

**If you purchased products from Justice during the period from January 1, 2012 through February 28, 2015, then you may be entitled to cash or a voucher under a proposed Settlement of a class action lawsuit pending in this Court.**

**PLEASE READ THIS NOTICE CAREFULLY BECAUSE THIS SETTLEMENT MAY AFFECT YOUR LEGAL RIGHTS**

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

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>SUBMIT A CLAIM</b>	You may submit a claim for the Settlement Benefits by visiting the Settlement Website at <a href="http://www.JusticeClassAction.com">www.JusticeClassAction.com</a> or by contacting the Claims Administrator at 1-877-854-5282. By submitting a claim, you will be releasing any claims you may have against Justice relating to the claims in this class action Lawsuit. Claims must be submitted no later than <b>April 4, 2016</b> .
<b>EXCLUDE YOURSELF</b>	You may exclude yourself or “opt-out” of this Settlement in which case you will not be able to recover any of the Settlement Benefits. “Opting out” is the only option that allows you to ever bring a lawsuit or be a part of any other lawsuit against Justice concerning the legal claims resolved by the Settlement. If you wish to exclude yourself from this Settlement, you must mail your written request for exclusion to the address listed in Question 15. If you exclude yourself from the Settlement, you cannot object to it. Your written letter requesting exclusion must be postmarked by <b>April 20, 2016</b> , in order to be valid.
<b>OBJECT BUT REMAIN A PART OF THE SETTLEMENT</b>	You may write to the Court about why you don't like the Settlement, the Settlement Benefits, Plaintiffs' Counsel's request for attorneys' fees and reimbursement of expenses, or Plaintiffs' request for Incentive Payments. You can also have a lawyer make an objection on your behalf, but you must pay for the lawyer yourself. If you wish to object to the Settlement, then you cannot request to be excluded from this class action Lawsuit. If you wish to object to this Settlement, you must mail your written objection <b>NO LATER THAN April 15, 2016</b> to the address listed in Question 20.
<b>GO TO A HEARING</b>	You may request to speak in Court about the fairness of the Settlement. A hearing will be held on <b>May 20, 2016</b> , and is open to the public.
<b>DO NOTHING</b>	If you do nothing, you may—depending on whether Justice has accurate contact information for you—receive a voucher (as set forth below based on state of residence) and you will release any claims you may have against Justice relating to the claims settled in this Lawsuit.

- These rights and options—and **the deadlines to exercise them**—are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Cash payments and distribution of vouchers will be made if the Court approves the Settlement and after appeals are resolved and claims are processed. Please be patient.

**More Information:** You can obtain additional information about the Lawsuit and this notice by: (i) visiting [www.JusticeClassAction.com](http://www.JusticeClassAction.com); (ii) calling the Claims Administrator at 1-877-854-5282; (iii) writing the Claims Administrator at: Justice Class Action Settlement, PO Box 3240, Portland, OR 97208-3240.

*Para obtener una notificación en español, póngase en contacto con nosotros o visite nuestra sitio [www.JusticeClassAction.com](http://www.JusticeClassAction.com).*

**Questions? Call 1-877-854-5282 or email [info@JusticeClassAction.com](mailto:info@JusticeClassAction.com)**

**NOTICE OF PENDENCY OF CLASS ACTION AND PROPOSED SETTLEMENT,  
HEARING FOR PRELIMINARY APPROVAL**

Please be advised that the Court-appointed Class Representatives, Carol Rougvie, Marguerite Sinkler Gilder, Caroline Mansour, Melinda Mehigan, Fonda Kubiak, Carol Cowhey, Kara Bell and Tiffany Bolton (“Plaintiffs”), have reached a settlement (the “Settlement”) of the above-referenced consolidated lawsuits (collectively, the “Lawsuit”) that will resolve all claims of Plaintiffs and the Settlement Class (as defined below) against Tween Brands, Inc., who operates Justice stores, and Ascena Retail Group, Inc., its parent company (“Justice”, the “Company” or “Defendant”). This notice explains important rights you may have, including the benefits you may be entitled to under this Settlement.

**Plaintiffs' Statement of Recovery:** This Settlement will provide certain Settlement Benefits to settle claims of individuals who purchased products from Justice, by in-store purchase or by direct order (internet or phone), from January 1, 2012 through February 28, 2015 (the “Class Members” or “Settlement Class”). There are Two Options. All eligible Class Members will have a choice from Option One: 1) a cash recovery (as set forth below based on state of residence); or 2) a Justice voucher for a purchase from Justice (as set forth below based on state of residence).

