

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

CAROL M. MCDONOUGH, *et al.*,

Plaintiffs,

v.

TOYS “R” US, INC., d/b/a Babies “R” Us, *et al.*,

Defendants.

No. 2:06-cv-0242-AB

ARIEL ELLIOTT, *et al.*,

Plaintiffs,

v.

TOYS “R” US, INC., d/b/a Babies “R” Us, *et al.*,

Defendants.

No. 2:09-cv-06151-AB

**ORDER PRELIMINARILY APPROVING THE FOURTH AMENDED SETTLEMENT AND
PROVIDING FOR NOTICE**

WHEREAS, Plaintiffs in the above captioned matters (the “Litigation”), individually, and as representatives of the subclasses they represent and the Settlement Subclasses described below that they seek to represent, and Defendants Toys “R” Us, Inc., Babies “R” Us, Inc., Toys “R” Us-Delaware, Inc. (collectively, “BRU” or “Babies “R” Us”),¹ BabyBjörn AB (“BabyBjörn”), Britax Child Safety, Inc.

¹ Throughout this Order, the term “Babies ‘R’ Us” is used as a defined term for defendants Toys “R” Us, Inc., Babies “R” Us, Inc. and Toys “R” Us-Delaware, Inc. and is not a reference to the particular stores at issue. However, the Notice, Publication Notice, Postcard Notice, E-Mail Notice and Claim Form at times use the more familiar names of the stores from which Settlement Class Members could have made qualifying purchases: Babies “R” Us and Toys “R” Us.

(“Britax”), Kids Line, LLC (“Kids Line”), American Baby Products, Inc. f/k/a Maclaren USA, Inc. (“Maclaren”) Medela, Inc. (“Medela”), Peg Perego U.S.A., Inc. (“Peg Perego”), and Regal Lager, Inc. (“Regal Lager”)² (collectively “Defendants”) have agreed to a proposed Fourth Amended Settlement Agreement dated May 13, 2014 (“Amended Settlement” or “Amended Settlement Agreement”), which is subject to review under Rule 23 of the Federal Rules of Civil Procedure and which sets forth the terms and conditions for the proposed settlement of the Litigation; and the District Court having read and considered the Amended Settlement, the proposed Notice, Publication Notice, Postcard Notice and E-Mail Notice, the proposed Claim Form, the proposed form of Order and Final Judgment relating to the Amended Settlement and submissions made relating thereto, and finding that substantial and sufficient grounds exist for entering this Order; and capitalized terms used herein having the meanings defined in the Amended Settlement;

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. **Consolidation.** Pursuant to Fed. R. Civ. P. 42(a), the above-captioned cases are consolidated for purposes of the Amended Settlement only.
2. **Preliminary Approval.** The terms of the Amended Settlement are hereby preliminarily approved as within the range of possible approval. Defendants have made the respective contributions to the Settlement Fund as provided in the Amended Settlement. The Settlement Fund must be maintained in escrow by the Settlement Trustees as provided for in the Amended Settlement Agreement. All proceedings in the above-captioned actions, other than those necessary to administer and evaluate the Amended Settlement pursuant to Rule 23 are hereby stayed.
3. **Certification of Settlement Subclasses.** Pursuant to Rule 23(a) and (b)(3) of the Federal Rules of Civil Procedure and for the purposes of the Amended Settlement only, the following subclasses are conditionally certified:

² The “Manufacturer Defendants” are BabyBjörn, Britax, Kids Line, Maclaren, Medela, Peg Perego, and Regal Lager.

(a) All persons who directly purchased any BabyBörn baby carrier distributed by Regal Lager from Babies “R” Us within the U.S. during the period February 2, 2000, to April 30, 2005. Plaintiffs Julie Lindemann, Melissa Nuttall, Sara Shuck, Lawrence McNally, and Stephanie Bozzo are certified as the Settlement Subclass Representatives for this Settlement Subclass. Excluded from this Settlement Subclass are any judge, justice or judicial officer presiding over this matter and the members of their immediate families and judicial staffs.

(b) All persons who directly purchased any Britax car seat from Babies “R” Us within the U.S. during the period January 1, 1999 to January 31, 2011. Plaintiffs Melissa Nuttall, Ariel Elliott, and Kristi Monville are certified as the Settlement Subclass Representatives for this Settlement Subclass. Excluded from this Settlement Subclass are any judge, justice or judicial officer presiding over this matter and the members of their immediate families and judicial staffs.

(c) All persons who directly purchased any Kids Line product from Babies “R” Us within the U.S. during the period January 1, 1999 to December 31, 2006. Plaintiffs Beth Hellman and Kelly Pollock are certified as the Settlement Subclass Representatives for this Settlement Subclass. Excluded from this Settlement Subclass are any judge, justice or judicial officer presiding over this matter and the members of their immediate families and judicial staffs.

(d) All persons who directly purchased any Maclaren stroller from Babies “R” Us within the U.S. during the period October 1, 1999, to January 31, 2011. Plaintiffs Yossi Zarfati and Christine Brooke Logan are certified as the Settlement Subclass Representatives for this Settlement Subclass. Excluded from this Settlement Subclass are any judge, justice or judicial officer presiding over this matter and the members of their immediate families and judicial staffs.

(e) All persons who directly purchased any Medela Pump In Style breast pump from Babies “R” Us within the U.S. during the period July 1, 1999, to January 31, 2011. Plaintiffs Stephanie Bozzo, Darcy Trzupsek, and Kristi Monville are certified as the Settlement Subclass Representatives for this Settlement Subclass. Excluded from this Settlement Subclass are any judge, justice or judicial officer presiding over this matter and the members of their immediate families and judicial staffs.

(f) All persons who directly purchased any Peg Perego stroller from Babies “R” Us within the U.S. during the period July 1, 1999, to January 31, 2011. Plaintiffs Stephanie Bozzo, Carol McDonough, Lawrence McNally, and Elizabeth Starkman are certified as the Settlement Subclass Representatives for this Settlement Subclass. Excluded from this Settlement Subclass are any judge, justice or judicial officer presiding over this matter and the members of their immediate families and judicial staffs.

(g) All persons who directly purchased any Peg Perego high chair from Babies “R” Us within the U.S. during the period July 1, 1999 to January 31, 2011. Plaintiff Sarah Otazo is certified as the Settlement Subclass Representative for this Settlement Subclass. Excluded from this Settlement Subclass are any judge, justice or judicial officer presiding over this matter and the members of their immediate families and judicial staffs.

(h) All persons who directly purchased any Peg Perego car seat from Babies “R” Us within the U.S. during the period July 1, 1999 to January 31, 2011. Plaintiffs Lawrence McNally and Stephanie Bozzo are certified as the Settlement Subclass Representatives for this Settlement Subclass. Excluded from this Settlement Subclass are any judge, justice or judicial officer presiding over this matter and the members of their immediate families and judicial staffs.

4. **Preliminary Rule 23 Findings.** The District Court finds, preliminarily and for purposes of this Amended Settlement only, that the prerequisites for a class action under Rules 23(a) and (b)(3) of the Federal Rules of Civil Procedure have been satisfied in that, for each Settlement Subclass: (a) the number of Settlement Class Members is so numerous that joinder of all Settlement Class Members is impracticable; (b) there are questions of law and fact common to each member of the Settlement Subclasses; (c) the claims of the Settlement Subclass Representatives are typical of the claims of the respective Settlement Subclasses they seek to represent; (d) the Settlement Subclass Representatives will fairly and adequately represent the interests of the respective Settlement Subclasses they seek to represent; (e) the questions of law and fact common to the members of the Settlement Subclasses predominate over any questions affecting only individual members of the Settlement Subclasses; and (f) a

class action is superior to other available methods for the fair and efficient adjudication of the controversy.

5. **Class Counsel.** Pursuant to Rule 23 of the Federal Rules of Civil Procedure, preliminarily and for the purposes of this Amended Settlement only, Hagens Berman Sobol Shapiro LLP, Spector Roseman Kodroff & Willis, P.C., and Wolf Haldenstein Adler Freeman & Herz LLC are appointed as Class Counsel for the Settlement Subclasses. Class Counsel has the authority to enter into the Amended Settlement Agreement on behalf of the Settlement Subclasses and is authorized to act on behalf of the members of the Settlement Subclasses with respect to all acts or consents required by or that may be given pursuant to the Amended Settlement Agreement or such other acts that are reasonably necessary to consummate the Amended Settlement.

6. **Claims Administrator.** The Court also appoints The Garden City Group, Inc. (“GCG”) as the Claims Administrator to carry out those acts set forth in the Amended Settlement Agreement, by agreement of Class Counsel and Defendants, or as set forth in any future order of the Court.

7. **Notice.**

(a) The District Court approves the form, substance and requirements of (a) the Notice, Publication Notice, Postcard Notice and E-Mail Notice, attached hereto as Exhibits 1 through 5 respectively,³ and (b) the Claim Form, attached as Exhibit 6. The last day to complete class notice is August 15, 2014.

(b) The form and method of notifying the Settlement Subclasses of the Settlement and its terms and conditions set forth in the Declaration of Lael D. Dowd,⁴ meet the requirements of due process and Rule 23 of the Federal Rules of Civil Procedure, constitute the best notice practicable under the circumstances, and will constitute due and sufficient notice to all persons and entities entitled thereto.

³ Additional but minor revisions to these notices are necessary to reflect the contents of this Order. For example, the Publication Notice must be modified to reflect the deadlines in this Order.

⁴ This Declaration can be found at ECF No. 857-3 in the McDonough action and No. 150-3 in the Elliott action.

Under no circumstances will any Settlement Class Member be relieved from the terms of the Amended Settlement, including the releases provided for therein, based upon the contention or proof that such Settlement Class Member failed to receive actual or adequate notice.

(c) Class Counsel must cause the Notice, Publication Notice, Postcard Notice, E-Mail Notice and Claim Form, substantially in the forms annexed hereto, to be distributed as set forth in the Dowd Declaration.

(d) Class Counsel, or the Claims Administrator, also will provide electronic addressing that links to a landing page www.babyproductsantitrustsettlement.com where an electronic downloadable version of the Notice and Claim Form may be found. The Notice and Claim Form will remain on the webpage continuously until the first business day following the Claim Deadline (as defined in Paragraph 8) or until the Amended Settlement Agreement becomes Effective, whichever is later.

(e) Class Counsel must post the Notice and Claim Form on their respective websites, if practicable. The Notice and Claim Form will remain posted on Class Counsel's websites until the first business day following the Claim Deadline or until the Amended Settlement Agreement becomes Effective, whichever is later.

(f) Class Counsel must, at or before the Fairness Hearing, file with the District Court an affidavit or declaration by a competent affiant or declarant, attesting that the Notice, Publication Notice, Postcard Notice and E-Mail Notice have been disseminated and published in accordance with this Order.

8. **Claim Deadline.** In order to be entitled to participate in the Settlement Fund, as defined in the Amended Settlement Agreement, in the event the Amended Settlement is effected in accordance with all of the terms and conditions thereof, each Settlement Class Member must take the following actions and be subject to the following conditions:

(a) Except as set forth below, a properly executed Claim Form, substantially in the form attached hereto as Exhibit 6, must be submitted to the Claims Administrator, via electronic submission, facsimile transmission, or at the Post Office Box indicated in the Notice, postmarked no later

than August 22, 2014. Such deadline may be further extended by Order of the District Court (such deadlines, as extended, the "Claim Deadline"). Each Claim Form will be deemed to have been submitted when postmarked (if properly addressed and mailed by first class mail) provided such Claim Form is actually received prior to the filing of a motion for an Order of the District Court approving distribution of the Settlement Fund. Any Claim Form submitted in any other manner will be deemed to have been submitted when it was actually received at the address designated in the Notice. Those Settlement Class Members who (i) previously submitted valid Claim Forms supported by documentary proof of purchase(s) in connection with the Initial Agreement in the Litigation or (ii) have been identified as Settlement Class Members by the Claims Administrator, based on the records of Babies "R" Us, need not submit a Claim Form in order to participate in the distribution of the Settlement Fund.

(b) The Claim Form submitted by each Settlement Class Member must satisfy the conditions set forth in the Amended Settlement Agreement and Notice.

(c) Once the Claims Administrator has considered a timely submitted Claim Form, the Claims Administrator must determine whether such claim is valid, deficient or rejected. For each claim determined to be either deficient or rejected, the Claims Administrator must send a deficiency letter or rejection letter as appropriate, describing the basis on which the claim was so determined. If within the time provided, the Class Member cures the deficiencies identified by the Claims Administrator, and the Claims Administrator thereafter determines that the Class Member's Claim is complete, the Claims Administrator must include the Class Member in the List of Class Members who have been determined by the Claims Administrator to be eligible to receive Settlement Payments under the Allocation Order.

(d) As part of the Claim Form or for those Settlement Class Members not required to submit Claim Forms, as a condition to receipt of the benefits of the Amended Settlement, each Settlement Class Member must submit to the jurisdiction of the District Court with respect to the claim submitted.

9. **Requests for Exclusion.**

(a) Class Members will be bound by all determinations and judgments in this Litigation, whether favorable or unfavorable, unless such persons request exclusion from the Settlement Subclasses in a timely and proper manner.

(b) A Class Member wishing to make such request must mail the request in written form, by first class mail, postage prepaid, and postmarked no later than August 22, 2014 to the Post Office Box address listed in the Notice. Such request for exclusion must clearly indicate the name and address of the person seeking exclusion, that the sender specifically requests to be excluded from the Settlement Subclasses (as defined in the Amended Settlement Agreement), and must be signed by such person. The request for exclusion will not be effective unless the request for exclusion provides the required information and is made within the time stated above, or the exclusion is otherwise accepted by the District Court.

(c) Class Members requesting exclusion from the Settlement Subclasses will not be entitled to receive any payment out of the Settlement Fund as described in the Amended Settlement Agreement and Notice.

(d) Any Class Member who requested exclusion from the Settlement Subclasses for purposes of the prior proposed settlement will be deemed to have requested exclusion from the Settlement Subclasses for purposes of the Amended Settlement Agreement unless such Class Member revokes his or her request for exclusion by mailing a revocation in written form by first class mail, postage prepaid, and postmarked no later than August 22, 2014 to the Post Office Box address listed in the Notice. Such revocation must clearly indicate the name and address of the person revoking his or her request for exclusion, state that such person specifically requests to revoke his or her request for exclusion from the Settlement Subclasses (as defined in the Amended Settlement Agreement), and be signed by such person. The revocation will not be effective unless it provides the required information and is made within the time stated above, or is otherwise accepted by the District Court.

10. **Comments or Objections.**

(a) The District Court will consider comments and/or objections to the Amended Settlement from Settlement Class Members, only if such comments or objections and any supporting papers are served no later than August 22, 2014 upon each of the following:

Eugene A. Spector
SPECTOR ROSEMAN KODROFF &
WILLIS, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
Tel.: (215) 496-0300
Fax: (215) 496-6611

CO-LEAD COUNSEL FOR PLAINTIFFS AND
THE SETTLEMENT SUBCLASSES

Mark L. Weyman
REED SMITH LLP
599 Lexington Avenue
New York, NY 10022
Tel.: (212) 521-5400
Fax: (212) 521-5450

COUNSEL FOR DEFENDANTS TOYS "R" US,
INC., BABIES "R" US, INC., TOYS "R" US-
DELAWARE, INC.

and the objector has filed said objections, papers and briefs, showing due proof of service upon counsel identified above, with the Clerk of the Court, United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Philadelphia, PA 19106-1797.

(b) In order to object, the Settlement Class Member must include in the objection submitted to the Court and served on Class Counsel and Defendants' Counsel: (i) the name, address, telephone number of the Person objecting and, if represented by counsel, of his/her counsel; and (ii) either (A) a valid Claim Form supported by documentary proof of purchase(s); or (B) if the Person objecting received a Postcard or E-mail Notice, the claim number found on that notice (subject to verification by the Claims Administrator that the Person objecting is a Settlement Class Member).⁵ An objecting Settlement Class Member must state, specifically and in writing, all objections and the basis for any such objections, and provide a statement of whether he/she intends to appear at the Fairness Hearing, either with or without counsel. Attendance at the hearing is not necessary; however, persons wishing to be heard orally

⁵ If the Claims Administrator is unable to verify an objector's status as a Settlement Class Member based on the claim number provided, it will request documentary proof of purchase(s) to verify that the Person objecting is a Settlement Class Member.

in opposition to the approval of the Amended Settlement are required to indicate in their written objection their intention to appear at the hearing.

(c) Any Settlement Class Member who fails to file and serve timely a written objection, as detailed in the Notice, will be prohibited from objecting to the approval of the Amended Settlement and will be foreclosed from seeking any review of the Amended Settlement Agreement or the terms of the Amended Settlement Agreement by appeal or other means.

(d) Any Settlement Class Member who does not object in the manner prescribed above will be deemed to have waived all such objections and will forever be foreclosed from making any objection to the fairness, adequacy or reasonableness of the Amended Settlement and the Order and Final Judgment to be entered approving the Amended Settlement.

(e) Responses to objections must be filed by August 29, 2014.

11. **Fairness Hearing.**

(a) All papers in support of the Amended Settlement and any application for attorneys' fees or expenses must be filed and served by August 15, 2014.

(b) A hearing (the "Fairness Hearing") pursuant to Federal Rule of Civil Procedure 23(e) is hereby scheduled to be held before the District Court on **Monday, October 6, 2014 at 10:30 a.m.** in Courtroom 7-B on the 7th Floor of the U.S. Courthouse, 601 Market St., Philadelphia, PA for the following purposes:

- (i) to finally determine whether this Litigation satisfies the applicable prerequisites for class action treatment under Federal Rules of Civil Procedure 23(a) and (b);
- (ii) to determine whether the Amended Settlement is fair, reasonable, and adequate, and should be approved by the District Court;
- (iii) to determine whether the Final Order and Judgment Approving Settlement and Certifying Settlement Subclasses as provided under the Amended Settlement Agreement should be entered, dismissing the Litigation, on the merits and with prejudice, and to determine whether the release by the Settlement Class Members of the Releasees, as set forth in the Amended Settlement Agreement, should be ordered;
- (iv) to determine whether the Allocation Order should be entered;

- (v) to consider the application of Class Counsel for an award of attorneys' fees and expenses and determine whether the Fee and Expense Order should be entered; and
- (vi) to rule upon such other matters as the District Court may deem appropriate.

