

How do I know if I am part of the Settlement?

If you were a Participant, Former Participant, Beneficiary or Alternate Payee of a Participant or Former Participant, of the Coca-Cola Consolidated, Inc. 401(k) Plan (the “Plan”) at any time on or after November 24, 2014, through and including March 8, 2022 (the “Class Period”), then you are potentially a Class Member.

What is this lawsuit about?

Plaintiffs claim that Defendants violated ERISA regarding the administration of the Plan. Defendants have denied and continue to deny any wrongdoing. The Parties have agreed to the Settlement to avoid the costs and risks of further litigation. More information, including the Settlement Agreement, can be found on the Settlement website at www.strategicclaims.net/cc401k/.

What does the Settlement provide?

Defendants have agreed to pay a total of \$3,500,000 to the Class Members (“Settlement Fund”). The amount that will be available for distribution to Class Members (“Net Settlement Amount”) will be the Settlement Fund *minus* the amounts used for other approved settlement purposes (Case Contribution Fee, Court-approved Attorneys’ Fees and Expenses to Class Counsel, Administration Expenses, and certain taxes and tax-related costs). You may be entitled to payment of a portion of the Net Settlement Amount. The amount paid to each Participant, Former Participant, Beneficiary or Alternate Payee will be determined by a Plan of Allocation and depend upon the amount and value of your Plan account during the Class Period.

How do I submit a claim for a Settlement Payment?

If you are a Participant, or a Beneficiary or Alternate Payee of a Participant and you have an Active Account in the Plan, you do not need to submit a claim to be eligible for a payment under the Settlement. You will receive any payment for which you are eligible automatically in your Plan account.

If you are a Former Participant, or a Beneficiary or Alternate Payee of a Former Participant and you do not have an Active Account in the Plan, and want to receive any monetary benefits from the Settlement, you must submit the Former Participant Claim Form by no later than June 21, 2022. You must mail the Former Participant Claim Form to the address shown on the Form. “Former Participant” means a member of the Settlement Class who does not have an Active Account (*i.e.*, a balance greater than \$0) as of March 8, 2022.

Can I exclude myself from the Settlement Class?

No. The Settlement Class has been certified under Federal Rule of Civil Procedure 23(b)(1). Therefore, as a Class Member, you are bound by any judgments or orders that are entered in the lawsuit for all claims that were asserted in the lawsuit or are otherwise included as Released Claims as defined in the Settlement Agreement. If you wish to object to any part of the Settlement, you may (as discussed below) write to the Court and counsel about why you object to the Settlement.

How do I Tell the Court That I Do Not Like the Settlement?

You can ask the Court to deny approval of the Settlement and/or the Motion for Attorneys’ Fees and Expenses of Class Counsel or the Case Contribution Award to be requested for the Class Representative by filing an objection. You can’t ask the Court to order a different settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object. The Court, however, can award less than the amount requested by Class Counsel for attorneys’ fees and expenses or the amount requested for the case contribution award and, if the Court does so, because of an objection or in its own discretion, although that ruling could affect the timing and amount of settlement payments, any such objection to or reduction in Class Counsel’s attorneys’ fees and expenses or case contribution award to be paid to the Class Representative would not otherwise affect the finality of the Settlement.

Any objection to the proposed Settlement or Motion for Attorneys’ Fees and Expenses or Case Contribution Award

must be in writing in accordance with the requirements in the Preliminary Approval Order. If you file a timely written objection, you may, but are not required to, appear at the Fairness Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney. All written objections and supporting papers must (a) clearly identify the case name and number *Jones et al v. Coca-Cola Consolidated, Inc., et al.*, Case No. 3:20-cv-00654-FDW-DSC (W.D.N.C.); (b) be submitted to the Court either by mailing them to the Clerk of the Court for the United States District Court for the Western District of North Carolina, United States Courthouse, 401 West Trade Street, Room 1301, Charlotte, NC 28202, or by filing them in person at any location of the United States District Court for the Western District of North Carolina; and (c) be filed or postmarked on or before July 1, 2022. Your objection must also include (1) your full name, current address, and current telephone number, and, if represented by counsel, any of your counsel's names and contact information; (2) a written statement of your objection(s), specifying the reason(s) for each such objection, including any supporting evidence, and whether the objection applies only to you, to a specific subset of the Settlement Class, or to the entire Settlement Class; (3) copies of any papers, brief, or other documents upon which the objection is based; (4) a list of all persons who will be called to testify in support of the objection; (5) a list of any other objections to any class action settlements you or anyone acting on your behalf has submitted in any court, whether state, federal, or otherwise, in the United States in the previous five (5) years; and (6) your signature, even if you are represented by counsel.

Any party may file a response to an objection by a Class Member no later than July 26, 2022.

ANY CLASS MEMBER WHO DOES NOT OBJECT IN THE MANNER DESCRIBED ABOVE SHALL BE DEEMED TO HAVE WAIVED ANY OBJECTION AND SHALL NOT HAVE ANY RIGHT TO OBJECT TO THE FAIRNESS OR ADEQUACY OF THE SETTLEMENT.

Clerk of the Court

U.S. District Court for the
Western District of North
Carolina
Clerk of Court
United States Courthouse
401 West Trade Street, Room
1301, Charlotte, NC 28202

Class Counsel

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When/Where Will the Court Decide Whether to Approve the Settlement?

On August 2, 2022, at 9:00 a.m., in Courtroom #5B of the Charles R. Jonas Federal Bldg., 401 West Trade Street, Charlotte, NC 28202, the Court will hold a Fairness Hearing to determine whether the proposed Settlement is fair, reasonable, and adequate and whether it should be approved. The hearing may be continued from time to time by the Court without further notice, and may be held via teleconference or videoconference. Please check the website or contact Class Counsel if you wish to confirm that the hearing time has not been changed and to determine if it is occurring in person or by video or teleconference.