

## **If you purchased one or more canisters of All Day Energy Greens or All Day Energy Greens Fruity in 2014 or 2015, you could get benefits from a class action settlement.**

A Settlement has been reached with Bactolac Pharmaceutical, Inc. (“Bactolac”), NaturMed, Inc. (d/b/a Institute for Vibrant Living) (“NaturMed”), and Independent Vital Life, LLC (“IVL2”) in a class action lawsuit about the sale of certain voluntarily recalled lots of the dietary supplement All Day Energy Greens and All Day Energy Greens Fruity (collectively, “ADEG”) in 2014 and 2015.

**Who is Included?** You are a Settlement Class Member if you are a Person in the United States who purchased one or more canisters of ADEG that were manufactured as part of the Recalled Lots (see Long Form Notice at [www.NaturMedIVLSettlement.com](http://www.NaturMedIVLSettlement.com) for details and exclusions). The Recalled Lots are 99 lots included in the March 2016 voluntary product recall of ADEG conducted by NaturMed with the knowledge of the Food and Drug Administration. The lot numbers for the Recalled Lots are available on the Settlement Website.

**What Are the Settlement Terms?** The Defendants have agreed to pay \$1,725,000 into a Settlement Fund. Eligible Settlement Class Members will have the choice to claim a credit worth \$10.00 toward purchase of any IVL2 product, which will remain valid for three years, or \$5 cash. If, however, the number of claimants electing to receive the cash payment exceeds the \$100,000 Alternative Payment Fund, then each Settlement Class Member electing a cash payment shall receive a pro rata share. If monies remain in the Alternative Payment Fund after payment of \$5 to each Settlement Class Member electing a cash payment, the excess will be distributed pro rata to all such Settlement Class Members.

**How Can I Get a Payment?** To qualify for a Settlement payment or receive a Settlement Credit, you must complete and submit a Claim Form by **May 20, 2022**. You may submit a Claim Form by returning the form attached to the postcard you received in the mail notifying you of this Settlement, or you may use the online Claim Form available at [www.NaturMedIVLSettlement.com](http://www.NaturMedIVLSettlement.com). Claim Forms are also available by calling 1-844-563-0649 or by writing to: NaturMed/IVL Settlement Administrator, P.O. Box 3958, Baton Rouge, LA 70821.

### **Your Other Options.**

**Do Nothing:** If you do nothing, you will not get a payment or other benefits from this Settlement and you will give up certain legal rights allocated to Settlement Class Members.

**Opt-Out:** If you exclude yourself from the Settlement (opt-out), you will not get a payment or other settlement benefits. This is the only option that allows you to be part of any other lawsuit against the Released Parties, including the Settling Defendants, for the legal claims made in this lawsuit and released by the Settlement. You must mail your request for exclusion to the NaturMed/IVL Settlement Administrator **postmarked no later than April 11, 2022**.

**Object:** You may also object to any part of this Settlement by writing to the Court with reasons why you do not agree with the Settlement. Objections must be mailed to Class Counsel and Defense Counsel and **postmarked no later than April 11, 2022**.

Detailed instructions on how to exclude or object to the Settlement are available on the Settlement Website.

**Has the Court Approved the Settlement?** No. The Court will hold a Fairness Hearing at 3:00 p.m. on May 19, 2022, at the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, NY 11201. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. It will also consider whether to approve Class Counsel’s request for an award of attorneys’ fees and costs, as well as the class representative Plaintiffs’ service awards. If there are objections, the Court will consider them. The Court may listen to people who have asked to speak at the hearing. After the hearing, the Court will decide whether to approve the Settlement.

**How Do You Get More Information?** This notice is only a summary. To obtain a detailed information, find answers to common questions about the Settlement plus other information, including a copy of the Settlement Agreement, visit the Settlement Website.