

If you received a Hepatitis A vaccination, a blood test, or immune globulin (“IG”) shot in November 2015 after purchasing food or drink products at the McDonald’s restaurant located at 2500 Mound Road, Waterloo, New York, you could be eligible to share in a Class Action Settlement valued at \$250,000.

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

- You can make a claim for your share of \$250,000, if you submit a claim by **MAY 2, 2019** and qualify as a Class Member.
- Please read this Notice carefully. Your legal rights may be affected whether or not you act.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM BY MAY 2, 2019	You must submit a claim to receive a payment from the Settlement. See Question 5, 7 and 8 below.
EXCLUDE YOURSELF BY MAY 2, 2019	Excluding yourself from the Settlement Class is the only option that allows you individually to sue the Defendant about the claims in this case. See Questions 8, 9, and 14 for specifics.
OBJECT BY MAY 2, 2019	You can file an objection with the Court explaining why you disagree with the Settlement, the requested attorneys’ fees and litigation expenses, and/or the Class Representative awards. See Questions 8, 10, and 14 for specifics.
GO TO THE HEARING ON JUNE 18, 2019	Ask to speak to the Court about the Settlement. See Questions 8, 10, and 14 below.
DO NOTHING	If you do nothing, then you will not receive payment from the Settlement and you will give up any rights you currently may have to separately sue the Defendant for the conduct that is the subject of this litigation.

1. Why should I read this Notice?

This Notice explains your rights and options in the proposed settlement of the lawsuit entitled *Welch, et al., v. Jascor, Inc., d/b/a McDonald’s Restaurant*, INDEX NO. 49796-2016, pending in the State of New York Supreme Court in the County of Seneca (the “Settlement”). To be eligible to receive a share of the Class Fund, you must follow the steps described in this Notice and submit a valid and timely claim no later than **MAY 2, 2019**. To ask to be excluded (opt-out) or to object to the Settlement, you must follow the steps described in this Notice no later than **MAY 2, 2019**.

2. What is the lawsuit about?

The Defendant in this litigation is Jascor, Inc., doing business as McDonald's Restaurant (the "Restaurant") located at 2500 Mound Road, Waterloo, New York 13165 (the "Waterloo McDonald's").

Plaintiffs' named representative, Christopher Welch, acting on behalf of himself and others similarly situated, has asserted claims against the Defendant concerning a potential exposure that occurred at the Waterloo McDonald's where an employee was confirmed to have been infected with Hepatitis A virus ("HAV").

On November 13, 2015, the Seneca County Health Department and the New York State Department of Health (jointly referred to as "DOH") announced that they had confirmed a case of Hepatitis A in a food service worker employed at the McDonald's located at 2500 Mound Rd., Waterloo, NY. The announcement stated that public health officials were stressing that there was a low risk of contracting illness, however, individuals who had not been previously vaccinated for Hepatitis A and who consumed food/drink from the McDonald's on October 31, November 2, 3, 5, 6 or 8, 2015 should consider treatment and attend a free clinic.

The Plaintiffs have asserted in this litigation class claims for breach of warranties and negligence to recover damages for physical injury and economic loss arising from obtaining IG and/or HAV vaccinations, in response to the DOH alert described above.

The Defendant expressly denies any wrongdoing and does not admit or concede any actual or potential fault, wrongdoing or liability in connection with any facts or claims that have been or could have been alleged against them in the litigation but consider it desirable for this litigation to be settled and dismissed.

3. Who is covered by the Class?

For the purposes of the Settlement, the Class is defined as follows:

All persons who (1) consumed food or drink products between October 31, 2015 and November 8, 2015 (the "Class Period") purchased from the restaurant owned by Defendant Jascor, Inc., d/b/a McDonald's located at 2500 Mound Road, Waterloo, NY 13165 (the "Restaurant"); (2) subsequently obtained an HAV blood test, an immune globulin (IG) or Hepatitis A virus (HAV) vaccine within 14 days of consuming food or drink products purchased from the Restaurant during the Class Period; and (3) did not afterwards become infected with the Hepatitis A virus.

Persons employed at the Restaurant during the Class Period are excluded from the Class.

4. How Much Money Will I Receive?

The relief to the Class provides for payment of general damages to each Class Member who submits a timely, qualified claim for general damages ("Claimant"). Each Qualified Claimant will receive as general damages a pro-rata share of the aggregate class amount of \$250,000.00 ("Class Fund").

5. Am I a Qualified Claimant?

To be a Qualified Claimant, you must (a) be a Class Member as defined above in Question 3; (b) submit a complete and signed claim form that attests under penalty of perjury to your membership in the Class, your receipt of an HAV vaccination, HAV blood test or IG shot ("Treatment"), and that you did not previously have HAV or that you did not previously receive an HAV vaccination prior to November 2015; and (c) if the

Treatment was not provided by the DOH, then your claim form must be submitted with documentation from your medical provider showing your receipt of Treatment.

6. Will there be Compensation Paid to the Named Representative?

In addition to the above, the named representative, Christopher Welch, will receive \$1,000.00 in compensation paid out of the Settlement Fund.

7. How do I make a claim?

To make a Qualified Claim, you must submit a completed and signed claim form. Your claim must be received by the Class Administrator on or before **MAY 2, 2019**. A claim form can be obtained by downloading the form at **www.WaterlooHepA.com** or by calling **1-800-741-4925**.

If the Treatment was not provided by the DOH, then you will need to show receipt of HAV vaccine, blood tests or IG shot by providing treatment documentation from a medical provider. Return your completed claim by mail, fax or email to the Class Administrator so that it is received no later than **MAY 2, 2019**. To return your claim by fax, the Class Administrator's fax number is: 1-888-836-1124. To return your claim by email, send your signed and scanned document to: **claims@WaterlooHepA.com**. The mailing address of the Class Administrator is:

Waterloo Hep-A Settlement
c/o The Notice Company
P.O. Box 778
Hingham, MA 02043

You must complete and submit a separate claim form for each person who received a blood test and IG shot, or an HAV vaccine. **FAILURE TO SUBMIT A VALID AND TIMELY CLAIM FORM SO THAT IT IS RECEIVED BY MAY 2, 2019 WILL BAR YOU FROM RECEIVING PAYMENT FROM THE SETTLEMENT.**

8. What are my options?

In order to receive a portion of the Settlement, you must submit a valid claim form so that it is received by **MAY 2, 2019**. You will not be charged anything individually to remain in the Class. Alternatively, you may exclude yourself from the Class as described below. **If you exclude yourself from the Class, you may not submit a claim form.**

Any potential class member who wishes to do so may object to the proposed settlement and/or enter an appearance in this litigation through his or her own attorney but must pay separately for the fees and expenses incurred by that attorney. Should you decide to enter an appearance in this litigation, however, you must still submit a qualified and timely claim form in order to receive payment.

If you choose to do nothing, then you will not receive payment from the Settlement and you will give up any rights you currently may have separately to sue the Defendant for the conduct that is the subject of this litigation.

9. Can I exclude myself from the Class?

Yes. You can exclude yourself from the Class. If you exclude yourself from the Class, you may not submit a claim and you will not be entitled to receive payment from this Settlement. Any person who would otherwise be a member of the Class may be excluded from the Class and from the Settlement by mailing a written request for exclusion to the Class Administrator to the following address:

Exclusions - Waterloo Hep-A Settlement
c/o The Notice Company
P.O. Box 778
Hingham, MA 02043

To be valid, your exclusion request must be received no later than **MAY 2, 2019**. Your request for exclusion must (a) state your full name and mailing address, (b) be signed and dated, and (c) state that you request to be “Excluded from the Waterloo McDonald’s Hepatitis-A Class Action (Index No. 49796-2016) in the State of New York”. A member of the Class submitting such a request will be deemed excluded from the Class and from this Settlement.

Any potential member of the Class who does not file a timely written request for exclusion will be bound by the Settlement and all subsequent proceedings, orders and judgments in this lawsuit, even if that member of the Class does not submit a claim.

10. Can I object to the Settlement?

Any member of the Class who has not filed a written request for exclusion and who wishes to object to the fairness, reasonableness, or adequacy of the Settlement must serve a notice of intent to appear and/or object, together with copies of any papers the member of the Class intends to present to the Court in connection with such objection, on the Class Counsel and Defendant’s Counsel, no later than **MAY 2, 2019**.

A copy of the notice of intent to appear and/or object and any accompanying papers must also be filed with the Court no later than **MAY 2, 2019**.

