

Subject Line: Whole Foods Market Proposed Class Action Settlement

## NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

Hello Customer,

You are receiving this email because our records indicate that you may have purchased “365 by Whole Foods Market Organic Hot Cocoa Rich Chocolate Flavor Mix (Canister), 12 oz.” or “365 Everyday Value Organic Hot Cocoa Rich Chocolate Flavor Mix (Canister), 12 oz.” (the “Product”), between November 3, 2017 and March 13, 2025, from a Whole Foods store located in California. If so, you may be a member of a proposed class action Settlement in California and have certain rights.

In *Goodwin v. Whole Foods Market, Inc., et al.* (Case No. 21STCV40456), Judge Kuhl of the Superior Court of California, County of Los Angeles, certified a class action settlement involving claims that the Product sold in California included non-functional slack-fill (empty space). We, Mrs. Gooch’s Natural Food Markets, Inc., and Whole Foods Market California, Inc., the defendants in the lawsuit, deny these claims.

A court has authorized this notice. This is not a solicitation by a lawyer. To determine whether you are a member of the California settlement class, view the full notice approved by the Court, or learn how to request exclusion from (i.e., opt out of) the class action settlement or object to the proposed settlement, please go to [www.GoodwinHotCocoaSettlement.com](http://www.GoodwinHotCocoaSettlement.com) or call the Claims Administrator at 1-833-296-0836. The full notice also provides details on how to submit a claim, opt out of the settlement class or object to the proposed settlement. A printable Claim Form may be obtained by going to [www.GoodwinHotCocoaSettlement.com](http://www.GoodwinHotCocoaSettlement.com).

**To receive monetary benefits under this Settlement, a Claim Form must be submitted to the Claims Administrator online or postmarked by October 14, 2025. A request to opt out of the Settlement, or object to the proposed settlement, must be sent to the Claims Administrator by mail postmarked by October 14, 2025.**

The Court will hold a Final Approval Hearing (otherwise known as a “Fairness Hearing”) to decide whether to approve the Settlement on December 3, 2025, at 10:30 a.m. PT, in the Superior Court of California, County of Los Angeles, Spring Street Courthouse, located at 312 N Spring Street, Los Angeles, California 90012, Department 12.

If the proposed settlement is finally approved, Whole Foods Market will pay Settlement Class Members who submit a valid claim form a prorated share of \$100,000. Individual settlement payments are estimated to be approximately \$2.90, which may change subject to the number of valid claims submitted. Settlement Class Counsel anticipate seeking an award of \$452,464 as attorneys’ fees and litigation costs combined, \$92,536 for class notice and claims administrator expenses, and \$5,000 for a service award to the Class Representative for her efforts in representing the Settlement Class. The maximum amount that Whole Foods Market will pay to settle the claims in the lawsuit is \$650,000.

If you have any questions about the class action settlement, please contact Settlement Class Counsel whose contact information is available in the full notice at [www.GoodwinHotCocoaSettlement.com](http://www.GoodwinHotCocoaSettlement.com). Settlement Class Counsel may be contacted by email at [WholeFoodsSettlementIntake@kazlg.com](mailto:WholeFoodsSettlementIntake@kazlg.com).

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Best regards,

Mrs. Gooch's Natural Food Markets, Inc & Whole Foods Market California, Inc.

**En el sitio web, [www.GoodwinHotCocoaSettlement.com](http://www.GoodwinHotCocoaSettlement.com), hay una notificación completa del acuerdo en Español. Para un operador telefónico de habla Español, llame al 1-833-296-0836.**

**PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE**