

## If you purchased



## products, you could get a payment from a Settlement.

*Para una notificación en español, vaya a [www.chipsettlement.com](http://www.chipsettlement.com).*

If you purchased Kettle Brand® products, you could get a payment from a Settlement.

There is a class action Settlement involving Diamond Foods, Inc. Kettle Brand® products (“Kettle Brand® products”). The lawsuit alleges that Diamond Foods mislabeled and misbranded its Kettle Brand® products by making false and misleading statements on package labels. Diamond Foods denies it did anything wrong, defended itself throughout this litigation, and asserts that its marketing and labels were truthful and consistent with law. The Court has not decided who is right. Both sides have agreed to settle the dispute and get benefits to consumers.

### **WHO IS INCLUDED IN THE SETTLEMENT?**

All consumers who, for personal or household use, bought an eligible Kettle Brand® product in the U.S. from January 3, 2010 to February 24, 2015 are included in the Settlement. More information about the Kettle Brand® products involved in the Settlement is available at [www.chipsettlement.com](http://www.chipsettlement.com) or by calling 1-877-450-8811.

### **WHAT DOES THE SETTLEMENT PROVIDE?**

The Settlement provides a cash settlement fund of up to \$3 million to pay (1) up to \$2.75 million for Claims of eligible Class Members; (2) the costs of notice and administration; (3) attorneys’ fees and expenses; and (4) incentive awards payments to the Class Representatives. Class Members who timely submit valid Claim Forms are entitled to receive a cash payment from the Settlement Fund in the amount of \$1.00 for each Kettle Brand® product purchased, up to 20 products per household. Class Members who claim more than 10 products must submit Proof(s) of Purchase establishing the purchase(s) during the Class Period. If the total amount of Claims exceeds \$2.75 million, benefits will be reduced proportionally so that all eligible Class Members benefit.

### **WHAT ARE MY RIGHTS?**

1. You can accept the Settlement. If you wish to receive benefits under the Settlement, you MUST fill out and submit a Claim Form by August 1, 2015. You can obtain a Claim Form by (1) calling 1-877-450-8811; (2) mailing a written request for a Claim Form to: Kettle Chips All Natural Settlement Claims Administrator P.O. Box 43324, Providence, RI 02940-3324; or (3) online at [www.chipsettlement.com](http://www.chipsettlement.com). If you do not timely submit a valid Claim Form and do not exclude yourself from the Settlement, you will be bound by the Settlement but will not receive any benefits of the Settlement
2. You can object to the Settlement. If you believe the Settlement is unsatisfactory, you may submit a written objection to the Court. The deadline for submitting an objection is June 11, 2015.
3. You can “Opt Out” of the Settlement. If you don’t want to be legally bound by the Settlement, you must exclude yourself by June 11, 2015, or you won’t be able to sue, or continue to sue, Diamond Foods about the legal claims in this case. If you exclude yourself, you can’t get money from this Settlement. If you stay in the Settlement, you may object to it by June 11, 2015. The detailed notice, available at [www.chipsettlement.com](http://www.chipsettlement.com), explains how to exclude yourself or object. If you do nothing you will be bound by the Court’s decisions.

The Court will hold a hearing on July 17, 2015 to consider whether to approve the Settlement, a request for attorneys’ fees and expenses up to \$775,000, and incentive awards to the Class Representatives totaling \$7,500, from the Settlement Fund. You or your own lawyer may appear and speak at the hearing at your own expense.

**For More Information:**

**1-877-450-8811**

**[www.chipsettlement.com](http://www.chipsettlement.com)**