

NOTICE OF PROPOSED SETTLEMENT

If you purchased Theranos blood testing services, you may be entitled to a cash payment from a class action settlement.

Read this notice or visit www.TheranosLawsuit.com or call (866) 615-0978 for more information.

If you received a post-card or e-mail notice, you do not need to take any action to receive a payment. If you believe that you are a member of the class but did not receive a post-card or e-mail notice, you must call (866) 615-0978 or email info@TheranosLawsuit.com before January 8, 2024 to request inclusion in the class.

Para una notificación en español, visite www.TheranosLawsuit.com.

A federal court authorized this Notice. This is not a solicitation from a lawyer.

- Proposed settlements have been reached in a class action lawsuit arising out of Theranos blood testing services marketed to consumers in Walgreens retail stores in Arizona and California.
- The lawsuit, *In re Arizona Theranos, Inc., Litigation*, Case No. 2:16-cv-2138, is pending in the U.S. District Court for the District of Arizona. The Class Members have reached proposed settlements with Defendants Walgreens Boots Alliance, Inc. and Walgreen Arizona Drug Co. (together called “Walgreens”), Defendant Ramesh (“Sunny”) Balwani, and the entity that holds the remaining assets of the now-dissolved Theranos, Inc. (the “Theranos ABC”). Walgreens and Balwani deny all allegations in the lawsuit. The Court has not decided who is right or wrong. The parties have agreed to the settlements to avoid the expense, uncertainty, and risks associated with litigation.
- The Court previously found that this lawsuit could proceed as a class action on behalf of a Class of consumers who purchased Theranos blood testing services and three “Subclasses,” which are three subgroups within the Class. Explanations of who is in the Class and Subclasses are below at Question 4. If you received a notice of the settlements directly by email or mail, Theranos’s customer records indicate that you are part of the Class and/or one or more of the Subclasses, and that you are eligible for a settlement payment.
- The settlements will resolve all Class Members’ claims against Walgreens, Theranos, Inc., and Balwani involving Theranos blood testing services.
- **You do not need to submit a claim or take any other action to receive a payment. If the settlement with Walgreens becomes final, settlement payments will be sent to eligible persons by mailed check thereafter.** To ensure prompt and accurate delivery, you may update your address information at www.TheranosLawsuit.com or by contacting the Settlement Administrator at info@TheranosLawsuit.com.
- Under the proposed settlement with Walgreens, Walgreens must pay \$44 million into a Settlement Fund, which will be used to pay Class Members after deducting administration costs, attorneys’ fees and expenses and any service awards for the class representatives, taxes and tax expenses, and any other Court-approved deductions. Class Members will receive payments that are based on the costs of their Theranos blood testing services, with some adjustments. Class Members who are in the Walgreens Edison Subclass (see Question 4) will receive an additional payment. See Questions 11 and 12 for details.
 - If the Personal ID # on the notice that you received by mail or email begins with “A,” you are not in the Walgreens Edison Subclass according to Theranos’s customer records. You will receive a Class Member Payment but not a Walgreens Edison Subclass Member Payment.

Questions? Call 1-866-615-0978 or visit www.TheranosLawsuit.com

- If the Personal ID # on the notice that you received by mail or email begins with “B,” you are in the Walgreens Edison Subclass according to Theranos’s customer records. You will receive both a Class Member Payment and a Walgreens Edison Subclass Member Payment.
- You are not a member of the Class or Subclasses, and are not eligible for any payment from the settlements, if you previously timely excluded yourself from the Class.
- The lawyers who brought the lawsuit will ask the Court for payment of attorneys’ fees from the Settlement Fund as compensation for investigating the facts, litigating the cases, and negotiating the settlements, and will ask to be reimbursed for their expenses. They will also ask for a service award for the class representatives to compensate them for taking on this litigation on behalf of the Class.

YOUR LEGAL RIGHTS AND OPTIONS	
DO NOTHING	Receive a payment if you are in the Class. See Questions 11 and 12 for details.
OBJECT OR COMMENT ON THE SETTLEMENT	Object or comment on the settlement by January 8, 2024 . See Question 17 for details. If you are in the Class and the settlement with Walgreens becomes final, you will still receive a payment.

- You may not exclude yourself from (“opt-out” of) this case at this time. The deadline for opting out has passed. See Question 18.
- The Court has preliminarily approved the settlements, but still must decide whether to finally approve the settlements and the proposed payments to members of the Class and Walgreens Edison Subclass. If the settlement with Walgreens is approved, and after any appeals are resolved in favor of upholding the settlement, payments will be distributed to qualifying members. This can take time. Please be patient.
- This Notice summarizes the settlements. For the precise terms and conditions of the settlements, please: (i) see the Settlement Agreements, which are available at www.TheranosLawsuit.com; or (ii) contact the Settlement Administrator to request copies of the Settlement Agreements by calling (866) 615-0978 or writing to info@TheranosLawsuit.com.
- On February 6, 2024, at 1:00 p.m., the Court will hold a final approval hearing to determine: (1) whether any or all the settlements are fair, reasonable, and adequate and should receive final approval; (2) whether the application for an award of attorneys’ fees and expenses brought by Class Counsel should be granted (up to \$14.5 million to be paid from the \$44 million settlement fund); and (3) whether the application for service awards to Plaintiffs who brought the lawsuit should be granted (up to \$10,000 each to the Plaintiffs who are representing the Class, also to be paid from the settlement fund). The hearing date and time may change without further notice to you and/or the hearing may be held remotely or telephonically. Check www.TheranosLawsuit.com for updates or changes.
- **For more information, to update your contact information, or to register for case updates, visit www.TheranosLawsuit.com.**

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BASIC INFORMATION

1. What is this Notice about?

Plaintiffs, on behalf of the Class Members, have reached settlements in this class action lawsuit with Walgreens, Ramesh Balwani, and the entity holding the remaining assets of the now-dissolved Theranos, Inc. (the “Theranos ABC”). The Court authorized this Notice because you have a right to know about the proposed settlements and about your options before the Court decides whether to give final approval to the settlements. This Notice explains the lawsuit, the proposed settlements, your legal rights, and the hearing (“Fairness Hearing”) to be held by the Court to consider whether to finally approve the settlements.

The Honorable Senior Judge David G. Campbell of the United States District Court for the District of Arizona is overseeing this lawsuit. The case is called *In re Arizona Theranos, Inc., Litigation*, Case No. 2:16-cv-2138. The seven individual Plaintiffs who were appointed by the Court as “class representatives” were Theranos testing customers. The defendants in the lawsuit are Theranos, Inc. (“Theranos”), Walgreens Boots Alliance, Inc. and Walgreen Arizona Drug Co. (together called “Walgreens”), and Elizabeth Holmes and Ramesh Balwani (collectively, “Defendants”).

2. What is a class action and who is involved?

In a class action, one or more people, called plaintiffs, act as class representatives and sue on behalf of others who have similar claims. All of these people together are a class or class members. The individuals or companies the plaintiffs sue are called the defendants. One court resolves the issues for all class members, except those who have excluded themselves from (“opted out” of) the class.

3. Why is this lawsuit a class action?

The Court decided that a class trial could be used to determine certain claims in this lawsuit because the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts, were met. The Court has appointed seven named Plaintiffs, who were customers of Theranos testing services, to serve as class representatives.

WHO IS IN THE CLASS?

