

COURT APPROVED LEGAL NOTICE

DeCostanzo v. GlaxoSmithKline plc et al., No. 2:21-cv-04869-NJC-AYS (E.D.N.Y.)

If you lived in NY and were vaccinated with BOOSTRIX or were vaccinated with BOOSTRIX in the State of NY, during the period of May 20, 2016 through May 20, 2020, and you were vaccinated with BOOSTRIX to protect one or more other individuals after viewing one or more certain advertisements, you may be eligible to receive a payment from a class action Settlement.

Para una notificación en Español, visitar www.BigBadCoughSettlement.com.

A proposed Settlement has been reached with Defendants GlaxoSmithKline plc (now known as GSK plc) and GlaxoSmithKline LLC (together, “GSK”) related to a multimedia advertising campaign that ran between 2015 and 2020 concerning pertussis, also known as “whooping cough,” in which each advertisement featured one or more humanized wolves, and was known, among other things, as the “Big Bad Cough” campaign (“Advertising Campaign”). The litigation, which is pending in the United States District Court for the Eastern District of New York, alleges that the Advertising Campaign was misleading regarding BOOSTRIX’s ability to prevent its recipients from transmitting pertussis. GSK has vigorously defended the litigation on several grounds and denied any wrongdoing or liability whatsoever. The Settlement does not mean that GSK did anything wrong.

IMPORTANT INFORMATION ABOUT THIS LITIGATION

(1) BOOSTRIX has been and remains approved by the FDA for immunization against pertussis, tetanus, and diphtheria; (2) Plaintiff did not and does not allege that she contracted pertussis or transmitted pertussis to anyone else; and (3) the Advertising Campaign accurately portrayed the CDC’s guidance for pertussis vaccination from the relevant time period.

Further, the Plaintiff has **not** challenged the safety or efficacy of BOOSTRIX for protecting the vaccine recipients themselves.

Your legal rights are affected regardless of whether you do or do not act.

Read this notice carefully.

For complete details, visit www.BigBadCoughSettlement.com or call toll-free 1-833-978-4147.

Questions? Visit www.BigBadCoughSettlement.com or call toll-free 1-833-978-4147

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM BY: DEADLINE	Submitting a valid Claim Form is the only way you can receive a Settlement Payment.
EXCLUDE YOURSELF FROM THE SETTLEMENT BY: DEADLINE	If you exclude yourself from this Settlement, you will not receive any benefits from the Settlement, but you also will not release your claims against GSK. This is the only option that allows you to bring or be part of another lawsuit against GSK for the legal claims resolved by this Settlement. If you exclude yourself from the Settlement, you may not object to the Settlement.
OBJECT TO THE SETTLEMENT BY: DEADLINE	To object to the settlement, you can write to the Court with reasons why you do not agree with the Settlement. You may ask the Court for permission for you or your attorney to speak about your objection at the Final Approval Hearing at your own expense. Your objection must include all factual and legal grounds you wish to raise.
DO NOTHING	If you do nothing, you will not receive any benefits from the Settlement. You will also give up certain legal rights.

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BASIC INFORMATION

1. Why is this Notice being provided?

The Court directed that this Notice be provided because you have a right to know about a proposed Settlement that has been reached in this class action lawsuit and about all of your options before the Court decides whether to grant final approval of the Settlement. If the Court finally approves the Settlement, and after appeals, if any, are resolved, the Settlement Administrator appointed by the Court will distribute the payments to Settlement Class Members who submitted a valid and timely Claim Form. This Notice explains the lawsuit, the Settlement, your legal rights, what payments are available, who is eligible for them, and how to get them.

The Court overseeing this case is the United States District Court for the Eastern District of New York. The Litigation is captioned *DeCostanzo v. GlaxoSmithKline plc et al.*, No. 2:21-cv-04869-NJC-AYS (E.D.N.Y.). The individual who brought this Litigation, Lori DeCostanzo, is called the Plaintiff, and the entities that were sued, GlaxoSmithKline plc (now known as GSK plc) and GlaxoSmithKline LLC are called the Defendants or “GSK.”

2. What is this Litigation about?

The Plaintiff claims that GSK’s “Big Bad Cough” advertising campaign misled viewers about BOOSTRIX’s ability to prevent its recipients from spreading pertussis (whooping cough) to others. GSK has vigorously defended Litigation on several grounds and denied any wrongdoing or liability.

