

LEGAL NOTICE

If You Purchased a Huda Beauty Neon Obsessions Pressed Pigment Palette, You May Be Eligible for a Cash Refund up to \$87 With Proof of Purchase from a Class Action Settlement

Ramirez v. HB USA Holdings, Inc., Case No. 5:20-cv-01016-JGB-SHK

A Proposed Settlement has been reached in a class action lawsuit. Purchasers of Huda Beauty Neon Obsessions makeup palettes sued the distributors, HB USA Holdings, Inc. dba Huda Beauty, alleging violations of laws relating to the sale of the Huda Beauty Neon Obsessions Pressed Pigment Products (the “Products”). The Plaintiffs alleged that the Products are unlawfully marketed in the United States for use in the eye area and that Huda Beauty’s labelling and marketing failed to disclose material information about the products. Huda Beauty denies Plaintiffs’ claims, denies any wrongdoing, and asserts that the products are safe and effective. The Court has not decided whether Huda Beauty did anything wrong. The parties agreed to the Proposed Settlement to resolve the lawsuit and avoid the expenses and uncertainties of continuing the lawsuit.

WHAT IS THIS NOTICE ABOUT?

If you purchased any color of the Products in the United States, you have a right to know about the Proposed Settlement of a class action lawsuit and your options. If you have received this Summary Notice in the mail or by e-mail, you have been identified from available records as a possible purchaser of the Products at issue in the lawsuit.

AM I A MEMBER OF THE CLASS?

You are part of the class if you purchased any color of the Huda Beauty Neon Obsessions Pressed Pigment Palettes in the United States on or before August 15, 2021.

WHAT DOES THE SETTLEMENT PROVIDE?

With Court approval, the settlement provides cash payments. Settlement Class Members who submit a valid Claim Form and either (a) received a direct notice or (b) provide proof of purchase shall be eligible for a payment of Twenty-Nine U.S. Dollars (\$29.00) for each Product, up to a maximum of three (3) Products, for a maximum total payment to each Settlement Class Member of Eighty-Seven U.S. Dollars (\$87.00). Class members who are unable to provide valid Proof of Purchase shall be eligible to submit a claim for payment of a total of Ten U.S. Dollars (\$10.00) per household for all Products claimed, up to a maximum of three (3) products, for a maximum total payment to each Settlement Class Member without Proof of Purchase of Thirty U.S. Dollars (\$30.00).

In the event that Huda Beauty reintroduces the Products (as previously formulated), Huda Beauty agrees it will include a disclosure visible on the rear panel of the U.S. Product packaging, its U.S. website, and U.S.-facing marketing and advertising (including any third-party retailers) where the Products are shown being used around the eye, which states: “*WARNING for U.S. Customers: may contain color additives that are not approved by the F.D.A. for use in the eye area” or similar language, to the extent consistent with current regulatory guidance in the United States. In addition, Huda Beauty will append a “*” symbol to each specific shade at issue that links to the above disclaimer on the label of the Products. Huda Beauty also agrees that it will implement the above disclosures for any future “pressed pigment” or eye shadow products marketed in the United States that are substantially similar to the Products (i.e., that contain color additives not approved by FDA for use in the eye area).

WHAT ARE MY RIGHTS?

You have three options:

1. You Can Accept the Settlement. Class Members who wish to receive a Cash Payment must submit a Claim Form on or before January 12, 2022, either online at www.NeonObsessionsSettlement.com or by mailing it to Digital Settlement Group, LLC; PO Box 164, Valparaiso, IN 46384. If you don’t submit a timely Claim Form and don’t exclude yourself from the settlement, you will be bound by the settlement and will not receive a Cash Payment. If you stay in the Class, you will be bound by all orders and judgments of the Court, and you won’t be able to sue or continue to sue Huda Beauty as part of any other lawsuit involving the claims in this action.

2. You Can Object to the Settlement. You can ask the Court to deny approval by objecting with the Court. You can’t ask the Court to order a larger settlement; the Court can only approve or deny the settlement as agreed to by the parties. If the Court denies approval, no settlement payments will be sent out to anyone and the lawsuit may continue to be litigated on the merits. If that is what you want to happen, you must object. You may hire your own lawyer to appear in Court for you if you wish; however, you will be responsible for paying your lawyer.

Objections will be considered by the Court only if filed in writing and mailed by January 12, 2022, to the Office of the Clerk of Court; United States District Court for the Central District of California, 3470 Twelfth Street, Riverside, CA 92501-3801 and also mailed to counsel for the parties. Objections must state your name, address, telephone number, name of this Litigation, factual and legal grounds for your objection, name, address, and telephone number of any attorney representing you. The Court may only require substantial compliance with the requirements for submitting an objection. The Court may waive the requirement to submit a written objection if good cause is shown.

3. You Can “Opt-Out” (i.e., exclude yourself) from the Settlement. If you exclude yourself from the Class – which is sometimes called “opting out” of the Class – you won’t get a payment from the settlement but won’t be barred from asserting claims against Huda Beauty in a separate lawsuit. Such notice must include your name, address, telephone number, and signature and a statement that you want to be excluded from the settlement, in *Ramirez v. HB USA Holdings, Inc.*, Case No. 5:20-cv-01016-JGB-(SHKx)” Central District of California. Your written request for exclusion must be mailed to Digital Settlement Group, LLC; PO Box 164, Valparaiso, IN 46384 and postmarked on or before January 12, 2022.

THE FAIRNESS HEARING

Please check the settlement website for updates. Although the Court set the Final Approval Hearing for 9:00 a.m. on Monday, February 21, 2022, this is a Court holiday and the hearing will likely be continued. The hearing will take place in Courtroom 1 of the United States District Court for the Central District of California – Eastern Division to approve: (1) the proposed settlement as fair, reasonable, and adequate; and (2) the application for Plaintiff’s attorneys’ fees and reimbursement of litigation expenses. Class Members who support the proposed settlement do not need to appear at the hearing or take any other action to indicate their approval.

HOW CAN I GET MORE INFORMATION?

This is only a summary of the settlement. If you have questions or want to view the detailed notice or other documents about the Litigation, including the Settlement Agreement, you may visit NeonObsessionsSettlement.com or contact Class Counsel at info@bflplaw.com, 855-935-5322 (Toll Free). You can also call the Settlement Administrator at (877) 342-0827 or email at info@neonobsessionssettlement.com.

**BY ORDER OF THE UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA**