

If You Purchased Vitamin C Since 2001 You Could Be Affected by a Class Action Lawsuit and Settlement

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

- There is a class action lawsuit about whether Chinese vitamin C (ascorbic acid) manufacturers (“Defendants”) conspired to fix and raise prices. The lawsuit seeks money for people who bought capsules or tablets containing vitamin C in certain states.
- The Court has previously approved Settlements with Defendants Aland (Jiangsu) Nutraceutical Co., Ltd. (“Aland”) and Northeast Pharmaceutical Group Co., Ltd. (“NEPG”). A Settlement has now been reached with Weisheng Pharmaceutical Co., Ltd. and CSPC Pharmaceutical Group Limited., formerly known as China Pharmaceutical Group, Ltd., (collectively, “Weisheng”) for \$2.2 million.
- The lawsuit continues against Hebei Welcome Pharmaceutical Co. Ltd. This notice summarizes your rights and options with regard to the Settlement with Weisheng.

YOUR LEGAL RIGHTS AND OPTIONS:		
YOU MAY:		DUE DATE:
GO TO A HEARING	See Questions 21–22.	Received by April 26, 2014 .
OBJECT	See Question 14.	Received by April 16, 2014 .
DO NOTHING	See Question 12.	No action required.
EXCLUDE YOURSELF	See Question 10.	Postmarked by April 16, 2014 .

- These rights and options—**and the deadlines to exercise them**—are explained in this notice.
- Your legal rights are affected whether you act or don’t act. Read this notice carefully.

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BASIC INFORMATION

1. Why did I get this notice?

You may have purchased tablets or capsules containing vitamin C since December 1, 2001. This class action lawsuit and Settlement relates to those purchases. This notice explains that there is a proposed Settlement with a vitamin C manufacturer. You have a right to know about the lawsuit and have legal rights and options that you may exercise before the Court decides whether to approve the Settlement.

Judge Brian Cogan of the United States District Court for the Eastern District of New York is overseeing this class action. The lawsuit is known as *In re Vitamin C Antitrust Litigation*, No. 1:06-MD-01738.

2. What is this lawsuit about?

This lawsuit claims the vitamin C manufacturers conspired to fix, raise, maintain, or stabilize prices of vitamin C, limited the supply of vitamin C, and overcharged customers who purchased vitamin C. You can read the Plaintiffs' Class Action Complaints at www.vitaminCantitrust.com. The vitamin C manufacturers deny they did anything wrong or illegal. They present several defenses, including that they were compelled to agree on prices by the government of the People's Republic of China. The Chinese government has advised the Court that the Companies were required by that Government to engage in the challenged conduct as part of its sovereign regulation of the Chinese economy. The Court has already determined, in a Memorandum Decision and Order dated September 6, 2011, that the defendants were not required to fix prices by the Chinese government.

Companies who bought vitamin C directly from the Defendants recently brought their claims before a jury during a three-week trial. At the conclusion of the trial, the jury found that the Non-Settling Defendants (Hebei Welcome Pharmaceutical Company, Ltd. and North China Pharmaceutical Group Corp.) knowingly entered into an agreement or conspiracy to fix the price or limiting supply of vitamin C.

3. What is a class action?

In a class action, one or more individuals or companies called "class representatives" sue on behalf of themselves and other people who have similar claims. All these individuals or companies are a "class" or "class members."

The people who sued—and all the class members like them—are called the plaintiffs. The companies they sued are called the defendants. One court will resolve the issues for all class members in a class action, except for those who exclude themselves from the class.

4. Who are the Defendants?

The Defendants are Hebei Welcome Pharmaceutical Company, Ltd., Weisheng Pharmaceutical Company Ltd., Northeast Pharmaceutical Group Co., Ltd., and Aland (Jiangsu) Nutraceutical Co., Ltd.

(formerly Jiangsu Jiangshan Pharmaceutical Co., Ltd.) and certain of their affiliated companies: Shijiazhuang Pharmaceutical (USA) Inc., and China Pharmaceutical Group, Ltd.

Weisheng has recently agreed to a Settlement. Aland and NEPG have previously agreed to Settlements.

Weisheng denies it did anything wrong and presented a number of defenses to Plaintiffs' claims but has settled to avoid the cost and risk of a trial.