12. **Right to Approve.** The District Court reserves the right to approve the Amended Settlement with or without modification and with or without further notice of any kind. The District Court further reserves the right to enter its Final Order and Judgment Approving Amended Settlement and Certifying Settlement Subclasses approving the Amended Settlement Agreement and dismissing the Litigation, on the merits and with prejudice, regardless of whether it has approved the Allocation Order or Fee and Expense Order.

13. **Right to Postpone, Adjourn, or Continue.** The Fairness Hearing may be postponed, adjourned, or continued by order of the Court without further notice to the Settlement Subclasses.

14. **Restrictions on Class Members.** Pending final determination of whether the Settlement should be approved, all Settlement Class Members, and each of them, and anyone who acts or purports to act on their behalf must not institute, commence or prosecute any action which asserts Released Claims against any of the Releasees.

15. **Unconsummated Settlement.** In the event that the Amended Settlement is not consummated pursuant to its terms, the Amended Settlement Agreement, except as otherwise provided in the Amended Settlement Agreement, including any amendment(s), and this Order Preliminarily Approving Settlement and Providing For Notice, will be null and void, of no further force or effect, and without prejudice to any party, and may not be introduced as evidence or referred to in any action or proceedings by any person or entity, and each party will be restored to his, her or its respective position as it existed prior to the execution of the Amended Settlement Agreement.

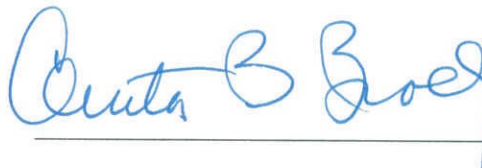
16. **Jurisdiction.** The District Court retains exclusive jurisdiction over the action to consider all further matters arising out of, or connected with, the Amended Settlement.

17. **Deadlines.**

- Class notice must be complete by August 15, 2014;
- Papers in support of final approval of the settlement and any application for incentive awards, attorneys' fees, and expenses due August 15, 2014;
- Comments in support of, or in objection to, the settlement and/or fee application due August 22, 2014;
- Responses to any objections to the settlement due August 29, 2014;
- Requests for exclusion must be postmarked by or received by Claims Administrator by August 22, 2014;
- Withdrawals of requests for exclusion from the Settlement Subclasses must be postmarked by or received by Claims Administrator by August 22, 2014;
- All claims must be postmarked by or received by Claims Administrator by August 22, 2014;
- Fairness Hearing scheduled for October 6, 2014 at 10:30 a.m.

SO ORDERED.

Dated: 5/14/14



Judge Anita Brody

Copies **VIA ECF** on _____ to:

Copies **MAILED** on _____ to:

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Exhibit 1

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA**If you purchased certain baby products from Babies "R" Us or Toys "R" Us, an amended class action settlement may affect you.**

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

- An Amended Settlement will provide up to \$35.5 million to consumers who purchased the following baby products from Babies "R" Us or Toys "R" Us in the U.S.:

Product:	Purchased between:
BabyBjörn baby carrier	2/2/00 - 4/30/05
Britax car seat	1/1/99 - 1/31/11
any Kids Line product	1/1/99 - 12/31/06
Maclaren stroller	10/1/99 - 1/31/11
Medela Pump In Style breast pump	7/1/99 - 1/31/11
Peg Perego car seat	7/1/99 - 1/31/11
Peg Perego high chair	7/1/99 - 1/31/11
Peg Perego stroller	7/1/99 - 1/31/11

- A prior notice of proposed class action settlement was disseminated to Class Members in 2011. Your legal rights are affected whether you act or don't act. Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
PREVIOUSLY SUBMITTED OR NOW SUBMIT A CLAIM FORM SUPPORTED BY DOCUMENTARY PROOF OF PURCHASE(S)	Unless you have been identified from records of Babies "R" Us as a Class Member, this is the only way to get a payment.
PREVIOUSLY EXCLUDED YOURSELF FROM THE CLASS OR EXCLUDE YOURSELF FROM THE CLASS NOW	Get no payment. This is the only option that allows you to ever be part of any other lawsuit against Babies "R" Us and the baby product manufacturers above about the legal claims in this case. If you previously excluded yourself from the Class, you may revoke your exclusion.
OBJECT	Write to the Court about the fairness of the Amended Settlement.
GO TO A HEARING	Ask to speak in Court about the fairness of the Amended Settlement.
DO NOTHING	<p>If you received a postcard or e-mail notice of this Amended Settlement, then you were identified as a Class Member from the records of Babies "R" Us or you previously submitted a claim form or requested exclusion in response to the Initial Settlement. You may receive payment without taking further action unless: (i) you previously submitted a claim form without supporting documentary proof of purchase; or (ii) you requested exclusion.</p> <p>If you received a postcard or e-mail notice of this Amended Settlement, but did not submit supporting documentary proof of purchase(s) with your previously submitted claim form, if you do nothing, you will get no payment and give up rights.</p> <p>If you did not receive a postcard or e-mail notice of this Amended Settlement, then if you do nothing, you will get no payment and give up rights.</p>

Questions? Visit www.babyproductsantitrustsettlement.com or call 1-888-292-8492.

Para ver un aviso en español, llame el 1-888-292-8492

- Your rights and options – **and the deadlines to exercise them** – are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Amended Settlement. Payments will be made if the Court approves the Amended Settlement and after any appeals are resolved. Please be patient.

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I. BASIC INFORMATION

1. What is the purpose of this Notice?

You may have purchased an eligible baby product from Babies "R" Us. The Court approved this Notice because if you have purchased certain baby products, you have a right to know about a proposed settlement of a lawsuit before the Court decides whether to approve the Amended Settlement.

This Notice explains the lawsuit, the Amended Settlement, your legal rights, how to opt out of the Amended Settlement, what benefits are available, who is eligible for them, and how to get them. Receipt of this Notice does not necessarily mean that you are entitled to receive money from the Amended Settlement.

The Court in charge of the case is the United States District Court for the Eastern District of Pennsylvania (referred to throughout as either "Court" or "District Court"), and the cases are known as *McDonough v. Toys 'R' Us, et al.*, No. 2:06-cv-0242-AB and *Elliott v. Toys 'R' Us, et al.*, No. 2:09-cv-06151-AB. The people who brought these cases are called Plaintiffs, and the companies that they sued are called the Defendants.

2. What are these lawsuits about?

Two groups of consumers sued Toys "R" Us, Inc. doing business as Babies "R" Us; Babies "R" Us, Inc.; Toys "R" Us-Delaware, Inc. (collectively referred to as "Babies "R" Us"); BabyBjörn AB ("BabyBjörn"); Britax Child Safety, Inc. ("Britax"); Kids Line, LLC ("Kids Line"); Maclaren USA, Inc. n/k/a American Baby Products, Inc. ("Maclaren"); Medela, Inc. ("Medela"); Peg Perego U.S.A., Inc. ("Peg Perego"); and Regal Lager, Inc. ("Regal Lager"), who was Baby Björn's distributor. The consumers claimed that Babies "R" Us conspired with each of these manufacturers to implement and enforce policies that would prevent the discounting of certain baby products.

The consumers argued that the alleged conduct suppressed or eliminated competition that Babies "R" Us faced from Internet retailers in violation of federal antitrust laws. As a result, the consumers claim that Babies "R" Us overcharged consumers for these products.

The companies being sued in these lawsuits dispute these claims. They deny engaging in any conspiracies or any other unlawful conduct. No court or other authority has found that the Defendants participated in any wrongdoing.

3. What is a class action?

In a class action lawsuit, one or more people called "Class Representatives" sue on behalf of people who have similar claims. All of these people are called a "Class," and they are individually called a "Class Member." In these lawsuits, there are "Subclasses" based on the kind of baby product a Class Member purchased. People who purchased more than one relevant baby product will be a member of more than one Subclass. One court resolves the issues for all of the Class Members—except for those people who choose to exclude themselves. U.S. District Court Senior Judge Anita B. Brody is overseeing these class action lawsuits.

4. What is the current status of the lawsuits?

Several lawsuits were originally filed in early 2006, and the cases were combined with the *McDonough* class action lawsuit. On December 28, 2009, the *Elliott* class action lawsuit was also filed before Judge Brody. On January 21, 2011, the Plaintiffs and Defendants in both lawsuits agreed to combine and settle both cases together (referred to throughout as the "Initial Settlement," "Initial Agreement" or "Initial Settlement Agreement"). On or about December 21, 2011, the District Court approved the proposed Initial Settlement Agreement and overruled all objections to the Initial Settlement. Thereafter, certain objectors appealed the denial of their objection to the United States Court of Appeals for the Third Circuit. On February 19, 2013, the appellate court vacated the District Court's approval of the proposed Initial Settlement and sent the case back to the District Court. On _____, the District Court gave preliminary approval to the Fourth Amended Settlement Agreement (referred to throughout as the "Amended Settlement" and/or "Amended Settlement Agreement").

