

NOTICE OF CERTIFICATION AND PROPOSED SETTLEMENT OF INVOKANA® INVOKAMET® INVOKAMET XR® LITIGATION

PLEASE READ CAREFULLY. IGNORING THIS NOTICE WILL AFFECT YOUR LEGAL RIGHTS

A Canada-wide settlement has been reached in three proposed class actions relating to the prescription drugs Invokana®, Invokamet®, and Invokamet XR®. This notice advises you that as a part of the settlement process, the following lawsuits have been certified/authorized as class actions for settlement purposes: *Estate of Raymond Duck v Janssen Inc. et al.*, Ontario Superior Court of Justice (London) Court File No. CV-18-00000570-00CP; *Ronald Allen Fiddler v Janssen Inc. et al.*, Court of King's Bench for Saskatchewan (Regina) Court File No. Q.B.G. 2809 of 2015; and *Steven Varnai and Joanne Giroux v Janssen Inc. et al.*, Superior Court of Quebec (District of Montreal – Class Actions) Court File No. 500-06-000906-186 (the “Proceedings”).

Hearings to approve the settlement have been held on September 29, 2022 for the Ontario Class and the Saskatchewan Class.

Hearing to approve the settlement for the Quebec Class will take place on November 14, 2022 at 9:00 am at the Superior Court of Quebec, 1 Notre-Dame Street East, Montreal, Quebec, room 16.05.

If the settlement is approved, it will apply to: (i) all persons resident in Canada as of dates between June 15 and 21, 2022, as set forth in the Orders, who were prescribed Invokana®, Invokamet®, and/or Invokamet XR® in Canada at any time on or before such dates; and (ii) all persons who by virtue of a personal relationship to one or more of such persons described in (i) above have claims for common law or statutory damages (the “Class”). To determine whether you may be eligible to receive compensation, visit <http://www.invokanacanadasettlement.com/>.

If you qualify as a member of the Class and wish to participate in the settlement, you do not need to do anything at this time. If the settlement is approved by the Courts mentioned above, another notice will be published, and additional information will be provided on how to make a claim for benefits pursuant to the settlement.

If you qualify as a Quebec Class Member and you do not wish to participate in the settlement, then you must opt out by completing an Opt-Out Form and submitting it to Trilogy Class Action Services. Members of the Quebec Class who wish to opt out must also send their completed Opt-Out Form to Clerk of the Superior Court of Quebec - Montreal Courthouse by mail. Quebec Class Members who do not opt out will be bound by the Settlement and the releases in it, if it is approved, and will be entitled to share in any of the benefits that may become available to them as Quebec Class Members, provided that they proceed within the timeframes provided for in the Settlement to advance their claims. The deadline to opt out of the settlement and the Proceedings is November 21, 2022.

Members of the Ontario and Saskatchewan Classes have already had the opportunity to opt out and the deadline for doing so has passed.

If you wish to remain a Quebec Class Member but object to the proposed Settlement, you must submit a written objection that must be received no later than November 4, 2022. Members of the Ontario and Saskatchewan Classes have already had the opportunity to object to the proposed Settlement and the deadline for doing so has passed.

CONTACT

This is an abbreviated notice. For the complete notice, including information on benefits that may be available through the settlement, a copy of the settlement agreement, how to participate in the settlement approval hearing in Quebec, the Opt-Out Form, information on how to object to the approval of the settlement agreement in Quebec, and all other related information is available at <http://www.invokanacanadasettlement.com/> or by contacting:

Trilogy Class Action Services
Invokana Class Action Settlement
117 Queen Street, PO Box 1000
Niagara-on-the-Lake, ON L0S 1J0
Tel: 1-877-400-1211
Fax: 1-416-342-1761
inquiry@trilogyclassactions.ca

Please do not call the Defendants or the Courts about these Proceedings.

This Notice has been approved by the Superior Court of Quebec.