3. What is a class action Settlement?

In a class action, one or more people called Plaintiff or Plaintiffs sue on behalf of people who have similar claims. Together, these people are called a Settlement Class or Settlement Class Members. One Court and one judge resolves the issues for all Settlement Class members, except for those who exclude themselves from the Settlement Class (also known as “opting out” of the Settlement Class).

4. Why is there a Settlement?

The Court has not ruled in favor of either side. The Plaintiff and Class Counsel believe that the case has merit, but they also understand that continued litigation would be expensive, lengthy and uncertain. With those considerations, compared against the substantial benefits to be conferred on the Settlement Class by

the Settlement, Plaintiff and Class Counsel believe that the Settlement is in the best interests of the Settlement Class and is fair, reasonable, and adequate.

GSK has denied and continues to deny any fault, wrongdoing, illegal conduct, or liability whatsoever on its part. However, GSK has agreed to settle to avoid further costs and uncertainty of ongoing litigation. This settlement shall not be construed as and is not evidence of any admission by GSK of fault, wrongdoing, or liability or that any of the allegations in the Litigation are true.

WHO IS INCLUDED IN THE SETTLEMENT?

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

The **Eligible Settlement Class Members** include: All adults who viewed the **Advertising Campaign**, and either lived in New York at the time, or were vaccinated with **BOOSTRIX** in New York, and were vaccinated with **BOOSTRIX** during the **Class Period** in order to protect one or more other individuals from pertussis.

The **Advertising Campaign** was the GSK multimedia advertising campaign that ran between 2015 and 2020 concerning pertussis, also known as “whooping cough,” in which each advertisement featured one or more humanized wolves, and was known as the “Big Bad Cough” campaign.

BOOSTRIX is a tetanus toxoid, reduced diphtheria toxoid, and acellular pertussis (Tdap) vaccine developed and manufactured by GSK.

The **Class Period** refers to the time period from May 20, 2016, through May 20, 2020.

If you are still not sure whether you are included in the Settlement Class, you can contact the Settlement Administrator by calling toll-free at 1-833-978-4147, emailing info@BigBadCoughSettlement.com, or by visiting the Settlement Website at www.BigBadCoughSettlement.com.

6. Are there exceptions to being included in the Settlement?

Yes. Specifically excluded from the Settlement Class are (i) any woman who was vaccinated with BOOSTRIX while pregnant; (ii) GSK, its officers, directors, affiliates, legal representatives, employees, successors, and assigns, and entities in which GSK has a controlling interest; (iii) judge(s) presiding over the Litigation; (iv) counsel of record for the Parties; and (v) all Persons who validly opt-out in a timely manner.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

7. What does the Settlement provide?

Those who submit a valid claim form in a timely manner may receive:

- \$50 if you provide a Qualifying Proof of Vaccination (as defined below) of your Boostrix vaccination during the Class Period
- \$10 if you do not provide Qualifying Proof but submit a Claim Form with Attestation of Vaccination.
 - An “Attestation of Vaccination” means a swearing or affirming as to certain facts relating to an individual’s vaccination with Boostrix.

Questions? Visit www.BigBadCoughSettlement.com or call toll-free 1-833-978-4147

HOW TO GET BENEFITS—SUBMITTING A CLAIM FORM

8. How do I get benefits from the Settlement?

In order to receive a Settlement Payment, you must complete and submit a timely and valid Claim Form. You can submit a Claim Form online at www.BigBadCoughSettlement.com.

You may also submit a paper Claim Form. Claim Forms are available for download at www.BigBadCoughSettlement.com, or you may request one by mail by calling **1-833-978-4147**. Read the instructions carefully, fill out the Claim Form, and mail it along with any Qualifying Proof of Vaccination so it is postmarked no later than **June 8, 2026**, to: **Big Bad Cough Settlement, Attn: Claim Forms, 1650 Arch St., Ste. 2210, Philadelphia, PA 19103**.

9. How will claims be decided?

The Settlement Administrator will decide whether the information provided on the Claim Form is complete and valid. The Settlement Administrator may require additional information from any claimant. If the Settlement Administrator requires additional information from you and you do not provide it in a timely manner, your claim may not be paid.

10. When will I get my payment?

The Court will hold a Final Approval Hearing on July 2, 2026, to decide whether to approve the Settlement. Even if the Court approves the Settlement, there may be appeals, and resolving them may take additional time. It also takes time for all the Claim Forms to be processed, depending on the number of claims submitted and whether any appeals are filed. Please be patient. If you have further questions regarding payment timing, you may contact the Settlement Administrator by emailing info@BigBadCoughSettlement.com or calling toll-free **1-833-978-4147**.

REMAINING IN THE SETTLEMENT

11. Do I need to do anything to remain in the Settlement?

You do not have to do anything to remain in the Settlement, but if you want to receive a Settlement Payment, you must submit a Claim Form online or postmarked by **June 8, 2026**.

If you do nothing, you will **not** receive Settlement benefits and you will also give up certain legal rights as described below.

12. What am I giving up as part of the Settlement?

If the Settlement becomes final, you will give up your right to sue GSK for the claims being resolved by this Settlement unless you exclude yourself from the Settlement. The specific claims you are giving up against GSK and the claims you are releasing are described in the Settlement Agreement, available at www.BigBadCoughSettlement.com. The Settlement Agreement describes the Released Claims with specific descriptions, so read it carefully. If you have any questions about what claims you are giving up and which parties you are releasing, you can talk to the law firms listed in Question 16 for free, or you can, of course, talk to your own lawyer at your own expense.

EXCLUDING YOURSELF FROM THE SETTLEMENT

Questions? Visit www.BigBadCoughSettlement.com or call toll-free 1-833-978-4147

If you do not want any benefits from this Settlement, and you want to keep the right to sue GSK about legal issues resolved by this Settlement, then you must take steps to get out of the Settlement Class. This is called excluding yourself from – or is sometimes referred to as “opting out” of – the Settlement Class.

13. If I exclude myself, can I still get payment from the Settlement?

No. If you exclude yourself from the Settlement, you will not be entitled to receive a Settlement Payment, but you will not be bound by the Release set forth in the Settlement Agreement and the Court’s Final Judgment in this case.

14. If I do not exclude myself, can I sue the Defendants for the same thing later?

No. Unless you exclude yourself from the Settlement, you give up any right to sue GSK for the claims that this Settlement resolves. You must exclude yourself from the Settlement Class to start your own lawsuit or to be part of any different lawsuit relating to the claims in this case.

15. How do I get out of the Settlement?

To validly request exclusion from the Settlement Class, a member of the Settlement Class must submit a written opt-out request to the Settlement Administrator stating that “I wish to exclude myself from the Settlement Class in the BOOSTRIX Advertising Campaign Class Action Settlement” (or substantially similar clear and unambiguous language). That written request shall contain said Person’s printed name, address, telephone number, email address, and date of birth. The request for exclusion must contain the written signature of said Person seeking to exclude himself or herself from the Settlement Class. Opt-out requests must be mailed so it postmarked no later than May 11, 2026 to the address below:

Big Bad Cough Settlement
Attn: Exclusions
P.O. Box 58220
Philadelphia, PA 19102

Requests for Exclusion may only be done on an individual basis, and no person may request to be excluded from the Settlement Class through “mass” or “class” opt-outs.

THE LAWYERS REPRESENTING YOU

16. Do I have a lawyer in this case?

Yes. The Court appointed the following attorneys as “Class Counsel” to represent the Settlement Class:

SIRI & GLIMSTAD LLP
Aaron Siri
Elizabeth A. Brehm
Mason A. Barney
745 Fifth Avenue, Suite 500
New York, New York 10151

Michael P. Connett

Questions? Visit www.BigBadCoughSettlement.com or call toll-free 1-833-978-4147

You will not be charged for contacting Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense.

17. How will Class Counsel be paid?

Class Counsel will apply to the Court for an award of attorneys' fees not to exceed one million, nine hundred and fifty thousand dollars (\$1,950,000) in full satisfaction of their claim for costs and attorneys' fees. Class Counsel will also seek a Service Award in the amount of \$7,000 for Plaintiff Lori DeCostanzo in recognition of her time, costs, and effort in the Litigation, including her undertaking of related risks and burdens. The Court may award less than these amounts.

