

**NOTICE OF PENDENCY OF CLASS ACTION**

**If You Purchased Certain Bigelow Tea Products  
in New York, A Class Action May Affect Your Rights**

*A federal court authorized this notice. This is not a solicitation from a lawyer.  
Please read this Notice carefully and in its entirety.*

- A lawsuit is pending in the United States District Court for the Eastern District of New York (the “Court”) against Defendant R.C. Bigelow, Inc. The lawsuit is known as *Newton, et al. v. R.C. Bigelow, Inc.*, Case No. 2:22-cv-05660-LDH-SIL (the “Action”).
- Plaintiffs allege certain Bigelow tea products were falsely and deceptively labeled as Manufactured in the USA.
- R.C. Bigelow denies Plaintiffs’ claims and will defend itself at trial. There is no money available now, and no guarantee that there will be. However, your legal rights are affected, and you have a choice to make now. Please read this notice carefully.
- The Court certified the following two Classes:

**Camellia Sinensis Class**

All natural persons who purchased at least one 18/20 count box of Bigelow Earl Grey Black Tea Caffeine, Green Tea Caffeine, Constant Comment Black Tea Caffeine, Green Lemon Tea Caffeine, Vanilla Chai Black Tea Caffeine, English Tea Time Black Tea Caffeine, Spiced Chai Black Tea Caffeine, French Vanilla Black Tea Caffeine, or Vanilla Caramel Black Tea Caffeine, labeled as “Manufactured in the USA 100% American Family Owned” at a retail store in the State of New York, at any time from February 20, 2020 to August 5, 2021.

**Herbal Tea Class**

All natural persons who purchased at least one 18/20 count box of Bigelow Cozy Chamomile, Lemon Ginger, Lavender Chamomile, Sweet Dreams, or Orange & Spice, labeled as “Manufactured in the USA 100% American Family Owned,” at a retail store in the State of New York at any time from February 20, 2020 to August 5, 2021.

YOUR LEGAL RIGHTS AND OPTIONS	
<b>DO NOTHING</b>	By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. But, you give up any rights to sue R.C. Bigelow separately about the same legal claims in this lawsuit.
<b>EXCLUDE YOURSELF FROM ONE OR BOTH OF THE CLASSES BY NOVEMBER 3, 2025</b>	If you ask to be excluded and money or benefits are later awarded, you won’t share in those. But, you keep any rights to sue R.C. Bigelow separately about the same legal claims in this lawsuit.

Questions? Visit [www.NYTeaClassAction.com](http://www.NYTeaClassAction.com) or call toll-free at 1-877-206-2315

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## BASIC INFORMATION

### 1. Why should I read this Notice?

You may be a part of a class action lawsuit that is now pending against R.C. Bigelow, Inc. in the United States District Court for the Eastern District of New York, entitled *Newton, et al. v. R.C. Bigelow, Inc.*, Case No. 2:22-cv-05660-LDH-SIL (the “Action”). The Action has been certified by the Court to proceed as a class action on behalf of a group of consumers who purchased certain Bigelow tea products.

The persons who sued are called the “Plaintiffs” and the company they sued, R.C. Bigelow, Inc., is called the “Defendant” or “R.C. Bigelow.” Plaintiffs brought this lawsuit on behalf of two Classes of other consumers in New York who similarly purchased certain Bigelow tea products.

### 2. Am I part of the Classes?

You are a Class member if you fall within the below Court-certified class definitions:

#### **Camellia Sinensis Class**

All natural persons who purchased at least one 18/20 count box of Bigelow Earl Grey Black Tea Caffeine, Green Tea Caffeine, Constant Comment Black Tea Caffeine, Green Lemon Tea Caffeine, Vanilla Chai Black Tea Caffeine, English Tea Time Black Tea Caffeine, Spiced Chai Black Tea Caffeine, French Vanilla Black Tea Caffeine, or Vanilla Caramel Black Tea Caffeine, labeled as “Manufactured in the USA 100% American Family Owned” at a retail store in the State of New York, at any time from February 20, 2020 to August 5, 2021.

#### **Herbal Tea Class**

All natural persons who purchased at least one 18/20 count box of Bigelow Cozy Chamomile, Lemon Ginger, Lavender Chamomile, Sweet Dreams, or Orange & Spice, labeled as “Manufactured in the USA 100% American Family Owned,” at a retail store in the State of New York at any time from February 20, 2020 to August 5, 2021.

### 3. I’m still not sure if I am included?

If you are still not sure whether you are a Class member, you can get free help at [www.NYTeaClassAction.com](http://www.NYTeaClassAction.com) or by calling or writing to the lawyers in this case, at the phone number or address listed in question 11 below.

## THE CLAIMS IN THE LAWSUIT

### 4. What claims are alleged in this class action lawsuit?

In this class action, Plaintiffs allege that the Bigelow tea products identified in question 2 above were falsely and deceptively labeled as Manufactured in the USA based on the representation “Manufactured in the USA 100% American Family Owned” made on the tea cartons. Plaintiffs assert claims against Bigelow under N.Y. Gen. Bus. Law sections 349 and 350.

**5. How does R.C. Bigelow answer?**

R.C. Bigelow denies that it did anything wrong. R.C. Bigelow's Answer to the operative Complaint is posted to the case website at [www.NYTeaClassAction.com](http://www.NYTeaClassAction.com).

**6. Has the Court decided who is right?**

The Court hasn't decided whether the Plaintiffs or R.C. Bigelow are correct. By certifying the Classes and authorizing this Notice, the Court is not suggesting which side will win or lose this case.

**7. What are the Plaintiffs asking for?**

The Plaintiffs are asking for monetary damages owed to the Classes.

**8. Is there any money available now?**

No money or benefits are available now because the Court has not yet decided whether R.C. Bigelow did anything wrong, and the two sides have not settled the case. There is no guarantee that money or benefits will be obtained. If they are, you will be notified about how to ask for a share.

**YOUR RIGHTS AND OPTIONS**

Class members may: (1) do nothing or (2) ask to be excluded ("Opt-Out") from one or both of the Classes.

**9. What happens if I do nothing at all?**

If you do nothing, then you will remain in the Classes, and you will be bound by all past, present, and future orders, findings, and judgments in this Action, whether favorable or unfavorable. If any money is awarded to the Classes, either through settlement or judgment after trial, you may be entitled to receive a share of that award. If R.C. Bigelow prevails in whole or in part on any issues or claims in the Action, you will be bound by that outcome. By staying in the Classes, you will give up your right to sue R.C. Bigelow for the claims in this case.

**10. How do I exclude myself from the one or both of the Classes?**

If you are a member of the Classes defined in question 2 and choose to be excluded from one or both of the Classes, you must notify the class administrator (address below) in writing. By doing so, you will "Opt-Out" of this Action. If you properly Opt-Out, you will not be bound by any orders, findings, and judgments in this Action, and you may individually sue R.C. Bigelow with regard to the issues in this Action. You will not, however, be entitled to receive a share of any award of money that may be recovered on behalf of the Classes.

To Opt-Out of one or both of the Classes, you must send a written request either by email or mail and include: (a) a statement that "I wish to opt-out of the "Camellia Sinensis Class" or the "Herbal Tea Class" or the "Camellia Sinensis and Herbal Tea Classes" in *Newton, et al. v. R.C. Bigelow, Inc.*" or words to similar effect that make clear your intention to be excluded from one or both of the Classes, (b) your name, email address, telephone number, and mailing address, and (c) your

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personal signature and the date. To be timely, your request for exclusion must be either emailed to [info@NYTeaClassAction.com](mailto:info@NYTeaClassAction.com) or mailed and postmarked on or before **November 3, 2025**, to the following address:

NY Tea Class Action  
c/o JND Legal Administration  
P.O. Box 91308  
Seattle, WA 98111

### **THE LAWYERS REPRESENTING YOU**

#### **11. Do I have a lawyer in this case?**

The Court decided that the law firms of Schneider Wallace Cottrell Konecky LLP and The Wand Law Firm P.C. are qualified to represent you and all Class members. Together the law firms are called “Class Counsel.” They are experienced in handling similar cases. Class Counsel’s contact information is below:

<p>Todd Schneider and Jason Kim <b>SCHNEIDER WALLACE COTTRELL KONECKY LLP</b> 2000 Powell Street, Suite 1400 Emeryville, CA 94608</p> <p>Telephone: (415) 421-7100 <a href="http://www.schneiderwallace.com">www.schneiderwallace.com</a></p>	<p>Aubry Wand <b>THE WAND LAW FIRM, P.C.</b> 100 Oceangate, Suite 1200 Long Beach, CA 90802</p> <p>Telephone: (310) 590-4503 <a href="http://www.wandlawfirm.com">www.wandlawfirm.com</a> Email: <a href="mailto:bigelowteaclassaction@gmail.com">bigelowteaclassaction@gmail.com</a></p>	<p>Daniella Quitt <b>GLANCY PRONGAY &amp; MURRAY LLP</b> 745 Fifth Avenue, 5th FL New York, NY 10151</p> <p>Telephone: (212) 935-7400</p>
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#### **12. Should I get my own lawyer?**

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to pay that lawyer. For example, you can ask your own lawyer to appear in Court for you if you want someone other than Class Counsel to speak for you.

#### **13. How will the lawyers be paid?**

If Class Counsel recover money or benefits for the Classes, they may ask the Court for fees and expenses. Class Counsel have agreed to represent the Classes on a contingency basis, which means that they will be awarded attorneys’ fees and costs, subject to approval by the Court, only if they obtain a recovery for the Classes from R.C. Bigelow either through settlement or judgment after trial. You will not be individually responsible for paying any attorneys’ fees or costs to Class Counsel regardless of whether there is any recovery for the Classes.

### **THE TRIAL**

#### **14. How and when will the Court decide who is right?**

The Court has not yet set a trial date. If a trial occurs, it will take place in the United States  
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District Court for the Eastern District of New York, located at 225 Cadman Plaza East Brooklyn, New York 11201, in Courtroom 4H North. During the trial, a jury will hear evidence to help them reach a decision about whether the Plaintiffs or R.C. Bigelow are right about the claims in the lawsuit. For updates, please visit [www.NYTeaClassAction.com](http://www.NYTeaClassAction.com).

**15. Do I have to come to the trial?**

You do not need to attend the trial. Class Counsel will present the case for the Plaintiffs, and R.C. Bigelow will present the defenses. You or your own lawyer are welcome to come at your own expense.

**16. Will I get money after the trial?**

If the Plaintiffs obtain money or benefits as a result of the trial or a settlement, you will be notified about how to participate. We do not know how long this will take.

**GETTING MORE INFORMATION**

**17. Are more details available?**

This Notice summarizes the Action. For more information, you can contact Class Counsel at the information listed in question 11, or access the Court docket in this case, through the Court's Public Access to Court Electronic Records (PACER) system. You can also visit the website [www.NYTeaClassAction.com](http://www.NYTeaClassAction.com) or call the class administrator at 1-877-206-2315.

**PLEASE DO NOT CONTACT THE COURT TO INQUIRE ABOUT THIS CASE**