Alternatively, under Option Two, certain Class Members who, from January 1, 2012 through February 28, 2015 made: 1) more than five (5) purchases; and/or 2) one or more purchases each totaling \$105 or greater can submit proofs of purchase and choose either: 1) a check for 14% of their total purchases; or 2) a Justice voucher for 20% of their total purchases.

The cash Settlement totals \$50,800,000 (Fifty Million Eight Hundred Thousand). That amount provides \$27,800,000 (Twenty Seven Million Eight Hundred Thousand Dollars) to pay the cash award to Class Members who choose a cash award, Eight Million Dollars (\$8,000,000) for administration of the class Settlement, and Fifteen Million Dollars (\$15,000,000) for the lawyers for the Plaintiffs and the Class. If money remains after all class members’ cash claims, and all fees and costs are paid, the money will be returned to Justice.

**Reasons for the Settlement:** Plaintiffs, on behalf of the Class Members, have brought claims against Justice for its alleged deceptive sales and marketing practices under state common law and state consumer fraud statutes. Plaintiffs allege that Justice misleadingly represented that everything in its stores was 40% off the regular price. Plaintiffs allege these sales were illusory, as the “sale” price was in reality the regular price. Justice denies these allegations and denies that any of the Class Members suffered any harm. The Settlement will resolve claims for Class Members in all fifty (50) states and the District of Columbia, inclusive of both in-store and direct order (phone and Internet) sales. By entering into this Settlement, Justice has not admitted liability to any of Plaintiffs’ allegations. The parties disagree on liability and damages issues. Plaintiffs’ counsel believes this Settlement is in the best interests of the Class Members considering the risks posed by further litigation. See Question 4 below for further explanation.

**Statement of Attorneys' Fees and Expenses Sought:** Plaintiffs' Counsel intend to ask the Court to award them attorneys' fees and reimbursement of out-of-pocket expenses incurred in the prosecution of the Lawsuit, in the amount of Fifteen Million Dollars (\$15,000,000). Such amounts will be paid by Defendant into the Settlement Fund and will not reduce the recovery for Class Members. Plaintiffs' Counsel have expended considerable time and effort in the prosecution of this litigation on a contingent fee basis, and have advanced the expenses of the litigation in the expectation that if they were successful in obtaining a recovery for the Settlement Class, they would be compensated for their efforts. In this type of litigation, it is customary for a defendant to pay plaintiffs' counsel their attorneys' fees and reimburse their expenses. Approval of the Settlement by the Court is not contingent upon the Court awarding attorneys' fees and reimbursement of expenses to Plaintiffs' Counsel in any amount.

**Statement of Incentive Payments for Plaintiffs Sought:** Plaintiffs, as Class Representatives, intend to ask the Court to award Incentive Payments up to \$6,000 each for their efforts prosecuting the Lawsuit on behalf of the Settlement Class, which included providing documents and testimony. Approval of the Settlement by the Court is not contingent upon the Court granting Incentive Payments to Plaintiffs in any amount.

**Deadlines:** The following is a list of deadlines by which you must take any action you wish to take with respect to the Settlement: **Submit Claim:** April 4, 2016; **Request Exclusion:** April 20, 2016; **File Objection:** April 15, 2016; **Court Hearing on Fairness of Settlement:** May 20, 2016, 9:30 a.m.

**Questions? Call 1-877-854-5282 or email [info@JusticeClassAction.com](mailto:info@JusticeClassAction.com)**

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**Questions? Call 1-877-854-5282 or email [info@JusticeClassAction.com](mailto:info@JusticeClassAction.com)**

## **BASIC INFORMATION**

### **1. Why did I get this notice package?**

You have received this Court-approved notice because you have a right to know about the proposed Settlement of this class action Lawsuit, and about all of your options, before the Court decides whether to approve the Settlement. If the Court approves the Settlement (and there are no appeals), you will be releasing any claims you may have against Justice relating to the claims in this Lawsuit in exchange for the Settlement benefits. You may track the progress of the Settlement by visiting: [www.JusticeClassAction.com](http://www.JusticeClassAction.com).

**This package explains the Lawsuit, the Settlement, your legal rights, the benefits that are available, who is eligible for them, and how to obtain them.**

The Court in charge of the Lawsuit is the United States District Court for the Eastern District of Pennsylvania.

### **2. What is this Settlement about?**

Justice does not believe it has done anything wrong, and it believes that it would ultimately prevail in this Lawsuit. However, in order to avoid the costs and risks associated with any litigation, Justice has agreed to the terms of this Settlement in order to reach a final and amicable resolution of these claims.

### **3. Why is this a class action?**

In a class action, one or more persons called class representatives sue on behalf of all persons who have similar claims. All of these persons are referred to as a class, or individually, as class members. One court resolves all of the issues for all class members, except for those class members who exclude themselves from the class.

