

## NOTICE OF AUTHORIZATION OF A CLASS ACTION

TO: All persons residing in Quebec who were prescribed and have ingested the drug XARELTO® (rivaroxaban) since 2008, and their successors, assigns, family members, and dependants [the “Class”].

On July 22, 2020, the Superior Court of Quebec authorized a class action in the judicial district of Montreal in the case of *Gagnon vs. Bayer Inc. et al.*, court file no. 500-06-000732-152. The Representative Plaintiff is seeking compensatory and punitive damages against Bayer Inc. and other related entities (the “Defendants”) on behalf of the Class based on, *inter alia*, the allegation that the Defendants failed to warn against the risk of serious and irreversible bleeding allegedly associated with the use of the drug XARELTO®. The Defendants deny the allegations.

In deciding the merits of these claims, the Court will be called upon to answer the following common questions of law or fact:

1. Were the Defendants negligent in failing to provide a reasonable warning that XARELTO could cause serious and irreversible bleeding?
2. Does the manner in which the Defendants obtained market authorization for XARELTO or the manner in which they marketed XARELTO justify an award of punitive damages?

The Court has not yet ruled on the merits of the class action, nor on any compensation that may be awarded to class members.

As a class member, you have the right to intervene in the present class action, in the manner provided for by law. As a class member or an intervener, you cannot be called upon to pay the costs of the class action.

**If you wish to remain a class member, you have nothing to do.** If you wish to **opt-out**, you have until **December 17, 2020** to advise in writing the Registry (Greffé) of the Superior Court of Quebec, District of Montreal, at 1 Notre-Dame Street East, Montreal, Quebec, H2Y 1B6, by regular mail. A copy of your written opt-out should also be forwarded to Class Counsel (see coordinates below). If you do not exclude yourself from the class action, you will be bound by any judgment that is rendered in this case, whether successful or not. Please make sure to mention file no. 500-06-000732-152 in your correspondence. For further information, you may contact Class Counsel listed below or visit the Registry of class actions website at <https://www.registredesactionscollectives.quebec/en>.

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The publication of this notice to class members has been approved  
and ordered by the Superior Court of Quebec.