

Deadline Extended to FEBRUARY 15, 2019

UPDATED CLASS NOTICE

You may have read or received a prior notice regarding this class action settlement. The filing deadline has been extended. You now have until FEBRUARY 15, 2019 to file a claim form. ACT NOW to ensure your claim is timely.

If you were exposed to the Hepatitis A virus (“HAV”) as a result of the 2016 Hepatitis A Outbreak linked to consuming food at thirteen Genki Sushi restaurants located on the islands of Oahu, Kauai, and Maui, and as a result you obtained preventative medical treatment, a Class Action Settlement may affect your rights.

Qualified Class Members can make a claim for payment of \$150, \$250, or \$350 if they submit a claim by February 15, 2019.

A Settlement has been reached in the lawsuits entitled *Cuehlo, et al., v. HNK, Inc., et. al., Sato v. Genki Sushi USA, Inc. et al.*, and *Ramos v. Genki Sushi USA, Inc.* (consolidated as CIVIL NO. 17-1-HEP (JHA)) pending in the Circuit Court of the First Circuit, State of Hawaii'i. Visit www.HawaiiHepA.com for complete information.

What Is This Case About?

This lawsuit asserts class claims for strict liability and negligence per se to recover damages for physical injury and economic loss arising from obtaining IG immunization shots and HAV vaccinations, in response to an alert by the Hawaii'i Department of Health that the Plaintiffs were allegedly exposed to the HAV virus by consuming food from Genki Sushi restaurants, from contact with HAV-infected persons, or from other establishments.

Who Is Included in the Settlement?

The Class includes all persons who: (1) as a result of the 2016 Hepatitis A Outbreak infections linked to consuming food at thirteen Genki Sushi restaurants located on the islands of Oahu, Kauai, and Maui, were exposed to the hepatitis A virus (“HAV”) through one of three exposure-mechanisms, but did not become infected, and (2) as a result of such exposure, after learning of the requirement of treatment from an announcement of public health officials or a medical professional, obtained preventative medical treatment, such as receiving immune globulin (“IG”), HAV vaccine, or blood test within 14 days of exposure.

There are three Subclasses associated with the exposure-mechanisms:

Exposure Subclass 1: All Class Members who were in contact with one of the 292 persons who the Hawai'i Department of Health identified as infected with HAV as part of the 2016 Hepatitis A Outbreak.

Exposure Subclass 2: All Class Members who as a result of consuming food on or between August 1 to August 16, 2016, were exposed to HAV at one of the thirteen restaurants located on the islands of Oahu, Kauai, and Maui, implicated in the summer 2016 outbreak of HAV.

Exposure Subclass 3: All Class Members who as a result of consumption of food or drink from one or more of Secondary Establishments, where an employee infected as part of the 2016 Hepatitis A Outbreak (one of the 292 persons) was found to have worked on the Identified Dates, were exposed as a result of consuming food or drink at the Secondary Establishment during one or more of the Identified Dates.

Visit www.HawaiiHepA.com for a list of the thirteen Genki Sushi restaurants and a list of the Secondary Establishments and the Identified Dates.

What Does the Settlement Provide?

Each member of Subclass 1 will be awarded \$350, each member of Subclass 2 will be awarded \$250, and each member of Subclass 3 will be awarded \$150. The Aggregate Limit for all claims and payments will not exceed \$4,500,000.00 for the entire Class. The Aggregate Limit includes (i) payments to each member of the Subclasses, (ii) compensation to each of the Class Representatives, (iii) payments to identified insurers in settlement of subrogation liens and (iv) Class Counsel's fees and costs.

How Do I Receive Payment?

To receive payment, you must submit a claim form by February 15, 2019. If you do not submit a complete and timely claim form, you will not be entitled to payment. Claim forms and instructions are available at www.HawaiiHepA.com.

What Are Your Rights?

If you do nothing, Class Members will be bound by the Court's decisions. If you do not want the benefits of the Settlements and, instead, you want to keep your right to sue the Defendants, you must exclude yourself from the Settlement Class by writing to the Class Administrator at the following address:

Hawai'i Hep-A Exclusions
c/o The Notice Company
P.O. Box 455
Hingham, MA 02043

The Court will exclude from the Class any Class Member who submits a timely, written exclusion request, which must be signed, dated and state that you want to be excluded from the

Hawai'i Hepatitis-A Class Action (Civil No. 17-1-HEP (JHA)) in the State of Hawai'i. **To be valid, exclusion requests must be postmarked on or before February 15, 2019.**

If you do not exclude yourself, you may object to the Settlement, or enter an appearance through counsel, by filing an objection with the Court and sending copies to Class Counsel and Defendant's Counsel. See the instructions at www.HawaiiHepA.com. **The deadline to file objections or a notice of appearance is February 15, 2019.**

When Is the Final Hearing?

The Court will hold a Final Approval Hearing on **March 6, 2019, at 8:30 a.m.** with the Honorable Judge James H. Ashford at the Circuit Court of the First Circuit, State of Hawai'i, Ka'ahumanu Hale, 777 Punchbowl Street, Honolulu, HI 96813 to consider whether to approve the Settlements and a request for attorneys' fees. This date may change so please check the website. You or your own lawyer may appear and speak at the hearing at your own expense.

How Do I Get Additional Information?

This is only a summary notice of the proposed settlement. You may obtain a detailed notice, the claim form, and other Settlement information by visiting www.HawaiiHepA.com, calling toll free 1-800-532-9250, or writing to Hawai'i Hep-A Administrator, c/o The Notice Company, P.O. Box 455, Hingham, MA 02043.