

NOTICE OF HEARING ON CLASS CERTIFICATION AND SETTLEMENT APPROVAL

Have you purchased Korean Ramen Noodles between May 1, 2001 and December 31, 2010:

This notice may affect your rights. Please read carefully.

Two proposed class action lawsuits, *Kozma et al. v. Nong Shim Co., Ltd., et al.* and *Jooli Park v. Nong Shim Co. Ltd et al.*, were filed in the Supreme Court of British Columbia and the Ontario Superior Court of Justice, respectively. These proposed class actions regard allegations that the manufacturers of Korean Ramen Noodles, including Nong Shim, Ottogi, Paldo, Korea Yakult, and Samyang, conspired to illegally fix, raise, maintain, and/or stabilize the price of instant noodle soup, including branded bag, pouch, cup or bowl ramen (“Korean Ramen Noodles”).

Defendant Samyang Foods Co., Ltd., while not admitting liability, has agreed to consent to the certification of the *Kozma* Action and the *Park* Action as class actions for settlement purposes and has agreed to settle the *Kozma* Action and the *Park* Action. The proposed class actions will be heard for certification as against the settling Defendant Samyang Foods Co, Ltd., for the purposes of implementing the settlement agreement. For a copy of the settlement agreement, or for more information, please contact Class Counsel or the Claims Administrator listed below.

Who is a Class Member and Potentially Eligible to Participate in the Settlement?

The proposed class includes all persons resident in British Columbia, Ontario, or elsewhere in Canada, who purchased, either directly or indirectly, Korean Ramen Noodles in Canada between May 1, 2001 and December 31, 2010. You are affected by the proposed class actions and are a “member” of the BC Class or Ontario Class if you purchased Korean Ramen Noodles in Canada during the relevant period made by any of the following companies: Nong Shim, Ottogi, Paldo, Korea Yakult, and Samyang.

The proposed BC Class includes BC residents with a right to Opt-Out of the BC Class and settlement. The proposed Ontario Class includes: (i) Ontario residents with a right to Opt-Out of the Ontario Class and settlement, and (ii) non-Ontario and non-BC residents with a right to Opt-Out of the Ontario Class and settlement.

The Terms of Settlement

The settlement provides that the Settling Defendant has agreed to pay \$288,586.98 in compensation to the class, and also to provide co-operation to the class in continuing with their lawsuit against the other Non-Settling Defendants. No monies are to be distributed directly to class members at this time, but rather, a distribution shall require further order of the court.

Court Hearing and Your Right to Participate

Motions to certify the *Kozma* Action and the *Park* Action as class actions and to approve the settlement agreement are to be heard by the BC Court in Vancouver on **March 15, 2019** at 10 am and at the Courthouse at 800 Smithe Street and by the Ontario Court in Toronto on

March 26, 2019 at 10 am at the Courthouse at 393 University Ave, respectively. Class Counsel will also ask the court to approve payment of Class Counsel's disbursements.

Persons who will be Class Members if the Courts certify the class actions who do not oppose the settlement need not appear at the hearing or take any other action at this time to indicate their desire to participate in the class and/or in the settlement.

All persons who will be Class Members if the Courts certify the class actions have the right to let the Courts know about any objection they have to the settlement or payment of disbursements by delivering a letter to Class Counsel on or before March 8, 2019. A proposed class member who wishes to object to the settlement or the fees shall provide the following information in his or her letter:

- (a) The full name, current mailing address, telephone number, and email address;
- (b) If the person is writing on behalf of a company, the name of the company and the person's position at the company;
- (c) A brief statement of the nature and reasons for the objection;
- (d) A declaration that the person believes he or she will be a member of the proposed BC Class, and, if available, copies of records of his or her purchases of Korean Ramen Noodles between May 1, 2001 and December 31, 2010;
- (e) Whether the person intends to appear at the hearing on their own or through a lawyer and if by lawyer, the name, address, telephone number, and email address of the lawyers; and,
- (f) A statement that the foregoing information is true and correct.

For Additional Information and a Copy of the Settlement Agreement:

The settlement agreement can be viewed at the following website: www.callkleinlawyers.com

Please contact Class Counsel or the Claims Administrator below:

Class Counsel in the *Kozma* Action
and the *Park* Action:

Klein Lawyers LLP
Suite 400
1385 West 8th Avenue
Vancouver, BC V6H 3V9
Telephone: 604-874-7171
Facsimile: 604-874-7180
www.callkleinlawyers.com

Claims Administrator:

Crawford Class Action Services
3-505, 133 Weber St N
Waterloo ON N2J 3G9
Facsimile: 1-888-842-1332