5. Why did the Plaintiffs and Defendants agree to settle?

Although the Court has not ruled on the merits of the Plaintiffs' claims, the Plaintiffs agreed to settle the lawsuits with Babies "R" Us, BabyBjörn, Britax, Kids Line, Maclaren, Medela, Peg Perego, and Regal Lager. Based on Plaintiffs' lawyers' thorough investigation of the facts and the laws relevant to the lawsuit, the Plaintiffs and their lawyers have concluded that the Amended Settlement with the Defendants is in the best interests of the Class Members. Therefore, claims against Babies "R" Us, BabyBjörn, Britax, Kids Line, Maclaren, Medela, Peg Perego, and Regal Lager (the "Defendants") will be released upon Court approval of the Amended Settlement.

The Defendants still deny that they acted unlawfully in any way and they have vigorously defended against all of the Plaintiffs' claims. The proposed Amended Settlement does not mean in any way that the Defendants admit that any of Plaintiffs' claims are true, and it does not mean that the Court has decided in favor of Plaintiffs or Defendants. The Amended Settlement allows everyone to avoid the substantial costs of a trial and gives the people affected compensation.

II. WHO IS IN THE AMENDED SETTLEMENT

1. What kinds of purchases qualify me to receive money from the Amended Settlement?

Whether you are a Class Member – and thus eligible to receive money from the settlement – depends on the type of baby product you purchased, where it was purchased, and when it was purchased. If you purchased one or more of the specific baby products from Babies "R" Us or Toys "R" Us during specific time periods, then you are eligible to participate in one or more of the Settlement Subclasses.

2. How do I know if I am a member of a Settlement Subclass?

The Court has preliminarily decided that persons and entities that purchased certain baby products in the United States directly from Babies "R" Us or Toys "R" Us during specific time periods are Class Members. The Class has been separated into subclasses based on the type and manufacturer of the baby product. Excluded from each subclass are any judge, justice or judicial officer presiding over this matter and the members of their immediate families and judicial staffs. You can determine if you are part of one or more of the Settlement Subclasses by using the following chart:

Subclass	Date of Purchase from Babies "R" Us or Toys "R" Us	Product Purchased	Percentage of the Settlement Amount that the Entire Subclass May Receive
BABYBJÖRN SUBCLASS	February 2, 2000 through April 30, 2005	Any BabyBjörn baby carrier	6%
BRITAX SUBCLASS	January 1, 1999 through January 31, 2011	Any Britax car seat	28%
KIDS LINE SUBCLASS	January 1, 1999 through December 31, 2006	Any Kids Line Product	21%
MACLAREN SUBCLASS	October 1, 1999 through January 31, 2011	Any Maclaren stroller	7%
MEDELA SUBCLASS	July 1, 1999 through January 31, 2011	Any Medela Pump in Style breast pump	22%
PEG PEREGO CAR SEAT SUBCLASS	July 1, 1999 through January 31, 2011	Any Peg Perego car seat	3%
PEG PEREGO HIGH CHAIR SUBCLASS	July 1, 1999 through January 31, 2011	Any Peg Perego high chair	4%
PEG PEREGO STROLLER SUBCLASS	July 1, 1999 through January 31, 2011	Any Peg Perego stroller	9%

3. Can I be in more than one Settlement Subclass?

Yes. If you fit into the definition of more than one of the Settlement Subclasses, then you are a member of more than one Settlement Subclass, unless you have excluded yourself or exclude yourself now from one or more of them.

4. What if I still do not know whether I am a member of one or more of the Settlement Subclasses?

If you still do not know whether you are included in one or more of the Settlement Subclasses, you can ask for free help. You can visit www.babyproductsantitrustsettlement.com, call 1-888-292-8492, or write to:

Baby Products Antitrust Litigation c/o The Garden City Group, Inc.
P.O. Box 9679

Dublin, Ohio 43017-4979

III. THE SETTLEMENT BENEFITS**1. How will the funds from the Amended Settlement be distributed?**

Settlement funds will be distributed only after the Court approves the Amended Settlement and the proposed distribution of the money among the subclasses.

The funds from the Amended Settlement have been deposited into an interest-bearing escrow account. Such settlement funds, less any amounts approved by the Court for payment of attorneys' fees, reimbursement of litigation expenses, and incentive awards to Settlement Subclass Representatives, will be apportioned among the Settlement Subclasses in accordance with an amended Allocation Order to be entered by the Court. Each Settlement Subclass Member will be eligible to receive proceeds from the Individual Settlement Fund(s) for the Settlement Subclass(es) in which he or she is a member.

For each Settlement Subclass, the Individual Settlement Fund will be distributed to members of that Settlement Subclass who did not and do not now request exclusion from that subclass and: (i) previously submitted a valid Claim Form supported by documentary proof of purchase(s) in response to the notice of the Initial Settlement Agreement ("Initial Notice"); (ii) now submit a valid Claim Form supported by documentary proof of purchase(s) in response to this Notice; or (iii) have been identified from records of Babies "R" Us (collectively, "Authorized Claimants"). It will be within the discretion of the Claims Administrator to determine what constitutes appropriate documentary proof, but examples of the types of documents that may suffice include, but are not limited to: receipts, cancelled checks, credit card statements, photographs, or corroborating, sworn affidavits from two other people.

Authorized Claimants who previously submitted or now submit documents that the Claims Administrator determines are valid proof of purchase and purchase price shall be entitled to a payment from each Settlement Subclass Fund for which they are eligible in the amount of 20 percent of their actual purchase price of each Settlement Product, subject to certain enhancements or reductions.

Authorized Claimants who: (i) previously submitted or now submit documents that the Claims Administrator determines are valid proofs of purchase but did not or do not now submit proof of an actual purchase price; or (ii) for whom Babies "R" Us has provided records of a valid proof of purchase to the Claims Administrator shall be entitled to a payment from each Settlement Subclass Fund for which they are eligible in the amount of 20 percent of the estimated retail price (as calculated by Class Counsel) of each Settlement Product, subject to certain enhancements or reductions.

In any case, the amount of an Authorized Claimant's distribution may not exceed three times the approved claims for each Authorized Claimant. If you are a member of more than one Settlement Subclass, you are eligible to receive settlement proceeds based on your membership in each Settlement Subclass.

Once the Court grants final approval to the Amended Settlement, the distribution will take place as soon as practicable after review, determination, and audit of the Claim Forms by the Claims Administrator and approval by the Court of the Claims Administrator's recommendations as to the specific amounts to be paid to the Claimants.

Once the deadlines for Settlement Class Members to submit Claim Forms has passed, the Claims Administrator will determine if the claims of Authorized Claimants would exhaust any of the Individual Settlement Funds. As further described in the proposed amended Allocation Order, in the event that there are excess funds allocated to one or more of the Settlement Subclasses after the claims are satisfied, any such excess funds will be reallocated to exhausted Individual Settlement Funds and, subsequently, to provide up to three times each claimant's approved claim.

2. From which Individual Settlement Funds am I eligible to receive money?

If you are a member of one or more of the Settlement Subclasses, you are eligible to receive a distribution from the Individual Settlement Fund for each Settlement Subclass of which you are a member.

3. How will the proceeds from the Individual Settlement Funds be distributed?

Each Individual Settlement Fund will be distributed to members of the respective Settlement Subclasses who did not or do not now request exclusion (or who revoke a previous request for exclusion) and: (i) who file a valid Claim Form supported by documentary proof of purchase(s); (ii) who previously filed a valid Claim Form supported by documentary proof of purchase(s) in response to the Initial Agreement; or (iii) who have been identified from records of Babies "R" Us. The distribution will be made pursuant to an allocation order to be entered by the Court, the proposed form of which is available at www.babyproductsantitrustsettlement.com.

4. What does the proposed Amended Settlement and proposed allocation provide to the Settlement Subclasses?

As part of the proposed settlement, the Released Defendants agreed to make payments totaling \$35,500,000 to the Settlement Fund. Class Counsel and Plaintiffs propose to allocate the Net Settlement Fund—after payments of attorneys' fees, reimbursement of litigation expenses, and incentive awards to Settlement Class Representatives—among each Settlement Subclass based upon the percentage of the overall estimated alleged damages each Settlement Subclass represents. The proposed allocations are described in the chart in Part II and may be adjusted by the Court or as described in the allocation order.

In addition to the initial Distribution described in Section III (1) ("Initial Distribution"), it is possible that members of the Settlement Subclasses may also receive coupons if they did not receive the maximum distribution allowed in the Initial Distribution and have provided, or the Claims Administrator already has, their email addresses. Coupons up to the total cumulative amount of Settlement Funds remaining after the Initial Distribution as a result of uncashed checks or other remaining funds, which funds shall be returned to Defendants, will be e-mailed to Authorized Claimants who have cashed or deposited the Settlement Funds distributed in the Initial Distribution and have not received the maximum distribution allowed under the Amended Settlement. The coupons will be eligible for use in connection with purchase of the products at issue in these lawsuits. Once distributed, the coupons are fully transferrable.

