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If you had a prescription for NP Thyroid[®] dispensed to you between May 12, 2018, and April 30, 2021, you could receive a payment from a proposed Class Action Settlement.

A federal court authorized this Notice.

What's This All About?

There is a proposed class action settlement (the “Settlement”) in a case called *Faulkner, et al. v. Acella Pharmaceuticals, LLC*, No. 2:22-CV-092-RWS (N.D. Ga.) (the “Class Action”) regarding NP Thyroid[®], a prescription drug made, marketed, and sold by Acella Pharmaceuticals, LLC (“Acella”) as a treatment for hypothyroidism, using animal-derived active pharmaceutical ingredients. The Plaintiffs in the Class Action allege that Acella misled consumers to believe that NP Thyroid[®] dispensed between May 12, 2018, and April 30, 2021, contained the required amounts of its active ingredients in compliance with the Federal Food, Drug, and Cosmetic Act and FDA regulations, when, in fact, it contained too much or too little of its active ingredients. The Plaintiffs in the Class Action allege that NP Thyroid[®] dispensed between May 12, 2018, and April 30, 2021, was therefore worthless and that Class Members suffered economic injury as a result. Acella denies these allegations.

Am I Affected?

You are a “Class Member” to the Settlement (*i.e.*, part of the “Class”) if you are a natural person (*i.e.*, a human being rather than an entity) in the United States and were dispensed a prescription for NP Thyroid[®] between May 12, 2018, and April 30, 2021, whether or not Acella recalled the NP Thyroid[®].

What Does the Settlement Provide?

The proposed Settlement, if approved, would provide a refund of at least \$10 and up to \$50 to all eligible Class Members who submit a claim between June 1, 2024 and November 30, 2024. To determine whether you are an eligible Class Member, please review the eligibility criteria available in the long-form Notice on the Settlement Website, www.NPTSettlement.com. Based on current estimates of the Class size and sales records, it is estimated that up to approximately \$41,473,889 will be available to the Class as a whole. Acella has also agreed to pay for all costs related to the administration of the Settlement and will pay Class Counsel’s reasonable, court-approved attorneys’ fees and costs up to \$5 million.

How Do I Get a Payment

You must file and complete a Claim Submission between June 1, 2024 and November 30, 2024 to receive a payment. You can go to the Settlement Website, www.NPTSettlement.com, to file a claim and submit the required supporting documents online. The website also provides instructions for how to file a claim in hard copy and submit the required supporting documents through the mail.

What Are My Other Options?

- 1. Exclude Yourself by April 22, 2024** – If you are a Class Member but do not want to be included in the Settlement, you must exclude yourself no later than April 22, 2024. You will get no payment, but you will keep your right to sue Acella and the other released parties about economic loss claims related to this Settlement. The long-form Notice available on the Settlement Website explains how to exclude yourself.
- 2. Object by April 22, 2024** – If you remain in the Settlement but do not like it, you can write to the Court by mailing a written objection letter postmarked no later than April 22, 2024. The long-form Notice available on the Settlement Website explains how to object.
- 3. Go to a Hearing on May 14, 2024** – If you remain in the Settlement but want to speak in Court about the fairness of the Settlement, you can appear at a hearing on **May 14, 2024**, and ask the Court for permission to speak at that hearing. You can appear on your own behalf or through an attorney, but you do not have to.

If you wish to speak at the hearing, you must write to the Court by mailing a written objection letter that includes a statement that you wish to attend and speak at the Hearing no later than April 22, 2024. The long-form notice available on the settlement website explains how to complete and submit a Notice of Intention to Appear along with your Objection. You cannot speak at the hearing if you excluded yourself.

- 4. Do Nothing** – If you do nothing, you will remain in the Settlement but will not receive a payment and will give up your right to sue Acella or the other released parties for any economic loss related to NP Thyroid[®] dispensed between May 12, 2018, and April 30, 2021.

For more information, call the Settlement's toll-free number, 877-519-1122 or visit the website at www.NPTSettlement.com.