OBJECTING TO THE SETTLEMENT

18. How do I tell the Court that I do not like the Settlement?

Any Settlement Class Member who does not submit a written request for exclusion may present a written objection to the settlement explaining why he or she believes the Settlement Agreement should not be approved by the Court as fair, reasonable, and adequate. A Settlement Class Member who wishes to submit an objection must deliver the written objection to the Court and the Settlement Administrator(s) so that it is postmarked by May 11, 2026, and subject to the following requirements.

Court	Settlement Administrator
Clerk of the Court United States District Court for the Eastern District of New York 100 Federal Plaza Central Islip, NY 11722	Big Bad Cough Settlement Attn: Objections P.O. Box 58220 Philadelphia, PA 19102

The written objection shall contain: (a) the Settlement Class Member's printed name, address, telephone number, and date of birth; (b) evidence showing that the objector is a Settlement Class Member; (c) a detailed written statement of the objection(s) and the aspect(s) of the settlement being challenged, as well as the specific reasons, if any, for each such objection, including any evidence and legal authority that the Settlement Class Member wishes to bring to the Court's attention; (d) any other supporting papers, materials, or briefs that the Settlement Class Member wishes the Court to consider when reviewing the objection; (e) the written wet signature of the Settlement Class Member making the objection; (f) the name and contact information for any attorney representing the Settlement Class Member; and (g) a statement on whether the objecting Settlement Class Member and/or his or her counsel intend to appear at the Final Approval Hearing.

A Settlement Class Member may object on his or her own behalf or through an attorney; however, even if represented, the Settlement Class Member must individually sign the objection and all attorneys who are involved in any way asserting objections on behalf of the Settlement Class Member must be listed on the objection papers. Counsel for the Parties may take the deposition of any objector prior to the Final Approval

Hearing in a location convenient for the objector (including by remote video deposition at the Parties' election).

19. What is the difference between objecting to and excluding myself from the Settlement?

Objecting is remaining part of the Settlement Class and telling the Court that you do not like something about the Settlement. Excluding yourself is telling the Court that you do not want to be part of the Class in this Settlement. If you exclude yourself from the Settlement, you have no basis to object or submit a Claim Form because the Settlement no longer affects you. If you object to the Settlement and the Court approves the Settlement, you will be bound by the Settlement.

THE COURT'S FINAL APPROVAL HEARING

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to. You may raise only those specific reasons that you identify in your written objection as specified in response to Question 18 above. You cannot speak at the hearing if you exclude yourself from the Settlement.

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

The Court will hold a Final Approval Hearing at 10:00 am, on July 2, 2026, in Courtroom 1040 at the United States District Court for the Eastern District of New York, 100 Federal Plaza, Central Islip, NY 11722. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will take into consideration any timely sent written objections and may also listen to people who have asked to speak at the hearing. The Court will also consider Class Counsel's Motion for Attorneys' Fees, Costs, and Service Awards. The date or time of the hearing may change, so please visit www.BigBadCoughSettlement.com for updates.

21. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have; however, you are welcome to attend the hearing at your own expense. If you file an objection, you do not have to come to Court to talk about it. You may also hire your own lawyer to attend, at your own expense, but you are not required to do so.

22. May I speak at the Final Fairness Hearing?

Yes, you may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must follow the instructions provided in Question 18 above. You cannot speak at the hearing if you exclude yourself from the Settlement.

IF YOU DO NOTHING

23. What happens if I do nothing?

If you do nothing, you will not receive any Settlement Benefits. If the Court approves the Settlement, and you do nothing, you will be bound by the Release set forth in the Settlement Agreement and the Court's Final Judgment. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against GSK or Released Parties about the issues involved in this lawsuit, resolved by this Settlement, and released by the Settlement Agreement.

GETTING MORE INFORMATION

24. Are more details about the Settlement available?

Yes. This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement available at www.BigBadCoughSettlement.com, or by writing to Settlement Administrator:

Questions? Visit www.BigBadCoughSettlement.com or call toll-free 1-833-978-4147

Big Bad Cough Settlement
c/o Settlement Administrator
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
info@BigBadCoughSettlement.com

25. How do I get more information?

For more information, please visit www.BigBadCoughSettlement.com or call toll-free 1-833-978-4147. You can also contact the Settlement Administrator by mail or email.

Please do not call the Court or the Clerk of the Court for additional information.