In exchange, Settlement Class Members give up all legal rights to sue Babies "R" Us, BabyBjörn, Britax, Kids Line, Maclaren, Medela, and Peg Perego and Regal Lager for the claims in the *McDonough* and *Elliott* cases. These Defendants have made their agreed upon contributions to the Settlement Fund and will be released from all claims of Class Members for all purchases of relevant baby products during the respective Settlement Subclass periods as more fully described in the Release and Discharge provisions contained in the Settlement Agreement. Even if you choose to object, attend the Fairness Hearing, hire your own lawyer or do nothing at all, if you are a Class Member you will be bound by the Amended Settlement Agreement unless you previously requested exclusion or properly request exclusion now.

IV. SUBMITTING A CLAIM FORM

1. How do I receive money from the Amended Settlement?

You will obtain money from the Amended Settlement if you are a member of a Settlement Subclass, you did not or do not now request exclusion (or you revoke a previous request for exclusion), and you: (i) previously submitted a valid Claim Form supported by documentary proof of purchase(s) in response to the Initial Notice; (ii) now submit a valid Claim Form supported by documentary proof of purchase(s) in response to this Notice; or (iii) have been identified as a Class Member from records of Babies "R" Us (collectively, "Authorized Claimant(s)"). This Notice and the Claim Form are available at www.babyproductsantitrustsettlement.com. If you belong to more than one Settlement Subclass, you only need to submit one Claim Form.

Even if you believe Babies "R" Us may possess records that identify you as a Class Member, it is possible that Babies "R" Us does not have records for all of your purchases. You should therefore still submit a Claim Form for all of your purchases.

Your Claim Form must be postmarked, faxed, or submitted online by August 22, 2014. Any member of any Settlement Subclass that does not complete and timely return the Claim Form or was not identified as a Class Member from records of Babies "R" Us will not be entitled to share in any settlement proceeds unless the Court permits otherwise.

Please mail, fax or email your completed Claim Form to:

Baby Products Antitrust Litigation c/o The Garden City Group, Inc.
P.O. Box 9679
Dublin, Ohio 43017-4979
Fax: 1-888-476-7153
Email: Questions@babyproductsantitrustsettlement.com

WARNING: There are companies that may contact Class Members upon learning of a pending class action distribution and offer to help Class Members file claim forms in exchange for a share of the money that the Class Members may ultimately recover. Please be advised that you do not need to use one of these companies.

Assistance is available from the Claims Administrator at no cost to you.

V. THE LAWYERS AND CONSUMERS REPRESENTING YOU

1. Do I have a lawyer in this case?

Yes. The Court has appointed the following law firms to represent the Settlement Subclasses:

<p>SPECTOR, ROSEMAN, KODROFF & WILLIS, P.C. 1818 Market Street, Suite 2500 Philadelphia, PA 19103 (215) 496-0300 www.srkw-law.com</p>	<p>HAGENS BERMAN SOBOL SHAPIRO LLP 1144 West Lake Street, Suite 400 Oak Park, IL 60301-1043 (708) 628-4949 www.hbsslw.com</p>	<p>WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLC 270 Madison Avenue New York, NY 10016 (212) 545-4600 www.whafh.com</p>
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These three firms are referred to as "Class Counsel." They are experienced in handling antitrust class actions. More information about these law firms, their practices, and their lawyers' experience is available at their websites.

You will not be personally charged for the services of Class Counsel in litigating these cases. You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you may hire one at your own expense.

2. How will the lawyers be paid?

Since they filed this case, Class Counsel has not received any payment for their services in prosecuting the lawsuit, nor have they been reimbursed for any out-of-pocket expenses. If the Court approves the proposed Amended Settlement, Class Counsel will ask the Court to award them fees of up to 33 1/3 % of the settlement, plus reimbursement of expenses that they incurred in litigation and administering the settlement fund. After this motion is filed with the Court, a copy of this motion will be available at www.babyproductsantitrustsettlement.com. Defendants have agreed not to oppose such an award of fees and expenses.

Any attorneys' fees and reimbursement of litigation expenses will be awarded only as approved by the Court in amounts determined to be fair and reasonable. If you wish to object to the petition for attorneys' fees and reimbursement of litigation expenses, you may do so, but only by following the instructions in Part VI.

3. Will the Plaintiffs receive anything for the time and effort they contributed to the lawsuit?

Yes. The *McDonough* lawsuit was filed by Plaintiffs Carol McDonough, Sara Shuck, Lawrence McNally, Melissa Nuttall, Julie Lindemann, Stephanie Bozzo, Darcy Trzupsek and Yossi Zarfati. The *Elliott* lawsuit was filed by Plaintiffs Ariel Elliott, Beth Hellman, Christine Brooke Logan, Kristi Monville, Sarah Otazo, Kelly Pollock, and Elizabeth Starkman.

As part of the settlement, Class Counsel will ask the Court to award the Plaintiffs \$2,500.00 each for the time and effort they contributed to the prosecution of this litigation. These awards would be paid from the settlement.

VI. OBJECTING TO THE AMENDED SETTLEMENT

1. How do I object to the Amended Settlement?

Only members of one or more of the eight Settlement Subclasses who do not request exclusion from the settlement may object. Members can object to (1) the proposed Settlement Subclass allocations or distributions; (2) Class Counsel's request for an award of attorney's fees and reimbursement of litigation expenses; (3) Class Counsel's request for incentive awards for the Plaintiffs; or (4) anything else about the proposed settlement.

If you wish to make an objection, you must mail your written objection to, or file it with, the Clerk of the Court at: 601 Market Street, Philadelphia, Pennsylvania 19106. The written objection must be received and filed with the Court no later than August 22, 2014. Copies of any objections must be sent to the following lawyers:

Eugene A. Spector
SPECTOR ROSEMAN KODROFF & WILLIS, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
Tel.: (215) 496-0300
Fax: (215) 496-6611

Mark L. Weyman
REED SMITH LLP
599 Lexington Avenue
New York, NY 10022
Tel.: (212) 521-5400
Fax: (212) 521-5450

CO-LEAD COUNSEL FOR PLAINTIFFS AND THE
SETTLEMENT SUBCLASSES

COUNSEL FOR DEFENDANTS TOYS "R" US, INC.,
BABIES "R" US, INC., TOYS "R" US-DELAWARE, INC.

You must include in your objection: (i) the name, address, and telephone number of the person objecting and, if represented by a lawyer, of his or her lawyer; and (ii) either (A) a valid Claim Form supported by documentary proof of purchase(s); or (B) if you received a postcard or e-mail notice, the claim number found on that notice (subject to verification by the Claims Administrator that you are a Settlement Class Member). If the Claims Administrator is unable to verify an objector's status as a Settlement Class Member based on the claim number provided, it will request documentary proof of purchase(s) to verify that the Person objecting is a Settlement Class Member. You must also specify, in writing, all of your objections and the basis for those objections, and provide a statement of whether you would like the Court's permission to speak at the Fairness Hearing.

If you fail to file and serve timely a written objection, you will be prohibited from objecting to the approval of the Amended Settlement and will be foreclosed from seeking any review of the Amended Settlement Agreement or the terms of the Amended Settlement Agreement by appeal or other means.

VII. EXCLUDING YOURSELF FROM THE AMENDED SETTLEMENT

1. How do I ask the Court to exclude me from the Amended Settlement?

You must mail a written "Exclusion Request" in a letter saying that you want to be excluded from *McDonough, et al. v. Toys "R" Us, Inc., et al.*, Case No. 06-0242 and *Elliott, et al. v. Toys "R" Us, Inc., et al.*, Case No. 09-6151. Be sure to include your name, address, the Settlement Subclasses to which you belong, and your signature. You must mail your Exclusion Request, postmarked by August 22, 2014, to: Baby Products Antitrust Litigation, c/o The Garden City Group, Inc., P.O. Box 9679, Dublin, Ohio 43017-4979. You may also get an Exclusion Request form at www.babyproductsantitrustsettlement.com.

2. Why would I ask to be excluded?

You may exclude yourself from the Settlement Subclasses for any reason. If you exclude yourself, you won't get any money from this settlement and you cannot object to the Amended Settlement. However, you will also not be legally bound by anything that happens in this lawsuit, including the settlement. You may then be able to sue some or all of the Defendants for claims that would otherwise be released as a result of the settlement. If you start your own lawsuit against one or more of Defendants after you exclude yourself, you'll have to hire and pay your own lawyer for that lawsuit, and you'll have to prove your claims. If you do exclude yourself so you can start your own lawsuit against one or more of the Defendants, you should talk to your own lawyer soon because your claims may be subject to a statute of limitations.

3. If I excluded myself from the Initial Settlement, can I participate in the Amended Settlement?

If you are a Class Member who excluded yourself from the proposed settlement described in the Initial Agreement, you shall be deemed to have excluded yourself from this Amended Settlement Agreement unless you revoke your exclusion. To revoke your exclusion, you must mail a written "Request to Revoke Exclusion" stating that you wish to revoke your exclusion from *McDonough, et al. v. Toys "R" Us, Inc., et al.*, Case No. 06-0242, and *Elliott, et al. v. Toys "R" Us, Inc., et al.*, Case No. 09-6151. Be sure to include your name, address, the Settlement Subclasses to which you belong, and your signature. You must mail your Request to Revoke Exclusion, postmarked by August 22, 2014, to: Baby Products Antitrust Litigation, c/o The Garden City Group, Inc., P.O. Box 9679, Dublin, Ohio 43017-4979.