5. Why is there a Settlement?

Weisheng and the Plaintiffs agreed to the Settlement to lessen the cost and risk of a trial and ensure that money is recovered for the Class Members. The Class Representatives and Class Counsel think the Settlement is best for all Class Members. The case continues against the Non-Settling Defendant until all appeals are resolved.

WHO IS INCLUDED IN THE CLASS?

6. How do I know if I am part of the Class?

You are included if you:

- Purchased capsules or tablets containing vitamin C;
- For use or consumption and not for resale;
- Between December 1, 2001, and June 30, 2006; and
- Currently live in and your purchase was made in one of the following 20 states or the District of Columbia: Arizona, California, Florida, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Mexico, New York, North Carolina, North Dakota, South Dakota, Tennessee, Vermont, West Virginia, or Wisconsin.

The Defendants, their parent companies, subsidiaries, affiliates, co-conspirators, and government entities are excluded from all Classes. The Plaintiffs are not seeking damages for purchases after June 30, 2006, and any purchaser who incurred damages after this date risks giving up those claims by remaining in the Class.

7. I'm still not sure if I am included.

If you are still not sure whether you are a Class Member, you can ask for free help. See Question 23 below. You are not required to pay anyone to assist you in making a claim.

THE SETTLEMENT BENEFITS

8. What does the Settlement provide?

Under the Settlement, Weisheng will pay \$2.2 million to the Class.

9. How are the funds going to be distributed?

Because there are millions of Class Members, a direct cash distribution to Class Members is not practical. Instead, the Settlement Fund will be distributed on behalf of the Class to charitable, not-for-profit, or governmental organizations approved by the Court. Class Counsel will recommend that the Fund be distributed one-third each to Vitamin Angels, the State Center, and the American Antitrust Institute. Additional information can be found on the website at www.vitaminCantitrust.com.

If you wish to object to this division of money, called the Plan of Allocation, you must file your objection by **April 16, 2014** as described in Question 14 below.

EXCLUDING YOURSELF

If you are a Class Member and you want to keep the right to sue or continue to sue Weisheng on your own for damages, you must take steps to get out of the Class. This is called excluding yourself – or sometimes called “opting out.”

10. What does it mean to exclude myself from the Class?

It is important to know what rights you give up and keep if you exclude yourself.

If you are included in the Class Definition (see Question 6) and you want to sue Weisheng separately about the related claims in this lawsuit, you must exclude yourself from the Class. If you exclude yourself, you can sue Weisheng separately.

If you exclude yourself from a Class, you will not be legally bound by the Court’s judgments concerning that Class.

If you start your own lawsuit against Weisheng after you exclude yourself, you’ll have to hire and pay your own lawyer for that lawsuit, and you’ll have to prove your claims. If you do exclude yourself so you can start or continue your own lawsuit against Weisheng, you should talk to your own lawyer soon, because your claims may be subject to legal time limits.

11. How do I ask the Court to exclude me from the Class?

To ask to be excluded from the Class, you must send an “Exclusion Request” in the form of a letter sent by mail, stating the following:

- That you want to be excluded from *In re Vitamin C Antitrust Litigation*;
- That you want to be excluded from the Settlement Class;
- All trade names or business names that you have used; and
- Your name, address, telephone number, and signature.

You must mail your Exclusion Request postmarked by **April 16, 2014**, to: Vitamin C Settlement, Rust Consulting, Inc., PO Box 2717, Faribault, MN 55021-9717.

YOUR OTHER RIGHTS AND OPTIONS

12. What happens if I do nothing at all?

If you do nothing now, you will stay in the Class.

13. What rights do I give up if I stay in the Class?

When you stay in the Class—whether you file a claim or do nothing—your rights are still affected. If you stay in the Class, you will not be able to sue or continue to sue Weisheng—as part of any other lawsuit—for damages related to price-fixing of vitamin C purchased indirectly from the Defendants.

If you want to keep the right to sue for damages after June 30, 2006, you must exclude yourself. The Settlement Agreement with Weisheng, available at www.vitaminCantitrust.com, describes the exact legal claims against Weisheng that you give up if you stay in the Class.

14. How do I object to or comment on the Settlement?

If you have comments about or disagree with any aspect of the Weisheng Settlement, including the maximum attorneys' fees that may be requested or use of Settlement Fund to pay administration and litigation costs and expenses, you may express your views to the Court by writing to the address below. The written objection needs to include the following:

- Your name, address, telephone number, and signature;
- The case name and number (*In re Vitamin C Antitrust Litigation* No. 1:06-MD-01738);
- A brief explanation of your reasons for objecting; and
- Proof of your membership in the Class, such as invoices showing that you satisfy the definition in Question 6.

