binding on all Class Members except those who timely opt out.

If you wish to opt out, you must no later than **June 19, 2015**: i) complete and submit by mail the Opt Out Form; ii) the Opt Out Form is available on the Settlement Website at [www.haircaresettlement.ca](http://www.haircaresettlement.ca). Class Members who want to opt out and who are residents of Quebec must IN ADDITION give written notice to the Clerk of the Superior Court of Quebec.

If you wish to object to the proposed settlement, you must send a written notice of objection to Class Counsel and Defence Counsel by no later than **May 15, 2015**. Your written objection should include: (a) your name, address, e-mail address and telephone number; (b) a brief statement of the reasons for your objection; and (c) whether you plan to attend at the hearing in person or through a lawyer, and if by lawyer, the name, address, e-mail address and telephone number of the lawyer. Class Members who do not oppose the proposed settlement need not appear at the settlement approval hearing or take any other action at this time.

### **WHEN SHOULD I MAKE A CLAIM?**

The Claim Form is available on the Settlement Website at [www.haircaresettlement.ca](http://www.haircaresettlement.ca). A Claim Form must be sent no later than **July 20, 2015**. The Claim form must be sent through the Settlement Website, by email, or by mail to: Vogue Settlement Canada c/o Borden Ladner Gervais LLP, attention Marie-Josée Grandmaître 1000, de la Gauchetière Street West, Suite 900, Montreal, Quebec, H3B 5H4. There will be no further notice in the newspapers of this Settlement Agreement.

### **WHEN DO I GET PAID?**

Cheques will only begin to be mailed to eligible Class Members for Compensation at the earliest starting on **September 1, 2015**, assuming that the Settlement is approved and that such judgment has become final.

### **HOW CAN YOU GET MORE INFORMATION?**

A complete copy of the Settlement Agreement and detailed information on how to obtain or file a Claim are available on the Settlement Website at [www.haircaresettlement.ca](http://www.haircaresettlement.ca). To obtain a paper copy or for any other information, please communicate with Class Counsel at the phone numbers below.

### **WHO REPRESENTS ME?**

The Class Counsel, or law firm representing the petitioner, is the following:

Jeff Orenstein  
**Consumer Law Group Inc.**  
1030 Berri St., Suite 102  
Montreal, Quebec, H2L 4C35  
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If there is a conflict between the provisions of this Notice and the Settlement Agreement and any of its Schedules, the terms of the Settlement Agreement shall prevail.

This notice has been approved by the Superior Court of Quebec.