VIII. THE COURT'S FAIRNESS HEARING

1. When and where will the Court decide whether to approve the Amended Settlement?

The Court will hold a Fairness Hearing in Courtroom 7-B at the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Philadelphia, Pennsylvania 19106, on _____ at _____.m. The Court will consider whether the settlement is fair, adequate and reasonable.

2. Do I have to come to the hearing?

No, you do not have to attend the hearing. Class Counsel will answer any questions Judge Brody may have. If you send a written objection, you do not have to attend the hearing for the Court to consider it. As long as you mailed your written objection as instructed in this notice, the Court will consider it. You may also pay your own lawyer to attend.

You may attend the hearing at your own expense. You may speak at the hearing only if you have submitted your objection as instructed and have stated in your objection that you wish to be heard at the Fairness Hearing.

IX. IF YOU DO NOTHING

Unless you previously requested exclusion, if you do nothing, you still remain bound by the terms of the Amended Settlement with Babies "R" Us, BabyBjörn, Britax, Kids Line, Maclaren, Medela, Peg Perego, and Regal Lager and you will not be able to be a part of a lawsuit against the Defendants about the legal issues in this case ever again. If you do nothing, you will not receive any money from the Settlement unless you: (i) previously submitted a valid Claim Form supported by documentary proof of purchase(s) in response to the Initial Notice; or (ii) you have been identified from records of Babies "R" Us as a member of a Settlement Subclass.

X. GETTING MORE INFORMATION

This notice is only a summary of the proposed Amended Settlement. You may obtain a copy of the Amended Settlement Agreement by visiting www.babyproductsantitrustsettlement.com, calling 1-888-292-8492, or writing:

Baby Products Antitrust Litigation
c/o The Garden City Group, Inc.
P.O. Box 9679
Dublin, Ohio 43017-4979

Do not contact the Defendants, the Clerk of the Court, or the Judge regarding this notice.

Exhibit 2

If you purchased products listed below directly from Babies "R" Us or Toys "R" Us in the U.S., a class action settlement may affect your rights.

Baby Product and Purchase Date Ranges	
BabyBjörn baby carrier	2/2/00 - 4/30/05
Britax Car Seat	1/1/99 - 1/31/11
Kids Line products	1/1/99 - 12/31/06
Maclaren stroller	10/1/99 - 1/31/11
Medela Pump	
In Style breast pump	7/1/99 - 1/31/11
Peg Perego car seat	7/1/99 - 1/31/11
Peg Perego high chair	7/1/99 - 1/31/11
Peg Perego stroller	7/1/99 - 1/31/11

An Amended Settlement provides up to \$35.5 million to consumers who purchased the listed baby products from Babies "R" Us or Toys "R" Us ("BRU") in the U.S. A prior notice of proposed class action settlement was disseminated to Class Members in 2011.

The Class is divided into subclasses based on the baby product purchased. You can determine if you are part of one or more Settlement Subclasses by visiting the Settlement website below and viewing the chart of included products and dates of purchase. For free help in determining this, visit the website below, call 1-888-292-8492, email questions@babyproductsantitrustsettlement.com or write to Baby Products Antitrust Litigation, c/o The Garden City Group, Inc., P.O. Box 9679, Dublin, Ohio 43017-4979.

How to Get Money? If you are a member of a Settlement Subclass, you are eligible to receive money if you did not or do not request exclusion (or you revoke a prior request for exclusion) and you: (i) file a valid Claim Form supported by documentary proof of purchase(s); (ii) filed a valid Claim Form supported by documentary proof of purchase(s) in the Initial Settlement described on the website, or (iii) have been identified from BRU's records. The Claim Form must be postmarked, faxed or submitted online by August 22, 2014.

Your Other Rights. If you do not want to be legally bound by the Amended Settlement, you must exclude yourself by August 22, 2014. If you exclude yourself, you cannot get money from this Amended Settlement. If you already excluded yourself from the proposed Initial Settlement, you can revoke your exclusion. If you wish to revoke your exclusion, you must do so by August 22, 2014. If you stay in the Settlement Class, you may object to the Amended Settlement by August 22, 2014. The Full Notice, located at the website below, explains how to take these steps.

A hearing, to determine if the Amended Settlement is fair, adequate and reasonable, is scheduled for _____ at _____M, (EST) in Courtroom 7-B at the United States District Court for the Eastern District of Pennsylvania, 601 Market St., Philadelphia, PA 19106. If you did not and do not now take any action, you will be legally bound by the Settlement. For more information, call 1-888-292-8492, visit www.babyproductsantitrustsettlement.com, or email questions or updated address information to questions@babyproductsantitrustsettlement.com.

Please do not contact the Court for information about this Settlement.

MECHANICAL SPECIFICATIONS	
File Name: BBA_Master_S1.indd	Body Copy Font Size/Leading: 7.3/8.3
Publication: Sports Illustrated	Total Word Count: 478
Ad Unit: 2" x 10"	Create Date/Time: 2/21/14 @ 1:00 PM PT
Headline Font: Callibri	Operator: TOC
Headline Font Size/Leading: 11/12	Last Edit Time: 5/13/14 @ 8:45 AM PT
Body Copy: Times Lt Std	Operator: TOC

Exhibit 3

Court-Ordered Legal Notice
 Baby Products Antitrust Litigation
 c/o The Garden City Group, Inc.
 PO Box 9679
 Dublin, Ohio 43017-4979

Important Legal Notice authorized by the
 United States District Court for the Eastern
 District of Pennsylvania.

This Notice may affect your legal rights.

Please read it carefully.

**IMPORTANT: RETAIN THE
 CLAIM NUMBER AND
 CONTROL NUMBER PROVIDED
 BY THIS POSTCARD FOR
 FURTHER IDENTIFICATION OF
 YOUR CLAIM.**

BBA0123456789



Claim No: EBW01234567

Control No: 0123456789

[NAME1]

[ADDR1]

[ADDR2]

[CITY][ST][ZIP]

Baby Products Antitrust Litigation, United States District Court for the Eastern District of Pennsylvania

An Amended Settlement provides up to \$35.5 million to consumers who purchased the listed baby products from Babies "R" Us or Toys "R" Us ("BRU") in the U.S. The Court has preliminarily decided that anyone who purchased the listed baby products in the U.S. directly from BRU during the listed time periods are Class Members. You are receiving this notice because BRU's records show that you are included in one or more Settlement Subclasses or you previously submitted a claim form or requested exclusion in response to the Initial Settlement.

Baby Product and Purchase Date Ranges

BabyBjorn baby carrier	2/2/00 – 4/30/05	Medela Pump In Style breast pump	7/1/99-1/31/11
Britax Car Seat	1/1/99-1/31/11	Peg Perego car seat	7/1/99-1/31/11
Kids Line products	1/1/99-12/31/06	Peg Perego high chair	7/1/99-1/31/11
Maclaren stroller	10/1/99-1/31/11	Peg Perego stroller	7/1/99-1/31/11

How to Get Money? Settlement Funds will be distributed only after the Court approves the Amended Settlement and the proposed distribution of the money among the Settlement Subclasses. Because you are a member of one or more of the Settlement Subclasses, you are eligible to receive a distribution. Each Individual Settlement Fund will be distributed to members of the respective Settlement Subclasses who did not or do not now request exclusion (or who revoke a previous request for exclusion) and who file a valid Claim Form supported by documentary proof of purchase(s), filed a valid Claim Form supported by documentary proof of purchase(s) in the Initial Settlement described on the Settlement website, or have been identified from BRU's records. Please visit the settlement website at www.babyproductsantitrustsettlement.com and click on the On-Line Claim Filing link to confirm or modify your purchase information or file a new claim. The Claim Form must be postmarked, faxed or submitted online by August 22, 2014.

Your Other Rights. If you do not want to be legally bound by the Amended Settlement, you must exclude yourself by August 22, 2014. If you want to revoke a previous request for exclusion, you must do so by August 22, 2014. If you stay in the Settlement Class, you may object to the Amended Settlement by August 22, 2014. The Full Notice, located at the website below, explains how to exclude yourself, revoke your exclusion or object to the Amended Settlement. A hearing is scheduled for _____ at _____.m. (eastern time) in Courtroom 7-B at the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Philadelphia, Pennsylvania 19106, for the purpose of determining whether the Amended Settlement is fair, adequate and reasonable. If you did not or do not now take any action, you will be legally bound by the Amended Settlement and any orders or judgments entered in the case and will fully, finally, and forever give up any rights to prosecute certain claims against Defendants.

THIS CARD ONLY PROVIDES LIMITED INFORMATION ABOUT THE AMENDED SETTLEMENT

For free help and more important information, visit the website at www.babyproductsantitrustsettlement.com, call 1-888-292-8492, email questions@babyproductsantitrustsettlement.com, or write to Baby Products Antitrust Litigation, c/o The Garden City Group, Inc., P.O. Box 9679, Dublin, Ohio 43017-4979.

