



United States District Court

Baker, et al. v. Save Mart Supermarkets, et al.

Case No. 1:22-cv-4645

Class Action Notice

Authorized by the U.S. District Court for the Northern District of California

Are you a non-union Save Mart retiree and/or formerly eligible to enroll in Save Mart retiree medical benefits upon retirement?

Because of a proposed settlement of a lawsuit, you may be entitled to money.

**To be part of this settlement, you should:
Read this notice.**

Important things to know:

- If you take no action, you will be part of the settlement and receive a payment, be bound by the terms of the settlement, and your rights will be affected.
- If you want to opt out or object, you must do so by August 10, 2025.
- You can learn more at: www.savemartsettlement.com.

Questions? Call the Settlement Administrator toll free at 1-888-330-4040

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About This Notice

1. Why did I get this notice?

A proposed settlement has been reached in a class action lawsuit, *Baker, et al. v. Save Mart Supermarkets, et al.*, against Save Mart Supermarkets LLC and the Save Mart Select Retiree Health Benefit Plan (collectively, “Defendants” or “Save Mart”). This settlement covers non-union Save Mart retirees who were enrolled in the Save Mart Select Retiree Health Benefit Plan (the “Plan”), people who retired after the Plan was terminated and met the eligibility criteria of the Plan, and current non-union employees who have not yet retired but otherwise met the eligibility criteria of the Plan.

Save Mart’s records show that you either received retiree medical benefits under the Plan, retired after April 22, 2022 and met the eligibility criteria for the Plan, or are an active Save Mart employee and meet the eligibility criteria for the Plan other than retirement. This settlement may affect your legal rights and may entitle you to money.

2. What do I do next?

Read this notice to understand the settlement and to determine if you are a class member. Then, decide if you want to:

Do Nothing	Stay part of the settlement, receive payment, and give up your right to bring your own lawsuit against Save Mart about the same issues.
Opt Out	Get no payment, and retain the right to bring your own lawsuit against Save Mart about the same issues.
Object	Tell the Court why you don’t like the settlement.

Read on to understand the specifics of the settlement and what each choice means for you.

3. What are the most important dates?

Your deadline to object or opt out: **August 10, 2025**

Settlement approval hearing: **September 16, 2025 at 10:00 a.m.**

Learning About the Lawsuit

4. What is this lawsuit about?

In 2022, Save Mart terminated the Plan, which provided medical benefits to non-union retirees. Four Save Mart retirees (called “Plaintiffs”) filed a proposed class action lawsuit in 2022 claiming that Save Mart misrepresented that non-union retiree medical benefits would last for the life of the retiree. Plaintiffs also claimed that Save Mart improperly terminated its non-union retiree medical benefits, in violation of federal law.

Save Mart denies the allegations in the lawsuit and denies that it did anything wrong.

Where can I learn more?

You can get a complete copy of the proposed settlement and other key documents in this lawsuit at:
www.savemartsettlement.com

5. Why is there a settlement in this lawsuit?

Earlier this year, the parties agreed to settle, which means they have reached an agreement to resolve the lawsuit. Both sides want to avoid the risk and expense of further litigation.

The settlement is on behalf of Plaintiffs who brought the case and all members of the Settlement Class (as defined below).

What is a class action settlement?

A class action settlement is an agreement between the parties to resolve and end the case. Settlements can provide money to class members and changes to the practices that caused the harm.

6. What happens next in this lawsuit?

On June 11, 2025, the Court preliminarily approved the settlement and authorized this notice to be sent to you. Next, the Court will hold a “Final Approval Hearing” to decide whether to give final approval to the settlement. The Final Approval Hearing will be held at:

Where: McKinleyville United States Courthouse, 3140 Boeing Avenue, McKinleyville, CA 95519

When: 10:00 a.m. on September 16, 2025

The settlement terms will go into effect and payments will be made only if the Court approves the settlement following the Final Approval Hearing.

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At the Final Approval Hearing, the Court will also decide whether to approve Plaintiffs' request for: (1) attorneys' fees and reimbursement of litigation expenses; and (2) "Service Awards" for the four named Plaintiffs who brought this case.

You don't have to attend the Final Approval Hearing to participate in the proposed settlement, but you may attend (at your own expense). You may also ask the Court for permission to speak and express your opinion about the settlement. If the Court does not give final approval of the proposed settlement or the parties decide to end the proposed settlement, you will not receive a settlement payment, the settlement will not become effective, and the lawsuit will continue.

The date of the Final Approval Hearing may change without further notice to members of the Settlement Class. To learn more and confirm the hearing date, go to www.savemartsettlement.com or visit the Court's PACER website at <https://ecf.cand.uscourts.gov/>.

Learning About the Settlement

7. What does the settlement provide?

Save Mart has agreed to pay \$20,545,000 into a settlement fund. This money will be divided among the Settlement Class members who do not opt out of the settlement, and will also be used to pay for costs and fees approved by the Court, including the cost of administering this settlement, and to pay "Service Awards" for the Plaintiffs who brought the case (as discussed below). Members of the Settlement Class will "release" their claims as part of the settlement, which means they cannot sue Save Mart for the same issues in this lawsuit. The full terms of the release can be found at www.savemartsettlement.com.

Because a portion of this settlement is considered wages under Federal law, two-thirds of your settlement share will be subject to tax withholdings. The settlement check you receive will account for these tax withholdings.

8. How do I know if I am part of this settlement?

The Court has been asked to approve the following "Settlement Class":

"All people who were participants in the Save Mart Select Retiree Health Benefit Plan as of June 30, 2022, all people who retired and met the Plan's Eligibility Criteria at any time on or after April 22, 2022, and all current Save Mart employees who have not yet retired but have otherwise met the Plan's Eligibility Criteria."

If the Court approves the Settlement Class and you are a member of the Settlement Class, then you are a part of this settlement.

If you are unsure of whether you are part of this settlement, contact the Settlement Administrator at 1-888-330-4040.

9. How much will my payment be?

Your payment amount will depend on several factors:

- Your date of retirement. If you have not yet retired, your estimated date of retirement as determined using standard actuarial methods.
- The life expectancy for someone with your basic demographic data.
- Whether you received spousal benefits under the Plan.
- The amount of money in your HRA account, if any, when the Plan was terminated.

Plaintiffs retained an actuary to use the above factors to calculate the value of each class member's Health Reimbursement Account ("HRA") benefits over the course of their expected lifetime if paid out as a lump sum in present-day dollars. Each class member's payment will reflect their percentage contribution toward the total HRA benefit present value for the entire class, multiplied by the Net Settlement Fund.

Based on these calculations, your potential settlement payment if the Court approves the settlement is estimated to be approximately <<SettAmt>>. This amount may change depending on factors that are not yet known such as the final total number of class members after the period to opt out has passed.

You can find a more detailed explanation of settlement payment calculations by reviewing the "Plan of Distribution" at www.savemartsettlement.com.

Legal Representation

10. Do I have an attorney in this lawsuit?

In a class action, the court appoints class representatives and attorneys to work on the case and represent the interests of all the class members. For this settlement, the Court has appointed the following individuals (called "Class Representatives" or "Named Plaintiffs") and attorneys (called "Class Counsel").

Class Representatives:

Katherine Baker, José Luna, Edgar Popke, and Denny G. Wraske, Jr.

Class Counsel:

Anne B. Shaver

Michelle A. Lamy

Benjamin A. Trouvais

Lieff Cabraser Heimann & Bernstein, LLP

275 Battery Street, 29th Floor

San Francisco, CA 94111

Telephone: (415) 956-1000

Email: ekeenley@lchb.com

James P. Keenley

Emily A. Bolt

Bolt Keenley Kim LLP

2855 Telegraph Ave., Suite 517

Berkeley, CA 94705

Telephone: (510) 225-0696

Email: info@bkkllp.com

Matthew J. Matern

Mikael H. Stahle

Matern Law Group, PC

1230 Rosecrans Ave., Suite 200

Manhattan Beach, CA 90266

Telephone: (310) 531-1900

Email: MMatern@maternlawgroup.com

Class Counsel are the attorneys who negotiated this settlement on your behalf.

If you want to be represented by your own attorney, you may hire one at your own expense.

11. Do I have to pay the attorneys in this lawsuit?

Attorneys' fees and costs, as approved by the Court, will be paid from the Settlement Fund. **You will not have to pay the attorneys directly.**

To date, your attorneys have not been paid any money for their work on this case and have not been reimbursed for any litigation expenses that they have advanced for the class action. To pay for their time, and the risk involved in bringing this case without any

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guarantee of payment unless they were successful, your attorneys will request, as part of the final approval of this settlement, that the Court approve a payment of up to 30% of the settlement amount in attorneys' fees, plus the reimbursement of out-of-pocket litigation expenses that the attorneys already paid for the class action up to \$141,849.56.

Attorneys' fees and expenses will only be awarded if approved by the Court as a fair and reasonable amount. You have the right to object to the attorneys' fees even if you think the settlement terms are fair.

Your attorneys will also ask the Court to approve a payment of \$25,000 to each Class Representative for the time and effort they contributed to the case (called a "Service Award"). The Class Representatives spent substantial time assisting the lawyers in bringing the case, including by locating witnesses, producing evidence, testifying at a deposition, and actively representing the interests of the Class during the course of settlement negotiations. If approved by the Court, these Service Awards will be paid from the Settlement Fund.

Deciding What to Do

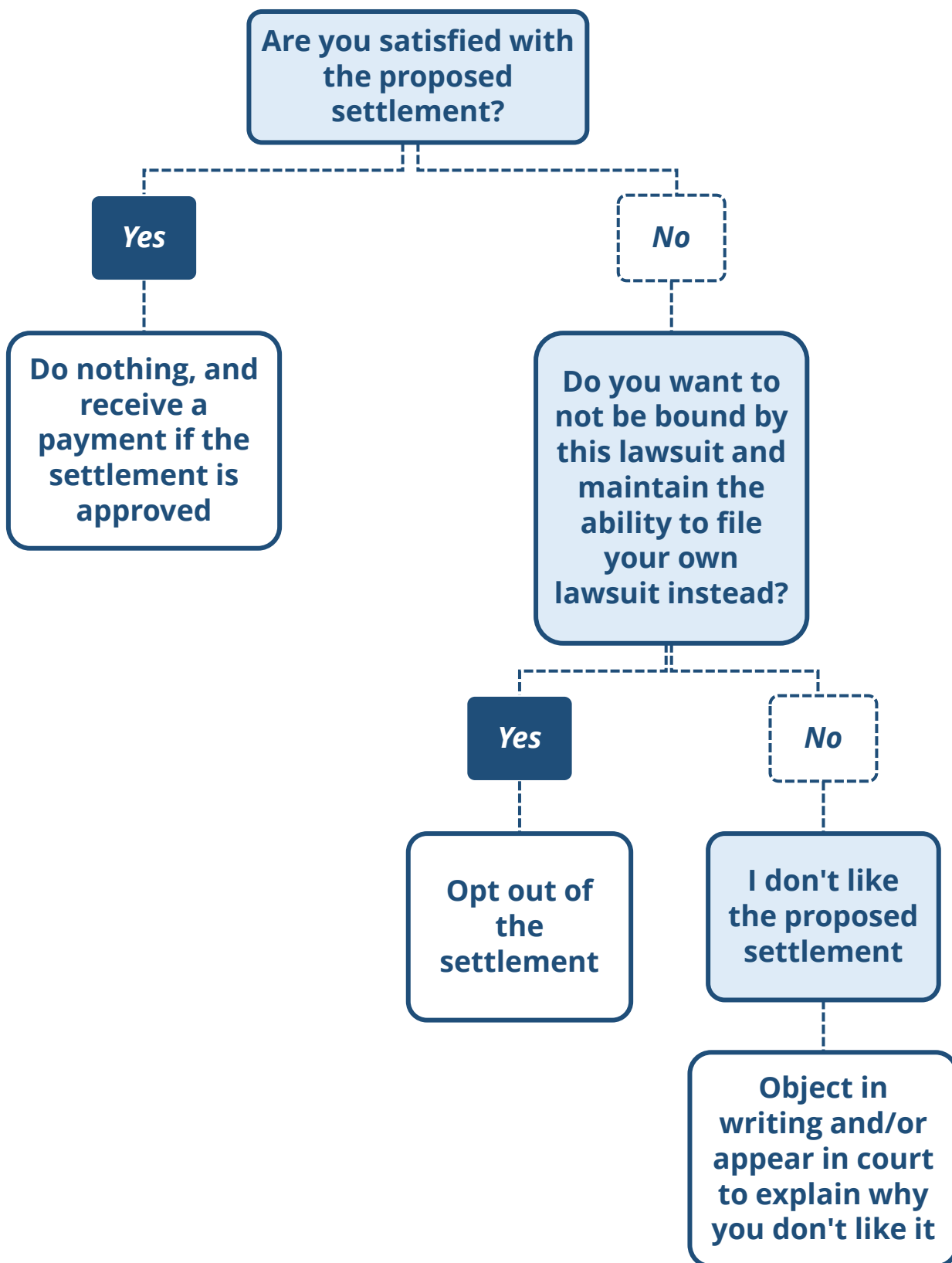
12. How do I weigh my options?

You have three options. You can do nothing and be part of the settlement, you can opt out of the settlement, and you can object to the settlement. This chart shows the effects of each option:

	Opt out	Object	Do Nothing
Can I receive settlement money if I . . .	NO	YES	YES
Am I bound by the terms of this lawsuit if I . . .	NO	YES	YES
Can I pursue my own case if I . . .	YES	NO	NO
Will class counsel represent me if I . . .	NO	NO	YES

Note that you cannot opt out of the settlement and also object to it. Only participating Settlement Class Members have the right to file an objection.

13. What is the best path for me?



Doing Nothing

14. What happens if I do nothing?

If you do nothing, if the Court approves the settlement then you will receive a share of the settlement, and will be bound by the settlement and its “release” provisions. That means you won’t be able to start, continue, or be part of any other lawsuit against Save Mart about the issues in this case. A full description of the claims and persons who will be released if this settlement is approved can be found at www.savemartsettlement.com.

Opting Out

15. What if I don't want to be part of this settlement?

If you do not wish to participate in the settlement, you can “opt out” by excluding yourself. If you opt out, you will not receive payment and cannot object to the settlement. However, you will not be bound or affected by anything that happens in this lawsuit and may be able to file your own case if you wish, but Class Counsel will not represent you in any such action. There may be tight deadlines, sometimes called Statutes of Limitations, that apply to your claims, and so if you wish to file your own lawsuit, you should act swiftly or you may lose the right to do so.

16. How do I opt out?

To opt out and exclude yourself from the settlement, you must mail a written document called an “Opt-Out Statement” by August 10, 2025 to the Settlement Administrator at:

CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
1-888-330-4040

Be sure to include the following information in your Opt-Out Statement:

1. The case name and number (*Baker, et al. v. Save Mart Supermarkets, et al.*, Case No. 1:22-cv-4645);
2. Your full name, mailing address, email address (if you have one), and telephone number;

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3. A statement that: "I elect to exclude myself from the Settlement in the *Baker v. Save Mart* class action. I understand that I will not be entitled to any money under the Settlement." and
4. Your physical signature.