4. Am I part of the Class?

The Court previously certified a Class and three Subclasses in this case. Notice about the Court’s decision to certify the Class and Subclasses was provided to the Class in 2022 by mail, email, and other means. Now, another notice is being provided, this time about the settlements. If you have received a notice about the settlements by mail or email, then Theranos’s records indicate that you are a member of the Class and one or more of the Subclasses. The Class and Subclasses are defined as follows:

- **Class**: All purchasers of Theranos testing services, including consumers who paid out-of-pocket, through health insurance, or through any other source (collectively, “purchasers”) between November 2013 and June 2016.
- **Arizona Subclass**: All purchasers of Theranos testing services in Arizona between November 2013 and June 2016.
- **California Subclass**: All purchasers of Theranos testing services in California between September 2013 and June 2016.
- **Walgreens Edison Subclass**: All purchasers of Theranos testing services who were subjected to “tiny” blood draws (fingerpricks) by a Walgreens employee between November 2013 and March 2015.

The Court also previously certified a fourth subclass to pursue battery claims against Theranos, Inc., called the “Theranos Edison Subclass,” but that subclass was “decertified” by the Court. See www.TheranosLawsuit.com for more details.

The following are excluded from the Class/Subclasses: (i) Walgreens and its officers, directors, employees, or legal representatives; (ii) the judges in this case and members of their immediate families; and (iii) persons who timely and properly opted out of the Class previously.

Theranos’s records will be used to determine who is in the Class and Subclasses. If you believe that you are a member of the class but did not receive a post-card or e-mail notice, you can request inclusion in the class at www.TheranosLawsuit.com, by calling (866) 615-0978 or by emailing info@TheranosLawsuit.com. Requests for inclusion must be received on or before **January 8, 2024** to be considered.

THE CLAIMS IN THE LAWSUIT

5. What is this lawsuit about?

This lawsuit arises out of Theranos blood testing services offered in Walgreens and Theranos stores. The Plaintiffs claim, among other things, that these blood testing services were not capable of producing reliable results, that the Defendants knew and concealed the blood testing services’ unreliability, that the Defendants conspired to commit fraud on consumers, that Theranos’s “tiny” blood testing technology (blood drawn with fingerpricks) was still in development, and that the customers who were subject to “tiny” Theranos blood draws by Walgreens employees gave their consent to those blood draws under false pretenses.

The Defendants deny these claims. Walgreens maintains that it did not know that Theranos’s blood testing services “were unreliable and not market-ready,” and that it therefore did not conspire to commit fraud on consumers. Walgreens further maintains that it was, in fact, a victim of Theranos’s fraud. Defendants Holmes and Balwani, on the other hand, contend that Theranos’s blood testing results were generally accurate and reliable, and that consumers were neither deceived nor injured. Defendants also assert that most Class Members have already been fully reimbursed for amounts paid for the tests through the Arizona Attorney General Consent Decree or otherwise, so no other recovery is available to those Class Members. Plaintiffs claim that some Class Members have not been refunded or fully refunded for the tests and that other damages, beyond refunds for the tests, are due to Class Members.

The Court previously certified the Class and Subclasses as to certain claims. The following chart summarizes, for each of these claims, the Defendants, applicable Class or Subclasses (as defined in Question 4), and the types of relief Plaintiffs sought.

Claims	Defendants	Class/Subclass	Relief Sought
Racketeer Influenced and Corrupt Organizations Act	Theranos, Walgreens, Holmes, Balwani	Class	Refunds of amounts paid for Theranos testing services; “treble” damages
Arizona Consumer Fraud Act	Theranos, Walgreens, Holmes, Balwani	Arizona Subclass	Refunds of amounts paid for Theranos testing services; punitive damages*
California Unfair Competition Law and False Advertising Law	Theranos, Walgreens, Holmes, Balwani	California Subclass	Refunds of amounts paid for Theranos testing services
Battery and Medical Battery	Walgreens	Walgreens Edison Subclass	Dignitary harm damages; punitive damages*

*The Court has since determined that Plaintiffs cannot pursue claims for punitive damages against Walgreens. See www.TheranosLawsuit.com for more details.

As explained in the prior notice sent about this case, this lawsuit does not seek damages or other relief for personal injury, emotional distress, retesting costs, or medical care costs.