Please do not contact the Court for information about this Amended Settlement.

Exhibit 4

**EMAIL BLAST FOR PEOPLE IDENTIFIED IN BABIES “R” US’ RECORDS OR WHO
SUBMITTED DOCUMENTARY PROOF OF PURCHASE(S):**

**Baby Products Antitrust Litigation
United States District Court for the Eastern District of Pennsylvania**

Important Legal Notice authorized by the United States District Court for the Eastern District of Pennsylvania.

An Amended Settlement will provide up to \$35.5 million to consumers who purchased the listed baby products from Babies “R” Us or Toys “R” Us (“BRU”) in the U.S. A prior notice of proposed class action settlement was disseminated to Class Members in 2011.

The Court has preliminarily decided that anyone who purchased the listed baby products in the United States directly from BRU during the listed specific time periods are Class Members.

Product:	Purchased between:
BabyBjörn baby carrier	2/2/00 - 4/30/05
Britax car seat	1/1/99 - 1/31/11
any Kids Line product	1/1/99 - 12/31/06
Maclaren stroller	10/1/99 - 1/31/11
Medela Pump In Style breast pump	7/1/99 - 1/31/11
Peg Perego car seat	7/1/99 - 1/31/11
Peg Perego high chair	7/1/99 - 1/31/11
Peg Perego stroller	7/1/99 - 1/31/11

Excluded from the subclasses are any judge, justice or judicial officer presiding over this matter and the members of their immediate families and judicial staffs.

You are receiving this notice because BRU’s records show that you are included in one or more Settlement Subclasses or you previously submitted a claim form supported by documentary proof of purchase(s) or requested exclusion in response to the Initial Settlement. If you have any questions, you can ask for free help by visiting www.babyproductsantitrustsettlement.com, calling 1-888-292-8492, emailing questions@babyproductsantitrustsettlement.com or writing to Baby Products Antitrust Litigation, c/o The Garden City Group, Inc., P.O. Box 9679, Dublin, Ohio 43017-4979.

How to Get Money? Settlement Funds will be distributed only after the Court approves the Amended Settlement and the proposed distribution of the money among the Settlement Subclasses. Because you are a member of one or more Settlement Subclasses, you are eligible to receive a distribution from the Individual Settlement Fund for each Settlement Subclass of which you are a member. Each Individual Settlement Fund will be distributed to members of the respective Settlement Subclasses who did not or do not now request exclusion (or who revoke a

previous request for exclusion) and: (i) who file a timely and valid Claim Form supported by documentary proof of purchase(s); (ii) who filed a valid Claim Form supported by documentary proof of purchase(s) in response to the Initial Settlement described on the Settlement website; or (iii) who have been identified from BRU's records. Please click the link to the Settlement website located at the bottom of this email to confirm or modify the information currently on file regarding your claim. The Claim Form must be postmarked, faxed or submitted online by August 22, 2014.

Documentary proof of purchase(s) would be, for example: receipts, cancelled checks, credit card statements, photographs, or corroborating, sworn affidavits from two other people.

Your Other Rights. If you do not want to be legally bound by the Amended Settlement, you must exclude yourself by August 22, 2014. If you exclude yourself, you cannot get money from this Amended Settlement. If you previously excluded yourself from the proposed Initial Settlement described on the Settlement website, you shall be deemed to have excluded yourself from this Amended Settlement unless you revoke your exclusion. If you wish to revoke your exclusion, you must do so by August 22, 2014. If you stay in the Settlement Class, you may object to the Amended Settlement by August 22, 2014. The Full Notice, located at the website below, explains how to exclude yourself, revoke your exclusion or object to the Amended Settlement. The Court has scheduled a hearing for _____ at _____.m. (eastern time) in Courtroom 7-B at the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Philadelphia, Pennsylvania 19106, for the purpose of determining whether the Amended Settlement is fair, adequate and reasonable. **If you did not and do not now take any action, you will be legally bound by the Amended Settlement and any orders or judgments entered in the case and will fully, finally, and forever give up any rights to prosecute certain claims against Defendants.**

For more information, the Settlement Agreement, a Full Notice, or a Claim Form:

1-888-292-8492 or www.babyproductsantitrustsettlement.com

You can email questions or updated address information to

Questions@babyproductsantitrustsettlement.com.

Please do not contact the Court for information about this Settlement.

To download a .pdf version of the Full Notice **CLICK HERE**. Acrobat Reader is required to view the PDF. You may already have the Adobe Acrobat Reader on your computer. If you do, you won't need to download Adobe Acrobat. If you do not have Acrobat, you will need to download the Free Adobe Acrobat Reader by clicking here.

PLEASE DO NOT REPLY TO THIS EMAIL, AS THE MAILBOX IS UNMONITORED. YOU MAY CONTACT THE CLAIMS ADMINISTRATOR THROUGH THE SETTLEMENT WEBSITE AT www.babyproductsantitrustsettlement.com OR BY CALLING 1-888-292-8492. THANK YOU.

IMPORTANT: RETAIN THE CLAIM NUMBER AND CONTROL NUMBER PROVIDED IN THIS EMAIL FOR FURTHER IDENTIFICATION OF YOUR CLAIM.

YOUR CLAIM NUMBER IS: 12345678

YOUR CONTROL NUMBER IS: 0000001234

Please [CLICK HERE](#) to confirm or modify the information currently on file.

Exhibit 5

EMAIL BLAST FOR PEOPLE WHO DID NOT SUBMIT DOCUMENTARY PROOF OF PURCHASE(S):

**Baby Products Antitrust Litigation
United States District Court for the Eastern District of Pennsylvania**

Important Legal Notice authorized by the United States District Court for the Eastern District of Pennsylvania.

An Amended Settlement will provide up to \$35.5 million to consumers who purchased the listed baby products from Babies "R" Us or Toys "R" Us ("BRU") in the U.S. A prior notice of proposed class action settlement was disseminated to Class Members in 2011.

The Court has preliminarily decided that anyone who purchased the listed baby products in the United States directly from BRU during the listed specific time periods are Class Members.

Product:	Purchased between:
BabyBjörn baby carrier	2/2/00 - 4/30/05
Britax car seat	1/1/99 - 1/31/11
any Kids Line product	1/1/99 - 12/31/06
Maclaren stroller	10/1/99 - 1/31/11
Medela Pump In Style breast pump	7/1/99 - 1/31/11
Peg Perego car seat	7/1/99 - 1/31/11
Peg Perego high chair	7/1/99 - 1/31/11
Peg Perego stroller	7/1/99 - 1/31/11

Excluded from the subclasses are any judge, justice or judicial officer presiding over this matter and the members of their immediate families and judicial staffs.

You are receiving this notice because you previously submitted a claim form in response to the Initial Settlement but failed to submit documentary proof of purchase(s). If you have any questions, you can ask for free help by visiting www.babyproductsantitrustsettlement.com, calling 1-888-292-8492, emailing questions@babyproductsantitrustsettlement.com or writing to Baby Products Antitrust Litigation, c/o The Garden City Group, Inc., P.O. Box 9679, Dublin, Ohio 43017-4979.

How to Get Money? Settlement Funds will be distributed only after the Court approves the Amended Settlement and the proposed distribution of the money among the Settlement Subclasses. Because you are a member of one or more Settlement Subclasses, you are eligible to receive a distribution from the Individual Settlement Fund for each Settlement Subclass of which you are a member. Each Individual Settlement Fund will be distributed to members of the respective Settlement Subclasses who did not or do not now request exclusion (or who revoke a previous request for exclusion) and: (i) who file a timely and valid Claim Form supported by

documentary proof of purchase(s); (ii) who filed a valid Claim Form supported by documentary proof of purchase(s) in response to the Initial Settlement described on the Settlement website; or (iii) who have been identified from BRU's records. The Claim Form must be postmarked, faxed or submitted online by August 22, 2014.

Documentary proof of purchase(s) would be, for example: receipts, cancelled checks, credit card statements, photographs, or corroborating, sworn affidavits from two other people.

IMPORTANT: RETAIN THE CLAIM NUMBER AND CONTROL NUMBER PROVIDED IN THIS EMAIL FOR FURTHER IDENTIFICATION OF YOUR CLAIM.

YOUR CLAIM NUMBER IS: 12345678

YOUR CONTROL NUMBER IS: 0000001234

You previously filed a claim, but you did not submit documentary proof of purchase(s). In order to receive funds from the Amended Settlement, you must submit a new claim form listing all of the products you purchased during the listed specific time periods and you **MUST** submit documentary proof of purchase(s). **CLICK HERE** to file your claim online.