Objecting

17. What if I disagree with the settlement?

If you disagree with any part of the settlement but don't want to opt out, you may object. The Court will consider your views. The Court can only approve or deny the settlement — it cannot change the terms of the settlement. You may, but don't need to, hire your own lawyer to help you. If you file a timely objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own lawyer. If you hire your own lawyer to help you with your objection, or if you appear at the Final Approval Hearing through your own lawyer, you are responsible for hiring and paying that lawyer.

To object, you must send a letter to the Settlement Administrator that:

- (1) is postmarked by August 10, 2025;
- (2) includes the case name and number (*Baker, et al. v. Save Mart Supermarkets, et al.*, Case No. 1:22-cv-4645);
- (3) includes your full name, mailing address, email address (if you have one), and telephone number;
- (4) states the reasons for your objection, including what aspect of the settlement you are objecting to;
- (5) lists all class actions to which you have previously objected;
- (6) identifies the name and contact information of any and all lawyers representing, advising, or in any way assisting your objection;
- (7) says whether either you or your lawyer intend to appear at the final approval hearing;
- (8) attaches copies of all documents that you wish to submit in support of your objection; and
- (9) includes your physical signature.

Mail the letter to:

CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
1-888-330-4040

Please note that if you object and the settlement is approved by the Court, you will be barred from bringing your own individual lawsuit for the claims covered by this settlement. You will also be bound by the final judgment and release and all orders entered by the Court.

If you fail to timely object to the settlement or to comply with the requirements for submitting an objection, you will waive your right to object to the settlement.

You will not be entitled to speak to the Court at the Final Approval Hearing unless you follow the proper procedures for submitting an objection, as described above, and also file with the Clerk of Court a statement that you intend to appear at the Hearing no later than twenty-one days before the Final Approval Hearing.

Key Resources

18. How do I get more information?

This notice is a summary of the proposed settlement. The complete settlement with all its terms can be found at www.savemartsettlement.com. To get a copy of the settlement agreement or get answers to your questions:

- visit the case website at www.savemartsettlement.com.
- contact the Settlement Administrator (information below)
- contact Class Counsel (information below)
- access the case docket by visiting the Court's PACER system online (<https://ecf.cand.uscourts.gov/>), for a fee, or by visiting the Clerk's office of the Court (address below) between 9:00 a.m. and 4:00 p.m. PT, Monday through Friday, excluding Court holidays.

Resource	Contact Information
Settlement website	www.savemartsettlement.com
Settlement Administrator	CPT Group, Inc. 50 Corporate Park Irvine, CA 92606 SaveMartSettlement@cptgroup.com 1-888-330-4040

Questions? Call the Settlement Administrator toll free at 1-888-330-4040

Class Counsel	<p>Anne B. Shaver Michelle A. Lamy Benjamin A. Trouvais Lieff Cabraser Heimann & Bernstein, LLP 275 Battery Street, 29th Floor San Francisco, CA 94111 Telephone: (415) 956-1000 Email: ekeenley@lchb.com</p> <p>James P. Keenley Emily A. Bolt Bolt Keenley Kim LLP 2855 Telegraph Ave., Suite 517 Berkeley, CA 94705 Telephone: (510) 225-0696 Email: info@bkkllp.com</p> <p>Matthew J. Matern Mikael H. Stahle Matern Law Group, PC 1230 Rosecrans Ave., Suite 200 Manhattan Beach, CA 90266 Telephone: (310) 531-1900 Email: MMatern@maternlawgroup.com</p>
Court (DO NOT CONTACT)	<p>U.S. District Court for the Northern District of California McKinleyville United States Courthouse 3140 Boeing Avenue McKinleyville, CA 95519</p> <p>PLEASE DO NOT TELEPHONE OR DIRECTLY CONTACT THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THE SETTLEMENT PROCESS.</p>