Questions? Call 1-866-615-0978 or visit www.TheranosLawsuit.com

More information about the claims in this case can be found in the operative Second Amended Complaint and in other key case documents that may be viewed at www.TheranosLawsuit.com.

Plaintiffs, Walgreens, Balwani, and the Theranos ABC have now agreed to settlements. The Court has not decided whether Plaintiffs' claims or Walgreens' defenses or the other Defendants' defenses should prevail. By agreeing to the settlement, neither Defendants nor Plaintiffs make any admissions regarding any liability or regarding the merits of the allegations, claims, or defenses in this case.

6. What about Theranos?

Defendant Theranos has been dissolved and has very limited remaining assets. Those remaining assets were assigned to Theranos (assignment for the benefit of creditors), LLC (referred to in this notice as the "Theranos ABC") for distribution to Theranos's creditors. Under the Class's settlements with Balwani and the Theranos ABC, Balwani has agreed to withdraw his claims to the remaining assets of Theranos, and the Theranos ABC has agreed to allocate a portion of the limited remaining Theranos assets to the Class. See Question 9 for more details.

7. What about Elizabeth Holmes?

Defendant Elizabeth Holmes is not a party to the settlements. Plaintiffs will ask the Court to dismiss the claims against her while preserving the rights of any Class Member to pursue their own claims against her if they choose—outside of this case and with their own counsel. Please note that any applicable statutes of limitation for any claims you may bring against Ms. Holmes will resume running upon the dismissal of the claims against her, should the Court approve such dismissal.

THE SETTLEMENTS

8. What are the terms of the settlements?

The complete terms of the proposed settlements are set forth in the Settlement Agreements, which are available at www.TheranosLawsuit.com. This Notice provides only a summary of the terms of the settlements. The settlements' benefits and other terms are summarized below.

9. What are the benefits of the settlements?

If the settlement with Walgreens (the "Walgreens settlement") is approved and becomes final, Walgreens will pay \$44 million into a Settlement Fund. This money, including any interest earned on it, will be used pay: (1) settlement payments to Class Members and Walgreens Edison Subclass Members, as described at Question 11 below; (2) the costs of distributing notice and settlement payment checks and other costs of administering the settlement; and (3) court-awarded attorneys' fees and expenses of the attorneys appointed by the Court to represent the Class ("Class Counsel") and service awards to the class representatives. Walgreens has no responsibility to pay more than \$44 million in connection with the Walgreens settlement, including for any liens or subrogation interests.

In addition, under the Class's settlements with Balwani and the Theranos ABC, Balwani has agreed to withdraw his claims to the remaining assets, and the Theranos ABC has agreed to allocate a portion of the limited remaining assets to the Class, which may increase the amount of money available to the Class. If approved, these settlements will provide approximately \$1.33 million in additional settlement funds (in addition to the \$44 million being paid by Walgreens). These additional funds paid by the Theranos ABC will be added to the Settlement Fund and distributed to the Class Members according to the same allocation plan provided in the Walgreens settlement, and at the same time as the funds from the Walgreens settlement.

10. Do I have to do anything to receive benefits from the settlement?

You do not need to file a claim or take any other action to receive a settlement payment. The Settlement Administrator will calculate your settlement payment amount. If the Walgreens settlement is approved and becomes final, settlement payments will be sent to eligible persons by mailed check.

Questions? Call 1-866-615-0978 or visit www.TheranosLawsuit.com

11. What will my settlement payment be?

Under the proposed Plan of Allocation, there are two types of payments under the Walgreens settlement: the “Class Member Payment” (for all Class Members, including all members of the Subclasses); and the “Walgreens Edison Subclass Member Payment” (for Walgreens Edison Subclass Members only).

Class Member Payment (all Class Members):

If the Walgreens settlement is approved and becomes final, each Class Member will receive a Class Member Payment that is based on the unreimbursed costs of their Theranos blood testing services according to Theranos’s customer records.

More specifically, each Class Member will receive a Class Member Payment in an amount that depends on the following formula:

- (1) a Base Payment of \$10.00; plus
- (2) two times the total costs of their Theranos blood testing services during the Class period (see Question 4) (whether such costs were paid out-of-pocket, through insurance, or from another source); minus
- (3) any refunds the Class Member already received from the 2017 Arizona Attorney General Consent Decree with Theranos. Theranos’s records will be used to determine these amounts.

Walgreens Edison Subclass Member Payment (only Walgreens Edison Subclass Members):

In addition to the Class Member Payment, Class Members who are in the Walgreens Edison Subclass (see Question 4) will also receive a Walgreens Edison Subclass Member Payment, as compensation for battery and medical battery claims. The Walgreens Edison Subclass Member Payment will be a flat amount for each Walgreens Edison Subclass Member, currently estimated to be between approximately \$700 and \$1,000.

Walgreens Edison Subclass Members will receive both a Class Member Payment and the Walgreens Edison Subclass Member Payment. For an explanation of why only Walgreens Edison Subclass Members will receive the additional payment, see Question 12.

- If the Personal ID # on the notice that you received by mail or email begins with “A,” you are not in the Walgreens Edison Subclass according to Theranos’s customer records. You will receive a Class Member Payment but not the Walgreens Edison Subclass Member Payment if the Walgreens settlement is approved and becomes final.
- If the Personal ID # on the notice that you received by mail or email begins with “B,” you are in the Walgreens Edison Subclass according to Theranos’s customer records. You will receive both a Class Member Payment and the Walgreens Edison Subclass Member Payment if the Walgreens settlement is approved and becomes final.

Class Members should consult their personal tax advisor for assistance regarding any tax ramifications of the settlements. Neither Class Counsel nor Defendants and their counsel are providing any opinion or advice as to the tax consequences or liabilities of Class Members as a result of any payments under the settlements.

Other Details About the Allocation of Settlement Funds:

Class Member Payments and Walgreens Edison Subclass Member Payments will be paid from the amount in the Settlement Fund minus Court-authorized attorneys’ fees and expenses, notice and administration costs, and service awards to the class representatives. If the available funds from the Settlement Fund are not enough to fully pay both Class Member Payments and Walgreens Edison Subclass Member Payments in full, both Walgreens Edison Subclass Member Payments and Class Member Payments (other than the \$10 Base Payment portion) will be decreased proportionally to ensure that they do not exceed available funds. If available funds are *more* than enough to fully pay both Class Member Payments and Walgreens Edison Subclass Member Payments in full, both Walgreens Edison Subclass Member Payments and Class Member Payments (other than the \$10 Base Payment portion) will be increased proportionally so that the total payments equal the available funds.

For any settlement check funds that remain uncashed one year after the initial distribution of the settlement checks, those residual amounts will be distributed as part of a second distribution (if practicable) to those who

cash their initial payment checks and/or treated as unclaimed funds subject to applicable state unclaimed property procedures.

Visit www.TheranosLawsuit.com for more information, to look up your estimated settlement payment amount using the Personal ID # you received by mail and/or email, and to see the detailed proposed Plan of Allocation. If you have lost your Personal ID #, you can obtain it by calling (866) 615-0978 or emailing info@TheranosLawsuit.com.

Please note that the Court may order that the settlement funds be allocated to the Class and Walgreens Edison Subclass in a manner that is different than is proposed in the proposed Plan of Allocation. Please check www.TheranosLawsuit.com for updates.

12. Why do the Walgreens Edison Subclass Members get an additional payment?

The Court has permitted the Walgreens Edison Subclass to proceed on battery and medical battery claims against Walgreens. The other Class Members, who are not Walgreens Edison Subclass Members, were not permitted by the Court to pursue battery or medical battery claims. Under the proposed Plan of Allocation, the Class Member Payments are expected to fully or nearly fully compensate all Class Members for the potential damages they could have been awarded for the remaining claims at trial other than for the battery and medical battery claims that only the Walgreens Edison Subclass Members have. The Walgreens Edison Subclass Member Payment is intended to compensate Walgreens Edison Subclass Members for their separate battery and medical battery claims.

