

NOTICE OF CERTIFICATION AND PROPOSED SETTLEMENT OF FLUOROQUINOLONE LITIGATION

PLEASE READ CAREFULLY. IGNORING THIS NOTICE WILL AFFECT YOUR LEGAL RIGHTS.

A Canada-wide settlement (“Settlement”) (excluding residents of Quebec) has been reached with respect to Janssen Inc., Janssen Pharmaceuticals, Inc., and Janssen Research & Development, LLC (the “Janssen Defendants”) and Bayer Inc. in a proposed class action relating to the fluoroquinolone prescription drugs Levaquin, Cipro and Avelox and Peripheral Neuropathy. “Levaquin” means Levaquin® branded (*i.e.*, not generic) levofloxacin tablets and/or intravenous solution distributed in Canada by the Janssen Defendants. “Cipro” means all formulations of Cipro® branded (*i.e.*, not generic) ciprofloxacin distributed or licensed in Canada by Bayer Inc. “Avelox” means all formulations of Avelox® branded (*i.e.*, not generic) moxifloxacin distributed or licensed in Canada by Bayer Inc.

This notice advises you that as a part of the settlement process, the following lawsuit has been certified against the Janssen Defendants and Bayer Inc. as a class action for settlement purposes: *Lloyd Achtymichuk v. Bayer Inc., Janssen Inc., Janssen Pharmaceuticals, Inc., and Janssen Research & Development, LLC*, in the Vancouver Registry of the Supreme Court of British Columbia under Court File No. S167919 (the “Proceeding”).

A hearing to approve the Settlement has been scheduled for **November 1, 2024 at 10:00 a.m. Pacific Time** in the Supreme Court of British Columbia.

If the Settlement is approved, it will apply to: (i) All persons resident in Canada (excluding residents of Quebec) who were prescribed and/or ingested Levaquin, Cipro or Avelox in Canada at any time on or before the date of the certification order; and (ii) All persons who by virtue of a personal relationship to one or more of such persons described in (i) above have claims for common law or statutory damages (the “Class”). To determine whether you may be eligible to receive compensation, visit www.garchaandcompany.ca.

If you qualify as a member of the Class and wish to participate in the Settlement, you do not need to do anything at this time. If the Settlement is approved by the Court mentioned above, another notice will be published, and additional information will be provided on how to make a claim for benefits pursuant to the Settlement.

If you qualify as a member of the Class and you do not wish to participate in the Settlement, then you must opt out by completing an Opt Out Form and submitting it to Class Counsel. Class Members who do not opt out will be bound by the Settlement and the releases in it, if it is approved, and will be entitled to share in any of the benefits that may become available to them as Class Members, provided that they proceed within the timeframes provided for in the Settlement to advance their claims. The deadline to opt out of the Settlement and the Proceeding is **September 24, 2024**.

If you wish to remain a member of the Class, as applicable, but object to the proposed Settlement, you must submit a written objection no later than **5:00 p.m. Pacific Time, October 27, 2024**.

CONTACT

This is an abbreviated notice. For the complete notice, including information on benefits that may be available through the Settlement, copies of the Settlement Agreements, how to participate in the Settlement Approval Hearing, the Opt Out Form, information on how to object to the approval of the Settlement Agreements, and all other related information is available at www.garchaandcompany.ca or by contacting:

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