COURT ADDRESS: Seneca County Supreme Court
48 West Williams Street
Waterloo, NY 13165

CLASS COUNSEL ADDRESSES: Paul V. Nunes, Esquire
Underberg & Kessler LLP
300 Bausch & Lomb Place
Rochester, NY 14604

William D. Marler, Esquire
Marler Clark, LLP, PS
1012 First Ave, Fifth Floor
Seattle, WA 98104

DEFENDANT’S COUNSEL ADDRESS: Cheryl A. Possenti, Esquire
Goldberg Segalla
665 Main Street
Buffalo, NY 14203-1425

Class members may make such appearances or objections either on their own or through attorneys hired at their own expense. If an attorney will represent any such Class member, he or she must (i) file a notice of appearance with the Court no later than **MAY 2, 2019**, and (ii) serve a copy on the Class Counsel and on the Defendant’s Counsel. Any such Class Member or their counsel may, with notice, obtain access at the offices of Underberg & Kessler LLP, at the address listed above, to the complaints and answers thereto, if any, filed

in this litigation and any orders entered in this litigation, and to such additional pleadings as may be agreed by the Defendant's Counsel and the Class Counsel.

Only those Class Members who follow the procedures set forth above may appear at the Final Approval Hearing and/or have their objections considered by the Court. If you do not file an objection by **MAY 2, 2019**, you will not be entitled to be heard at the Final Approval Hearing, or to otherwise contest the approval of the Settlement, or to appeal from any orders or judgments of the Court entered thereon.

Any Class Member who does not appear individually or through counsel and/or who does not challenge the fairness, reasonableness or adequacy of the Settlement will be deemed to have waived and forfeited any and all rights that he or she may have to appear separately and/or object.

11. Who represents the class?

The Court has designated Christopher Welch as the named representative for Class. The Court has appointed Underberg & Kessler, LLP and Marler Clark, LLP, PS, as the Class Counsel. If you have any questions for the Class Counsel, you may write to them at the addresses listed above.

12. Who pays the attorneys' fees and costs?

Members of the Class are not responsible for paying the attorney fees or expenses of Class Counsel. The Defendant will pay Class Counsel's fees and costs, which will be capped at \$37,500 (15% of \$250,000). This amount is in addition to the General Damages to be paid to Qualified Claimants

13. What are the reasons for the Settlement?

The Class Representative and the Class Counsel support the proposed Settlement because they believe it provides for prompt, efficient, and fair relief to the Class. In ultimately deciding to recommend this Settlement, the Class Counsel considered the relative risks, costs, and benefits to the Class of settlement or continuing litigation. The Class members incur no risk or cost in obtaining the proposed relief.

14. What is the Settlement approval procedure?

The Court will hold a Final Approval Hearing on **JUNE 18, 2019 at 2:00 p.m.** The address of the Seneca County Supreme Court is 48 West Williams Street, Waterloo, NY 13165. At the hearing, the Court will consider whether the proposed Settlement should be granted final approval as fair, reasonable and adequate. The Parties will request that the Court enter a Final Judgment Order.

You may attend this hearing if you wish, but you are not required to do so in order to participate in the Settlement. You may also seek to intervene individually or to object to the Settlement by following the procedures described above.

Class Members will have the right to be excluded or to object to the proposed Settlement in the manner described above.

The Court's determination on the final approval of the proposed Settlement will be binding on all Class members. If the Court grants final approval of the Settlement, the judgment will release the Defendant from all claims for damages by persons who meet the class definition.

The compensation included in the Settlement covers three primary components: (1) an award to qualifying class members to compensate for general damages; (2) compensation for the class representative; and (3) the Defendant's payment of attorneys' fees and costs. This release will bar any further suit on the settled claims by or on behalf of the Class Members, and any persons claiming by or through them, including heirs, assigns, administrators, devisees, successors, attorneys, or representatives of any kind.

If the Court does not approve the Settlement, the case will proceed as active litigation.

15. Where do I get additional information?

The foregoing is only a summary of the circumstances surrounding the litigation, the claims asserted, the proposed Settlement, and related matters. Additional information is available at **www.WaterlooHepA.com**. You may seek the advice and guidance of your own private attorney, at your own expense, if you desire.

If you wish to communicate with the Class Counsel identified above or wish to obtain relevant Court documents, you may do so by writing to the Class Counsel at the address listed above.

**PLEASE DO NOT CONTACT THE COURT
WITH INQUIRIES ABOUT THE SETTLEMENT**