Please note that not every Class Member who had a ‘tiny’ blood draw (fingerprick) is a Walgreens Edison Subclass Member. Only Class Members who had a ‘tiny’ blood draw (fingerprick) performed by a Walgreens employee are in the Walgreens Edison Subclass and qualify for the additional Walgreens Edison Subclass Member Payment. If you only had ‘tiny’ blood draw(s) (fingerpricks) performed by Theranos employee(s), you are not in the Walgreens Edison Subclass. The Court previously ruled in this case that ‘tiny’ blood draws (fingerpricks) performed by Theranos employees could not be the basis for a battery claim against Walgreens. The Walgreens Edison Subclass Member Payments are being made to resolve the battery claims against Walgreens. See Questions 4 and 5, above for further information.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in this case?

Yes. The Court appointed two law firms as “Class Counsel” to represent the Class and Subclasses:

Lieff Cabraser Heimann & Bernstein LLP
275 Battery St., 29th Floor
San Francisco, CA 94111
(415) 956-1000
theranoslitigation@lchb.com

Keller Rohrback L.L.P.
3101 North Central Ave., Suite 1400
Phoenix, AZ 85012
(800) 776-6044
theranoslitigation@kellerrohrback.com

You do not have to pay Class Counsel for their time or expenses incurred in this case out of your pocket. Instead, Class Counsel will petition the Court for an award of their fees and expenses; any amount awarded to Class Counsel by the Court will be paid from the Settlement Fund.

The Court has also appointed Plaintiffs A.J., A.R., B.B., B.P., D.L., R.G., and S.L. as class representatives to represent the Class, and Plaintiff B.P. as class representative to represent the Walgreens Edison Subclass.

14. How will Class Counsel be paid?

Class Counsel will file a motion on or before January 30, 2024 asking the Court to award them attorneys’ fees of 30 percent of the \$44 million Walgreens Settlement Fund (*i.e.*, \$13.2 million), plus reimbursement of their litigation expenses, which are estimated to be up to \$1.3 million. The attorneys’ fees and expenses awarded by the Court will be the only payment to Class Counsel for their efforts in achieving the settlements and for their risk in undertaking this representation on a wholly contingent basis. In addition, Class Counsel will ask the Court on

or before January 30, 2024 to award the seven class representatives a service award of \$10,000 each to compensate them for their efforts and commitment on behalf of the Class. All court-awarded attorneys' fees, expenses, and service awards will be paid from the Settlement Fund.

The Court will determine the amount of attorneys' fees, expenses, and service awards to award. A copy of Class Counsel's application for attorneys' fees, expenses, and service awards will be posted at www.TheranosLawsuit.com after it is filed.

15. Should I hire my own lawyer?

You do not need to hire your own lawyer because Class Counsel represents you and the other members of the Class. However, you have the right to hire your own lawyer. If you want your own lawyer separate from Class Counsel, you will have to pay that lawyer.

YOUR RIGHTS AND OPTIONS

16. What happens if I do nothing?

If you are in the Class, you will automatically be sent a settlement payment if the Walgreens settlement is approved and becomes final. See Questions 4, 10, and 11 for details.

