

LEGAL NOTICE

If You Made an Online Purchase of Contact Lenses Between January 1, 2004 and September 12, 2019, You May Be Affected by Class Action Settlements

THIS NOTICE

This notice is to alert you to proposed Settlements reached with Defendants Arlington Contact Lens Service, Inc., National Vision, Inc. (“AC Lens/NVI”), Luxottica of America, Inc. (f/k/a Luxottica Retail North America, Inc.), Vision Direct, Inc., Walgreen Co., Walgreens Boots Alliance, Inc., and 1-800 Contacts, Inc. (collectively, “Defendants”) in a class action.

The lawsuit alleges that Defendants entered into written agreements that affected the market for online retail for contact lenses in violation of Section 1 of the Sherman Antitrust Act, 15 U.S.C. §1. Specifically, Class Plaintiffs allege that 13 other online contact lens retailers entered into bilateral written agreements with 1-800 Contacts, Inc. to not compete in certain online advertising. The lawsuit was brought by individuals who made at least one online purchase of contact lenses from one or more of the Defendants.

Settlements have been reached with all Defendants. Together, Defendants have agreed to pay \$40 million (the “Settlement Fund”). The United States District Court for the District of Utah, Central Division (“Court”) authorized this notice. Before any money is paid, the Court will hold a hearing to decide whether to approve the Settlements. Approval of these Settlements by the Court will resolve this lawsuit in its entirety with respect to the Defendants. Defendants deny any wrongdoing.

WHO CAN PARTICIPATE IN THE SETTLEMENTS?

Subject to certain exceptions, class members include persons who purchased contact lenses online from any of the following Defendants or their subsidiaries during the following periods: (i) 1-800 Contacts, Inc., Walgreens and/or Vision Direct between January 1, 2004 through September 12, 2019; (ii) Luxottica between December 23, 2013 and July 5, 2019; or (iii) AC Lens/NVI between March 10, 2010 through September 19, 2017. Websites operated by these Defendants included www.contactsdirect.com, www.targetoptical.com, www.lenscrafters.com, www.walgreens.com, www.visiondirect.com, and www.1800contacts.com. To qualify, purchases must have been made online, *i.e.*, through a retailer’s website or mobile application; purchases made over the telephone or at a brick and mortar store do not qualify for the Settlements. If you are unsure if you are a member of the Settlement Classes, more information, including a detailed notice, is available at www.onlinecontactlenssettlement.com, or by calling toll-free 1-888-506-0436.

WILL I RECEIVE A PAYMENT?

If you are a member of the Settlement Classes and do not opt out, you will be eligible to file a Claim Form. The amount of your payment, if any, will be determined by a Plan of Distribution. Details about the Plan of Distribution are available at www.onlinecontactlenssettlement.com. A date for distribution of the Settlement Fund has not yet been set. Claim Forms must be submitted by **December 4, 2020**.

WHAT ARE MY RIGHTS AS A CLASS MEMBER?

If you are a member of the Settlement Classes and do not opt out, you will release certain legal rights against the Defendants and the Released Parties, as explained in the long-form notice and Agreements, available at www.onlinecontactlenssettlement.com. If you do not want to take part in the proposed Settlements, you must opt out by **September 21, 2020**.

You may, but do not have to, object to the proposed Settlements, the Plan of Distribution, or Co-Lead Class Counsel’s application to the Court for an award of attorneys’ fees, expenses, and service awards to Class Plaintiffs for representing the Settlement Classes. To do so, you must file your comments or objections by **September 21, 2020**.

Information on how to opt out or file comments or objections is in the detailed notice available at www.onlinecontactlenssettlement.com.

WHEN IS THE FAIRNESS HEARING?

The Court will hold a hearing on **October 20, 2020 at 10:00 a.m.**, at the United States District Court for the District of Utah, Central Division, United States Courthouse, 351 South West Temple, Courtroom 3.400, Salt Lake City, Utah 84101 to consider whether to approve the proposed Settlements, the Plan of Distribution, and Co-Lead Class Counsel’s application for an award of attorneys’ fees, expenses, and service awards to Class Plaintiffs. You or your lawyer may ask to appear and speak at the hearing at your own expense, but do not have to. The Court might decide to hold the hearing telephonically.

The Court has appointed the lawyers listed below to represent the Settlement Classes in this lawsuit:

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