

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW JERSEY**

<b>EDWARD ROSSI on behalf of himself</b>	)	<b>Civil Action No. 11-07238 (JLL) (MAH)</b>
<b>and all others similarly situated,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	
	)	
	)	
<b>THE PROCTER &amp; GAMBLE</b>	)	
<b>COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	

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**NOTICE OF CLASS ACTION SETTLEMENT  
IF YOU HAVE PURCHASED CREST SENSITIVITY & PROTECTION TOOTHPASTE,  
THEN YOU COULD GET MONEY FROM A CLASS ACTION SETTLEMENT.**

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

**What is this Lawsuit About?**

Plaintiffs have brought class action lawsuits on behalf of themselves and others who have purchased Crest Sensitivity Treatment & Protection toothpaste (“Crest STP”) at any time from February 2011 to the present, alleging that Defendant The Procter & Gamble Company (“P&G”) engaged in misleading and deceptive advertising and marketing of Crest STP. P&G has denied the allegations and continues to stand by its products and advertising.

The parties agreed to a settlement (the “Settlement”) to resolve this lawsuit. The terms of the Settlement are contained in a Settlement Agreement, which is available for review at [www.SensitivityToothpasteSettlement.com](http://www.SensitivityToothpasteSettlement.com) (the “Settlement Website”).

**What are the Terms of the Settlement?**

The parties have agreed to the certification of this case as a class action for the purposes of settlement. By this Settlement, P&G will refund the purchase price of Crest STP to Settlement Class Members who submit valid Claim Forms with documentation showing the purchase price paid. For Settlement Class Members who submit valid Claim Forms without documentation showing the purchase price paid, P&G will refund four dollars (\$4.00). P&G will provide a monetary refund for up to one (1) tube of Crest STP for each Settlement Class Member, or family member of a Settlement Class Member, or any person who resides in the same household as such Settlement Class Member. All refunds to Settlement Class Members will be made by sending the Settlement Class Member a pre-paid debit card in the amount of the refund.

The parties have further agreed that P&G will pay the costs to administer this Settlement, reasonable attorneys’ fees and costs to Class Counsel related to obtaining the settlement, and an Incentive Award to the named Plaintiffs.

Class Counsel will request as attorneys’ fees \$700,000. The final amount of attorneys’ fees and costs and Plaintiffs’ Incentive Award will be determined by the Court. All Settlement Class Members who do not request exclusion from this Settlement will forever release all claims related to the allegations in *Rossi v. The Procter & Gamble Company* against P&G from February 2011 to the present, inclusive (the “Class Period”).

## Who is Included in the Settlement?

The parties have agreed that “Settlement Class Members” mean all persons in the United States who purchased Crest STP from February 2011 through March 31, 2013. Excluded from the Settlement Class Members are: P&G, Defense Counsel, any judge presiding over any of the actions that together comprise the Action or Related Actions, any immediate family member of any such person(s), and those who purchased Crest STP for resale or distribution to others.

## How Can A Settlement Class Member Get A Payment Under the Terms of the Settlement?

To get a payment under the Settlement, a Settlement Class member *must* make a claim to the Claims Administrator in *either* of the following ways: (1) complete and mail the Claim Form available in hard copy from Class Counsel (whose contact information is provided below) or available to be printed from the Settlement Website at [www.SensitivityToothpasteSettlement.com](http://www.SensitivityToothpasteSettlement.com); or (2) complete and electronically submit a Claim Form to the Settlement Administrator directly through the Settlement Website at [www.SensitivityToothpasteSettlement.com](http://www.SensitivityToothpasteSettlement.com). Please complete only one Claim Form per household.

Each Claim Form must be valid and accompanied by documentation showing the purchase price paid to receive a full refund of the actual purchase price. Acceptable forms of Proof of Purchase include (i) the receipt issued by the retailer to the purchaser for the purchase of Crest STP; (ii) the credit or debit card receipt showing the purchase of Crest STP; and (iii) the package UPC from the Crest STP tube the Claimant purchased. For each Claim Form that is valid and is not accompanied by documentation showing the purchase price paid, the refund available shall be four dollars (\$4.00).

**TO BE VALID, ALL CLAIMS MUST BE POSTMARKED OR SUBMITTED  
NO LATER THAN AUGUST 19, 2013.**

## Can I Exclude Myself from the Settlement?

Yes. If you are a Settlement Class Member, you may request exclusion by sending a letter via first class United States mail requesting to be “excluded” from this Settlement to the Claims Administrator. The Request for Exclusion must be personally signed by the Settlement Class Member. If you exclude yourself, your claims against P&G will not be released, and you will not be eligible for any refund under the Settlement. **TO BE VALID, ALL EXCLUSION REQUESTS MUST BE POSTMARKED NO LATER THAN AUGUST 21, 2013.**

## Can I Object to the Settlement?

Yes. If you are a Settlement Class Member and do not request exclusion, you or your attorney on your behalf may object to the Settlement. Such objection must be in writing and must provide evidence that you are a Settlement Class Member. The procedures for submitting a written objection are identified below. A written and signed objection (and any support for it) *must be filed with the Court and served on all of the following attorneys with a postmark no later than August 21, 2013.*

**For the Settlement Class:**

James E. Cecchi  
Lindsey H. Taylor  
Donald E. Ecklund  
CARELLA, BYRNE, CECCHI, OLSTEIN,  
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FARUQI & FARUQI, LLP  
369 Lexington Avenue, 10th Floor  
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(212) 983-9330

**For P&G:**

Hugh Whiting  
Kevin D. Boyce  
JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114  
(216) 586-3939

Jennifer L. Del Medico  
JONES DAY  
222 East 41<sup>st</sup> Street  
New York, New York 10022  
(212) 326-3939

**For the Court:**

Clerk of the Court  
U.S. District Court for the District of  
New Jersey  
Martin Luther King Federal Building  
50 Walnut Street  
Newark, New Jersey 07101

Any objection regarding or related to the Settlement Agreement shall contain a caption or title that identifies it as “Objection to Class Settlement in *Rossi v. The Procter & Gamble Company*, Civil Action No. 11-CV-7238 (JLL)(MAH)” and shall also contain information sufficient to identify and contact the objecting Settlement Class Member, as well as a clear and concise statement of the Settlement class member’s objection, documents sufficient to establish the basis for their standing as a Settlement Class Member, *i.e.*, verification under oath as to the date and location of their purchase of Crest STP or a receipt reflecting such purchase, the facts supporting the objection, and the legal grounds on which the objection is based. If an objecting party chooses to appear at the hearing, then a notice of intention to appear, either in person or through an attorney, must be filed with the Court and list the name, address and telephone number of the attorney, if any, who will appear.

**What if I do Nothing?**

IF YOU DO NOTHING, YOU WILL NOT RECEIVE ANY PAYMENT FROM THIS SETTLEMENT. IF THE COURT APPROVES THE SETTLEMENT, YOU WILL BE BOUND BY ITS TERMS, YOU WILL NO LONGER HAVE THE ABILITY TO SUE WITH RESPECT TO YOUR PURCHASE OF CREST STP DURING THE CLASS PERIOD, AND YOUR CLAIMS DURING THE CLASS PERIOD WILL BE RELEASED AND DISMISSED.

**Who Represents the Settlement Class Members?**

The law firms Carella, Byrne, Cecchi, Olstein, Brody & Agnello, Bursor & Fisher, P.A. and Faruqi & Faruqi, LLP (collectively “Class Counsel”) represent Plaintiffs and have been preliminarily certified by the Court as counsel for the Settlement Class Members. Settlement Class Members have the right to hire their own lawyers, at their own expense, although there is no obligation to do so, and Class Counsel will represent all Settlement Class members in this lawsuit who do not object or retain their own lawyer.

### **How Will Class Counsel Be Paid?**

In addition to payments made to the Settlement Class members, P&G has agreed to attorneys' fees and costs, to be paid to Class Counsel of \$700,000 subject to approval by the Court.

### **When will the Court Hold a Hearing to Consider the Settlement?**

The United States District Court for the District of New Jersey (the "Court"), will hold a hearing (the "Fairness Hearing") at the federal courthouse located at Martin Luther King Federal Building, 50 Walnut Street, Newark, New Jersey 07101 on September 12, 2013 to decide whether to approve the Settlement, and to determine the amount of attorneys' fees and costs and Plaintiffs' incentive award. Class Counsel is working on your behalf and will answer any questions that the judge may have. You are welcome to attend the Fairness Hearing at your own expense *but do not have to do so*. You may also pay your own lawyer to appear at the Fairness Hearing on your behalf *but do not have to do so*.

### **How Can I Obtain More Information?**

Settlement Class Members can ask questions, complete a Claim Form and review documents concerning this case at [www.SensitivityToothpasteSettlement.com](http://www.SensitivityToothpasteSettlement.com), by calling the Claims Administrator toll-free at 888-510-1707 or by writing the "Claims Administrator" at the below address:

***Rossi v. Proctor & Gamble Claims Administrator***  
c/o KCC Class Action Services, LLC  
P.O. Box 43163  
Providence, RI 02940-3163

**PLEASE DO NOT CONTACT THE COURT OR CLERK'S OFFICE REGARDING THIS NOTICE.**