17. How do I object or comment?

If you are in the Class, you can comment on or object to the settlement(s) or Class Counsel's request for attorneys' fees, litigation expenses, and service awards. To object or comment, you must send a signed, written objection or comment. It must:

- (a) state the case name and number of the Action, *In re Arizona Theranos, Inc. Litigation*, No. 2:16-cv-2138-DGC (D. Ariz.);
- (b) state your name, address, telephone number, and your signature (even if you are represented by counsel);
- (c) state whether you are objecting to the proposed settlement(s), Plan of Allocation, and/or the application for attorneys' fees, expenses, and service awards for the class representatives;
- (d) state your objection(s) and the specific reason(s) for each objection, including any legal and evidentiary support you wish to bring to the Court's attention;
- (e) identify all class actions to which you or your counsel have previously objected in the last five years;
- (f) provide your basis for believing you are a Class Member in this case;
- (g) state whether you intend to appear at the Fairness Hearing; and
- (h) if you intend to appear at the Fairness Hearing through counsel, state the identity of all attorneys who will appear on your behalf at the Fairness Hearing.

To be considered by the Court, your comment or objection must be filed with the Court or mailed to the Clerk of Court, filed/postmarked no later than **January 8, 2024**. If you choose to mail your comment or objection rather than file it with the Court, you must mail it to **both** the Clerk of Court and to the Settlement Administrator at the addresses listed below.

Clerk of Court	Settlement Administrator
Clerk of Court United States District Court District of Arizona 401 W. Washington St. Phoenix, Arizona 85003-2118	<i>In re Arizona Theranos, Inc., Litigation</i> c/o JND Legal Administration P.O. Box 91214 Seattle, WA 98111

18. Can I still exclude myself (“opt-out”) from this case?

No, you may not exclude yourself at this time. The instructions and deadline for excluding yourself were provided in a prior notice to the Class members in 2022, and the deadline has now passed.

If you previously excluded yourself by the September 12, 2022 deadline, you are not part of the Class or Subclasses and will not receive any settlement payment from the settlements. If you did not previously exclude yourself by the September 12, 2022 deadline, you will be bound by any judgments in this case, including regarding the settlements.

19. What claims are released by the settlements?

In exchange for the settlement benefits, you will release (give up) all claims about the issues in this lawsuit against Walgreens and its affiliates listed in the Settlement Agreement, Ramesh Balwani, and Theranos and the Theranos ABC and their affiliates. The Settlement Agreements, available at www.TheranosLawsuit.com, describe the claims you are releasing (giving up).

THE COURT’S FAIRNESS HEARING

20. When and where will the Court decide whether to approve the settlements?

The Court will hold a Fairness Hearing on **February 6, 2024 at 1:00 p.m.**, before the Honorable David G. Campbell at the United States District Court for the District of Arizona, Sandra Day O’Connor United States Courthouse, Courtroom 603; 401 W. Washington St., Phoenix, Arizona 85003. The hearing may be moved to a different date or time without additional notice and/or may be held remotely or telephonically. Please check www.TheranosLawsuit.com for updates or changes.

At the Fairness Hearing, the Court will consider whether any or all of the settlements should be approved as fair, reasonable and adequate. The Court will also consider Class Counsel’s application for attorneys’ fees, expenses, and service awards. If there are timely valid objections, the Court will consider them. After the hearing, the Court will decide whether to approve the settlements. We do not know how long these decisions will take.

21. Do I have to come to the hearing?

No, you do not have to attend the hearing. Class Counsel will answer any questions the Court may have, but you are welcome to come at your own expense. If you submit an objection or comment, you do not have to come to Court to talk about it. As long as you submitted your written objection or comment on time and complied with the requirements listed in Question 17, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

OBTAINING MORE INFORMATION

22. How can I obtain more information?

More information can be found at www.TheranosLawsuit.com. The website includes important case deadlines, links to case documents, including the full Settlement Agreements, Plan of Allocation, the operative complaint in this lawsuit, and other information about the lawsuit and the settlements. You can also obtain more information by calling the Settlement Administrator toll-free at 1-866-615-0978 or contacting Class Counsel (see Question 13). You may also write the Settlement Administrator via email at info@TheranosLawsuit.com or by mail at:

In re Arizona Theranos, Inc., Litigation
c/o JND Legal Administration
P.O. Box 91214
Seattle, WA 98111

PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.

Questions? Call 1-866-615-0978 or visit www.TheranosLawsuit.com