

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

**ALBERT GUTKNECHT, individually and on
behalf of all others similarly situated,**

Plaintiff,

v.

THE LOVESAC COMPANY, *et al.*,

Defendants.

No. 3:23-cv-01640-KAD

**SUMMARY NOTICE OF (I) PENDENCY OF CLASS ACTION AND
PROPOSED SETTLEMENT, (II) SETTLEMENT FAIRNESS HEARING,
AND (III) MOTION FOR ATTORNEYS' FEES AND LITIGATION EXPENSES**

TO: All persons and entities who purchased or otherwise acquired common stock of The Lovesac Company (“Lovesac”) during the period from June 8, 2022, through August 16, 2023, inclusive (the “Class Period”) (the “Settlement Class”).¹

PLEASE READ THIS NOTICE CAREFULLY. YOUR RIGHTS WILL BE AFFECTED BY A CLASS-ACTION LAWSUIT PENDING IN THIS COURT.

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the District of Connecticut (the “Court”), that the above-captioned securities class action (the “Action”) is pending in the Court.

YOU ARE ALSO NOTIFIED that Lead Plaintiff in the Action, Susan Cooke Peña, has reached a proposed settlement of the Action for \$615,000 in cash (the “Settlement”), which, if approved, will resolve all claims in the Action.

A hearing will be held on **December 9, 2024, at 9:30 a.m.**, before Judge Kari A. Dooley, either in-person at the United States Courthouse, 915 Lafayette Boulevard, Bridgeport, CT 06604, in Courtroom 2, or by telephone or videoconference, to determine (i) whether the proposed Settlement should be approved as fair, reasonable, and adequate; (ii) whether, solely for purposes of the proposed Settlement, the Action should be certified as a class action on behalf of the Settlement Class, Lead Plaintiff should be certified as class representative for the Settlement Class, and Lead Counsel should be appointed as class counsel for the Settlement Class; (iii) whether the Action should be dismissed with prejudice against Defendants and whether the releases specified and described in the Settlement Agreement dated as of July 30, 2024 (and in the Notice) should be granted; (iv) whether the proposed Plan of Allocation should be approved as fair and reasonable; and (v) whether Lead Counsel’s motion for an award of attorneys’ fees and expenses and Lead

¹ Certain persons and entities are excluded from the Settlement Class by definition as set forth in the full Notice of (I) Pendency of Class Action and Proposed Settlement, (II) Settlement Fairness Hearing, and (III) Motion for Attorneys’ Fees and Litigation Expenses (the “Notice”), available at www.strategicclaims.net/lovesac.

Plaintiff's motion for costs and expenses should be approved. If the hearing is held by telephone or videoconference, information on how to participate will be posted at www.strategicclaims.net/lovesac.

If you are a member of the Settlement Class, your rights will be affected by the pending Action and the Settlement, and you might be entitled to a payment from the Settlement. If you have not yet received the Notice and Claim Form, you may get copies of them by contacting the Claims Administrator at *Lovesac Securities Litigation*, c/o Strategic Claims Services, P.O. Box 230, 600 North Jackson Street, Suite 205, Media, PA 19063; 1-866-274-4004; or info@strategicclaims.net. You also can download copies of the Notice and Claim Form from the Settlement website, www.strategicclaims.net/lovesac.

If you are a member of the Settlement Class, you must submit a **Claim Form** either electronically or by first-class mail *received or postmarked no later than November 8, 2024*, to be eligible to receive a payment from the Settlement. If you are a Settlement Class Member and do not submit a proper Claim Form, you will not be eligible to receive a payment, but you will nevertheless be bound by any judgments or orders entered by the Court in the Action.

If you are a member of the Settlement Class and wish to **exclude yourself** from the Settlement Class, you must submit a request for exclusion that is *received no later than November 4, 2024*, in accordance with the instructions in the Notice. If you properly exclude yourself from the Settlement Class, you will not be bound by any judgments or orders entered by the Court in the Action, and you will not be eligible to receive a payment from the Settlement. Excluding yourself is the only option that may allow you to be part of any other current or future lawsuit against Defendants or any of the other released parties concerning the claims being resolved by the Settlement, even if you have pending or later file another lawsuit or other proceeding against the Releasees related to the claims covered by the Settlement.

Any **objections** to the proposed Settlement, the proposed Plan of Allocation, Lead Counsel's motion for attorneys' fees and litigation expenses, or Lead Plaintiff's motion for costs and expenses must be filed with the Court and delivered to Lead Counsel and Defendants' Counsel such that they are *received no later than November 4, 2024*, in accordance with the instructions in the Notice.

Do not contact the Court, the Clerk's office, Defendants, or their lawyers about this notice. All questions about this notice, the proposed Settlement, or your eligibility to participate in the Settlement should be directed to the Claims Administrator or Lead Counsel.

Requests for the Notice and Claim Form should be made to:

Lovesac Securities Litigation
c/o Strategic Claims Services
600 North Jackson Street
Suite 205
Media, PA 19063
1-866-274-4004
info@strategicclaims.net
www.strategicclaims.net/lovesac

Inquiries, other than requests for the Notice and Claim Form, should be made to Lead Counsel for the Settlement Class:

THE ROSEN LAW FIRM, P.A.
Jacob A. Goldberg, Esq.
Leah Heifetz-Li, Esq.
101 Greenwood Avenue, Suite 440
Jenkintown, PA 19046
215-600-2817
jgoldberg@rosenlegal.com
lheifetz@rosenlegal.com

By Order of the Court