If you prefer to mail a claim form, **CLICK HERE** to download a .pdf version of your personalized Claim Form. Please mail your claim form and documentary proof of purchase(s) to:

Baby Products Antitrust Litigation
c/o The Garden City Group, Inc.
P.O. Box 9679
Dublin, Ohio 43017-4979

Your Other Rights. If you do not want to be legally bound by the Amended Settlement, you must exclude yourself by August 22, 2014. If you exclude yourself, you cannot get money from this Amended Settlement. If you stay in the Settlement Class, you may object to the Amended Settlement by August 22, 2014. The Full Notice, located at the website below, explains how to exclude yourself, revoke your exclusion or object to the Amended Settlement. The Court has scheduled a hearing for _____ at _____.m. (eastern time) in Courtroom 7-B at the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Philadelphia, Pennsylvania 19106, for the purpose of determining whether the Amended Settlement is fair, adequate and reasonable. **If you did not and do not now take any action, you will be legally bound by the Amended Settlement and any orders or judgments entered in the case and will fully, finally, and forever give up any rights to prosecute certain claims against Defendants.**

For more information, the Settlement Agreement, a Full Notice, or a Claim Form:
1-888-292-8492 or www.babyproductsantitrustsettlement.com

You can email questions or updated address information to
Questions@babyproductsantitrustsettlement.com.

Please do not contact the Court for information about this Settlement.

To download a .pdf version of the Full Notice **CLICK HERE**. Acrobat Reader is required to view the PDF. You may already have the Adobe Acrobat Reader on your computer. If you do, you won't need to download Adobe Acrobat. If you do not have Acrobat, you will need to download the Free Adobe Acrobat Reader by clicking here.

PLEASE DO NOT REPLY TO THIS EMAIL, AS THE MAILBOX IS UNMONITORED. YOU MAY CONTACT THE CLAIMS ADMINISTRATOR THROUGH THE SETTLEMENT WEBSITE AT www.babyproductsantitrustsettlement.com OR BY CALLING 1-888-292-8492. THANK YOU.

Exhibit 6

Must be Postmarked
By or Received No
Later Than
August 22, 2014

BABY PRODUCTS ANTITRUST LITIGATION SETTLEMENT

c/o The Garden City Group, Inc.

PO Box 9679

Dublin, Ohio 43017-4979

1-888-292-8492

Fax: 1-888-476-7153

Email: Questions@babyproductsantitrustsettlement.com

BBA



Claim Number:

Control Number:

CLAIM FORM AND RELEASE

Your Signed Claim Must be Postmarked, Faxed or Sent Electronically in PDF Format to The Claims Administrator No Later than August 22, 2014

1. WHAT THIS CLAIM FORM CONCERNS

This claim form concerns the Amended Settlement of two consolidated lawsuits that were filed by two groups of consumers claiming that Babies "R" Us had conspired with certain baby product manufacturers to restrict competition in violation of federal antitrust law. Plaintiffs assert that this conduct caused you to pay higher prices at Toys "R" Us and Babies "R" Us for: BabyBjörn baby carriers; Britax car seats; Maclaren strollers; Medela Pump In Style breast pumps; Peg Perego car seats, strollers and high chairs; and all Kids Line products, such as crib sets, blankets, valances, sheets, wall decorations, baskets, pillows, pads, hampers, porta crib sets, lamps, shelves, stackers, rugs, or mobiles ("Settlement Products"). Plaintiffs' claims are disputed and Defendants deny entering into any conspiracies or engaging in any other unlawful conduct. The parties have agreed to settle the litigation in lieu of trial.

Please read the Full Notice (available at www.babyproductsantitrustsettlement.com) carefully before filling out this Form.

2. ELIGIBLE PAYMENTS

You may be eligible to recover a settlement payment for each of the following products you purchased at Toys "R" Us or Babies "R" Us during the time periods indicated:

- **BabyBjörn baby carriers** between February 2, 2000 and April 30, 2005;
- **Britax car seats** between January 1, 1999 and January 31, 2011;
- **Maclaren strollers** between October 1, 1999 and January 31, 2011;
- **Medela Pump In Style breast pumps** between July 1, 1999 and January 31, 2011;
- **Peg Perego car seats, strollers or high chairs** between July 1, 1999 and January 31, 2011; and/or
- **All Kids Line products** between January 1, 1999 and December 31, 2006.

You may be eligible to recover a settlement payment for all purchases for which you provide a proper claim form and supporting documentation. Reimbursement of valid claims may be reduced if the total amount of money due to eligible consumers in this Amended Settlement exceeds the total amounts available. This is described in greater detail in the Full Notice available at www.babyproductsantitrustsettlement.com.

In addition to the cash payment you may recover in the initial distribution of settlement funds described above, if you file a claim form with supporting documentation, you may be eligible to receive via e-mail a coupon for purchases of Defendants' products at Toys "R" Us. To be eligible for this secondary distribution, you must (i) cash or deposit any check you receive as part of the initial distribution; (ii) have received less than three times the amount of calculated damages for which you are eligible; and (iii) provide a valid e-mail address. Any coupon that you receive as part of this secondary distribution will be fully transferrable.

3. HOW YOU CAN QUALIFY FOR AND RECEIVE PAYMENT

Unless you previously submitted a valid Claim Form with supporting documentation or have been identified from the records of Babies "R" Us as a Class Member, in order to be eligible for and receive any compensation from the settlement, you must:

- fill out this Claim Form in its entirety;
- sign the verification statement at the end of the Claim Form;
- return this completed Claim Form with your supporting documentation, if any, no later than August 22, 2014.

All information submitted will be kept confidential.

QUESTIONS OR NEED HELP? CALL THE CLAIMS ADMINISTRATOR AT 1-888-292-8492 OR VISIT WWW.BABYPRODUCTSANTITRUSTSETTLEMENT.COM



PART I - YOUR INFORMATION

(ALL FIELDS MUST BE COMPLETED EXCEPT ONLY ONE TELEPHONE NUMBER NEED BE PROVIDED)

Name of Person Submitting Claim) (First, Middle, Last):

Street Address:

City:

State and Zip Code:

Country (Other than U.S.):

Home Telephone Number:

 () -

Work Telephone Number:

 () -

Email Address:

PART II - BABY PRODUCT PURCHASE INFORMATION

You may be entitled to a settlement payment for each of the baby products listed above you purchased at Toys "R" Us or Babies "R" Us during the time periods indicated. To recover a settlement payment for your purchase(s), you must attach documentation showing your purchase(s) of the products listed above. Examples of the types of documents that may constitute valid documentary proof of purchase include, but are not limited to: receipts, cancelled checks, credit card statements, photographs, or corroborating, sworn affidavits from two other people. It will be within the discretion of the Claims Administrator to determine what constitutes valid documentary proof of purchase. In order to allow the Claims Administrator to verify your claim, you must complete the following chart to the best of your ability.

TO VIEW GCG'S PRIVACY NOTICE, PLEASE VISIT [HTTP://WWW.GCGINC.COM/PRIVACY](http://www.gcginc.com/privacy)

QUESTIONS OR NEED HELP? CALL THE CLAIMS ADMINISTRATOR AT 1-888-292-8492 OR VISIT [WWW.BABYPRODUCTSANTITRUSTSETTLEMENT.COM](http://www.babyproductsantitrustsettlement.com)



PART II - BABY PRODUCT PURCHASE INFORMATION (CONTINUED)

Date of Purchase	Place of Purchase	Product Purchased	Proof of Purchase Attached
/ /	On-Line Y <input type="checkbox"/> N <input type="checkbox"/> Store _____ City _____ State _____	Brand _____ (e.g. name of manufacturer) Type _____ (e.g. stroller) Model _____ Price _____	Y <input type="checkbox"/>
/ /	On-Line Y <input type="checkbox"/> N <input type="checkbox"/> Store _____ City _____ State _____	Brand _____ (e.g. name of manufacturer) Type _____ (e.g. stroller) Model _____ Price _____	Y <input type="checkbox"/>
/ /	On-Line Y <input type="checkbox"/> N <input type="checkbox"/> Store _____ City _____ State _____	Brand _____ (e.g. name of manufacturer) Type _____ (e.g. stroller) Model _____ Price _____	Y <input type="checkbox"/>
/ /	On-Line Y <input type="checkbox"/> N <input type="checkbox"/> Store _____ City _____ State _____	Brand _____ (e.g. name of manufacturer) Type _____ (e.g. stroller) Model _____ Price _____	Y <input type="checkbox"/>
/ /	On-Line Y <input type="checkbox"/> N <input type="checkbox"/> Store _____ City _____ State _____	Brand _____ (e.g. name of manufacturer) Type _____ (e.g. stroller) Model _____ Price _____	Y <input type="checkbox"/>

(Add additional pages, if necessary)



PART III - VERIFICATION

I declare under penalty of perjury of the laws of the United States of America that all the information provided in this Claim Form is, to the best of my knowledge, accurate and correct.

Signature

Date

Please keep a copy of your completed Claim Form and copies of any attached documentation for your records.

Please mail, fax or email your completed Claim Form, with your proofs of purchase, to:

BABY PRODUCTS ANTITRUST LITIGATION SETTLEMENT

c/o The Garden City Group, Inc.

PO Box 9679

Dublin, Ohio 43017-4979

1-888-292-8492

Fax:1-888-476-7153

Email: Questions@babyproductsantitrustsettlement.com

Your Signed Claim Must be Postmarked, Faxed or Sent Electronically in PDF Format to The Claims Administrator so That It is Postmarked or Received No Later than August 22, 2014.