

If You Received a Text Message from SmileDirectClub You May Be Entitled to a Payment from a Class Action Settlement

A Settlement has been reached in a class action lawsuit alleging that SmileDirectClub sent text message solicitations to wireless telephone numbers without prior express written consent of the recipients as defined by the Florida Telephone Solicitation Act, Fla. Stat. § 501.059. SmileDirectClub denies the allegations and any wrongdoing. The Court has not decided who is right.

Who's Included? The Settlement Class is defined as (i) **All persons in Florida who (ii) were sent a text message regarding Defendant's goods or services utilizing the same equipment used to send a text message to Plaintiff, (iii) between July 1, 2021, and December 30, 2022, and (iv) whose telephone numbers are identified on the Class List provided to the Class Administrator.** You received this Notice because records show that you may be a Settlement Class Member.

What Are the Settlement Terms? As detailed in the Settlement, SmileDirectClub has agreed to make available the Settlement Cap up to \$2,950,000 to pay Settlement Class Members who submit a timely and valid Claim Form, Attorneys' Fees and Expenses awarded to Class Counsel for the Settlement Class, and a Service Award for the named Plaintiff. SmileDirectClub has also agreed to separately pay for the Notice and Administrative Costs. Each Settlement Class Member who submits a timely and valid Claim Form by the Claim Deadline in the manner required by this Agreement, making all the required affirmations and representations, shall be sent a Claim Settlement Check by the Administrator in the amount of up to \$140.47, less a pro rata reduction for Attorneys' Fees and Expenses and Service Award approved by the Court. Settlement Class Claimants will be sent their Claim Settlement Payments to the address or electronic payment method they submitted or selected on their Claim Form within 60-Days following the Effective Date. One Claim is allowed per Settlement Class Member per cellular telephone number that was sent a text message at issue.

How Do I Submit a Claim Form? To get a payment, you must submit a Claim Form by the deadline stated below. You may download or submit a Claim Form online at the Settlement Website, www.SDCFTSASettlement.com or request a Claim Form by calling the Settlement Administrator at the toll-free number below. To be valid, a Claim Form must be completed fully and accurately and submitted timely. If you send in a Claim Form by U.S. mail, it must be postmarked by **May 10, 2023**. Claim Forms submitted online must be submitted by **11:59 p.m. ET on May 10, 2023**.

Exclude Yourself. If you do not want to be legally bound by the Settlement, you must exclude yourself by March 16, 2023. If you do not exclude yourself, you will release any Claims you may have, as more fully described in the Settlement Agreement, available at the Settlement Website. If you exclude yourself, you will receive no payment from the Settlement but will retain the ability to sue SmileDirectClub, LLC at a later time. The Settlement and the Long Form Notice available on the Settlement Website explain the requirements for excluding yourself.

Object. If there is something about the Settlement you do not like, you may object to the Settlement by March 16, 2023. You may only object if you do not exclude yourself. Objections must be signed, provide the reasons for the objection, and comply with the other requirements set

forth in the Settlement and by the Court in its Order granting Preliminary Approval of the Settlement, a copy of which is accessible at www.SDCFTSASettlement.com. The Settlement and the Long Form Notice available on the Settlement Website explain the requirements for objecting.

Final Approval Hearing. The Court will hold a Final Approval Hearing on June 20, 2023, to consider whether to approve the Settlement, a request for Attorneys' Fees and Expenses of up to 29.5% of the Settlement Cap, and Service Award of \$10,000 to the Plaintiff. You may appear at the hearing, either yourself or through an attorney you hire, but you don't have to. For more information, call the toll-free number: **1-833-709-0095** or visit the Settlement Website: **www.SDCFTSASettlement.com**.