The objection must be filed with the Court at the following address, and must be received by **April 16, 2014**:

Clerk of Court
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

You must also mail a copy of the objection to the following attorneys:

Daniel E. Gustafson Gustafson Gluek, PLLC	Athena Hou Zelle Hofmann Voelbel & Mason LLP
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Canadian Pacific Plaza 120 South Sixth Street, Suite 2600 Minneapolis, MN 55402	44 Montgomery Street Suite 3400 San Francisco, CA 94104
<i>Class Counsel for the Settlement Class</i>	<i>Counsel for Weisheng Pharmaceutical Co., Ltd. and CSPC Pharmaceutical Group Limited.</i>

15. What's the difference between excluding myself and objecting to the Settlement?

If you exclude yourself from the Class, you are telling the Court that you don't want to be part of the Settlement, and therefore, you will not receive any benefits from it. Objecting simply means telling the Court that you don't like something about the Settlement. You can only object to the Settlement if you remain in the Class. If you exclude yourself, you have no basis to object to the Settlement because the case no longer affects you.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

The Court decided that the law firms of Saveri & Saveri, Inc., Straus & Boies, LLP and Gustafson Gluek PLLC are qualified to represent all members of the Class.

Together these law firms are called "Class Counsel." They are experienced in handling similar cases. More information about these law firms, their practices, and their lawyers' experience is available at www.straus-boies.com and www.gustafsongluek.com.

17. 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 him or her to appear in Court for you if you want someone other than Class Counsel to speak for you.

18. How will the lawyers be paid?

Class Counsel will ask the Court for up to 33% of the \$2.2 million of the Settlement Fund for attorneys' fees, plus expenses. You won't have to pay these fees and expenses personally. If the Court grants Class Counsel's request, the fees and expenses would be deducted from the Settlement Fund.

If Class Counsel later gets more money or benefits for the Class, they may ask the Court for additional fees and expenses, which would be either deducted from any money obtained or paid separately by the Defendants.

19. Will the Class Representatives be paid?

Class Counsel may ask the Court to allow incentive awards of up to \$500 for each of the Class Representatives.

THE COURT'S FAIRNESS HEARING FOR THE SETTLEMENT

The Court will hold a hearing to decide whether to approve the Settlement, the Plan of Allocation, and the request for attorneys' fees and expenses. You may attend, and you may ask the Court's permission to speak (see Question 22 for instructions), but you don't have to participate in the hearing in order to attend.

20. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Fairness Hearing at **10:00 a.m. on May 16, 2014**, in Courtroom 8D South at the U.S. Courthouse, 225 Cadman Plaza East, Brooklyn, NY 11201. At this hearing, the Court will consider whether the Proposed Settlement is fair, reasonable, and adequate; whether to approve the Plan of Allocation; and whether to award attorneys' fees and expenses. If there are objections, the Court will consider them. Judge Cogan will listen to Class Members who have asked to speak at the hearing (see Question 22). After the hearing, the Court will decide whether to approve the Settlement, the Plan of Allocation, and the request for attorneys' fees and expenses.

The Court may change the time and date of the Fairness Hearing. Notice of any change will be posted at the courthouse or on the Court's website and on www.vitaminCantitrust.com.

21. Do I have to come to the hearing?

No. Class Counsel will answer questions Judge Cogan may have. But, you are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as the Court received your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

22. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. If you wish to do so, you are encouraged to send a letter stating the following:

- "Notice of Intention to Appear in *In re Vitamin C Antitrust Litigation*";
- The position you will take and your reasons;
- Your name, address, telephone number, and signature; and
- Proof of your membership in the Class, such as invoices showing that you satisfy the definition in Question 6.

Your Notice of Intention to Appear must be filed with the Court at the following address, **and received by April 26, 2014**:

Clerk of Court
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

You must also mail a copy of the notice to the attorneys listed in Question 14.

GETTING MORE INFORMATION

23. Are more details available?

Yes. Visit the website, www.vitaminCantitrust.com, where you will find the Class Action Complaints that the Plaintiffs submitted, the Defendants' Answers to the Complaints, and other relevant documents. You may also call 1-866-684-9673 or write to: Vitamin C Settlement, Rust Consulting Inc., PO Box 2717, Faribault, MN 55021-9717.