

BARILLA CANADA INC. - QUEBEC CLASS ACTION AUTHORIZED

LONG FORM NOTICE TO CLASS MEMBERS

YOU HAVE NOTHING TO PAY

On August 26, 2024, the Superior Court of Quebec authorized the bringing of a class action against **Barilla Canada Inc.** (hereinafter “**Barilla**”) on behalf of the following Class:

All residents of Quebec who have purchased, at any time since October 24, 2019, Barilla Canada Inc.’s pasta products which were not produced in Italy and which bear the phrase “ITALY’S #1 BRAND OF PASTA” and “LA MARQUE DE PÂTES NO 1 EN ITALIE”, in juxtaposition or not of the Italian flag colors. (hereinafter the “**Class**” or “**Class Members**”).

Plaintiff Mrs. Knafo was ascribed the status of representative to act on behalf of the Class Members. She alleges in her action that the Class Members were misled by **Barilla** into believing that the **Barilla** pasta products sold in Quebec are produced in Italy with Italian-sourced ingredients, whereas the majority of the Barilla products sold in Quebec are produced in the United-States or Canada, with North American ingredients.

If the class action is successful, all persons in **Quebec** corresponding the Class mentioned above may be eligible to receive compensation, including without limitation a full or partial reimbursement of the purchase price paid and punitive damages.

The authorization judgment is a preliminary step which allows the class action to begin. This judgment does not decide the liability of Barilla, who will be able to assert its defenses at trial. It is following this trial, which will be held in the district of Montreal, that the Superior Court will decide whether Barilla has violated the law as alleged and whether Barilla must be ordered to pay anything to the class members and, if so, in what amount.

As a Class Member, **you do not have to pay for the attorney fees** which will be paid from the damages that may be awarded through the class action, if applicable. The Court will be asked to decide the reasonableness of Class Counsel legal fees. In case of success, Plaintiff also asks the Court to condemn **Barilla** to pay her Class Counsel’s legal fees and expenses, in addition to the amount claimed for the Class Members. The Court may, however, also decide that such fees and costs will be **deducted** from the amounts owed to the Class, if any.

Relevant information concerning the progress of the class action:

1. This class action will be brought in the **District of Montreal**.
2. The Court will have to resolve the following principal issues / questions of fact and law:
 - a) Did **Barilla** make false or misleading statements, advertisements or representations, or did it carry out prohibited practices, in the sale and marketing

of its pasta, given their place of production and the geographical origin of their ingredients?

- b) Must **Barilla** reimburse the purchase price of the pasta, in whole or in part?
- c) Should injunctive relief be ordered to prohibit **Barilla** from continuing to make such statements, representations, advertisements or prohibited practices?
- d) Must **Barilla** pay punitive damages to the Class Member and in what amount?

3. The Court, after having resolved the above questions, will decide if it should:

GRANT the class action of the Representative Plaintiff and each of the Class Members;

ORDER Defendant to cease selling any products pasta au Québec bearing the phrase "ITALY'S #1 BRAND OF PASTA" et the phrase "LA MARQUE de PÂTES No 1 EN ITALIE" in juxtaposition or not of the Italian flag colors, unless said products are produced in Italy;

CONDEMN the Defendant to pay to each of the Class members the purchase price paid for the products (or portion thereof), and **ORDER** collective recovery of these sums;

CONDEMN the Defendant to pay to each of the Class Members a sum to be determined in punitive or exemplary damages, and **ORDER** collective recovery of these sums;

CONDEMN the Defendant to pay interest and additional indemnity on the above sums according to the *Law* from the date of service of the original Application for Authorization, save for punitive damages where they will run from the date of judgment;

ORDER the Defendant to deposit in the office of this Court the totality of the sums which forms part of the collective recovery, with interest, additional indemnity, and costs;

ORDER that the claims of individual class members be the object of collective liquidation if the proof permits and, alternatively, by individual liquidation;

CONDEMN the Defendant to bear the costs of the present action including experts' fees and notice fees;

RENDER any other order that this Court shall determine and that is in the interest of the Class Members;

4. If you wish to exclude yourself from the class action, you have to notify the clerk of the Superior Court of Quebec, District of Montreal no later than May 22, 2025, 45 days following the date of the notice, by registered or certified mail to the following address:

Superior Court of Québec
Knafo v. Barilla Canada Inc. (500-06-001202-221)
1 Notre-Dame street East, Montreal,
Québec, Canada, H2Y 1B6

with a copy to the class counsel (by email if possible):

Lex Group Inc.
4101 Sherbrooke Street West
Westmount, Quebec, H3Z 1A7
Email: info@lexgroup.ca

You **must** clearly state that you wish to exclude yourself from the class action *Knafo v. Barilla Canada Inc.* (500-06-001202-221).

A Class Member **can no longer request exclusion from the class after May 22, 2025**, unless specifically authorized by the Court.

As provided by the law, **a Class Member who has not requested exclusion is bound by any judgment** that may be rendered in this class action.

If you wish to be **included** in the class action, **you have nothing to do and nothing to pay**.

As a Class Member, **you have the right to intervene** in the present class action, in the manner provided for by law.

For more information on the class action:

Please visit the webpage dedicated to this class action on the Class Counsel's website: <https://www.lexgroup.ca/barilla/> or contact the class counsel confidentially at the following coordinates (your information and communications with Class Counsel will remain confidential):

Lex Group Inc.
4101 Sherbrooke Street West
Westmount, QC, H3Z 1A7
Telephone: (514) 451-5500 (ext. 101)
Fax: (514) 940-1605
Email: info@lexgroup.ca
Website: www.lexgroup.ca

You can also consult the central Registry of class actions, where all class actions proceedings must be published at: <https://www.registredesactionscollectives.quebec/en/>

**THIS LONG FORM NOTICE TO CLASS MEMBERS
HAS BEEN APPROVED BY THE SUPERIOR COURT OF QUÉBEC.**