### **4. Why is there a Settlement?**

The Settlement allows both sides to avoid the risks and costs of lengthy and uncertain litigation and the uncertainty of a trial and appeals, and permits Class Members to be compensated without further delay.

Plaintiffs have agreed to settle the Lawsuit based on the facts they have discovered during the Lawsuit, the risks that will be involved in a trial, and their conclusions that the proposed Settlement is fair, reasonable and adequate, and serves the best interests of the Class Members. Plaintiffs have determined that by settling, they avoid the cost and risks of a trial, while at the same time providing substantial compensation to the Settlement Class. Plaintiffs and Plaintiffs' Counsel believe that the Settlement is best for all Class Members.

Justice does not believe it has done anything wrong. However, in order to avoid the costs and risks associated with any litigation, Justice has agreed to the terms of this Settlement in order to reach a final and amicable resolution of these claims.

Plaintiffs and Defendant do not agree regarding the merits of Plaintiffs' allegations with respect to liability or the amount of damages that would be recoverable if Plaintiffs were to prevail on each claim asserted. The issues on which the parties disagree include: (1) whether Plaintiffs and the Settlement Class suffered damages; (2) whether Justice violated state consumer fraud statutes; and (3) whether Justice violated state common law.

## **WHO IS IN THE SETTLEMENT**

To see if you will receive any Settlement Benefits from this Settlement, you first have to determine if you are member of the Settlement Class.

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

The Settlement Class consists of all individuals who purchased merchandise from Justice during the period from January 1, 2012 through February 28, 2015, except for those who were eligible to be Class Members in an earlier class action against Justice in Ohio, as described in Question 6, below.

**Questions? Call 1-877-854-5282 or email [info@JusticeClassAction.com](mailto:info@JusticeClassAction.com)**

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

Ohio residents who purchased merchandise from Justice stores in Ohio only between July 1, 2012 and August 31, 2014 are not included in this settlement because they were eligible to participate in an earlier settlement in the case titled *Perez v. Tween Brands, Inc.*, No. 14-CV-001119, Court of Common Pleas, Lake County, Ohio. However, Ohio residents who were part of the *Perez v. Tween Brands, Inc.* class settlement but who also made purchases at Justice between January 1, 2012 and June 30, 2012, and/or between September 1, 2014 and February 28, 2015 are part of this Settlement Class and may submit a claim.

**7. I'm still not sure if I am included.**

If you still are not sure whether you are included in the Settlement Class, you can ask for free help by calling the Claims Administrator at: 1-877-854-5282; or by visiting [www. JusticeClassAction.com](http://www.JusticeClassAction.com) for more information.

**THE SETTLEMENT BENEFITS — WHAT YOU GET**

**8. What does the Settlement provide to Class Members?**

This Settlement will provide certain Settlement Benefits to settle claims of any person who purchased merchandise from Justice, by in-store purchase or by direct order (internet or phone), from January 1, 2012 through February 28, 2015. There are Two Options.

All eligible Class Members will have a choice from Option One: 1) a cash award (as set forth below based on state of residence); or 2) a voucher for a purchase at Justice stores (as set forth below based on state of residence).

Alternatively, in Option Two, certain Class Members who, from January 1, 2012 through February 28, 2015 either made: 1) more than five purchases; AND/OR 2) one or more purchases each totaling \$105 or greater can choose either: 1) a check for 14% of total purchases; or 2) a voucher for 20% of total purchases. These amounts may be rounded to the next dollar amount.

A known Class Member who does not submit a claim will automatically receive a voucher in the amount set forth below, based on the state of residence and depending on whether accurate contact information for the Class Member is available. Residents of Alaska or Hawaii will receive a gift card instead of a voucher, via first class mail directly from Justice, if the Claims Administrator has a mailing address. This applies to Alaska or Hawaii residents who either: 1) submit a claim and choose a voucher; OR 2) do nothing and for whom the Claims Administrator has a mailing address.

If the amount needed to pay valid claims exceeds the total funds available to pay Class Members' claims, payments may be reduced and paid in proportion to other valid claims. If any money remains after all Class Members' cash claims, and all fees and costs are paid, the money will be returned to Justice.

CHART DESCRIBING CASH AWARD OR VOUCHER AWARD FOR OPTION ONE  
(BASED ON STATE OF RESIDENCE OF CLASS MEMBER)

<b>Class Category</b>	<b>Limited Recovery Class Member</b>	<b>Single Recovery Class Member</b>	<b>Treble Recovery Class Member</b>
<b>Cash Award</b>	\$7	\$13	\$20
<b>Voucher Award</b>	\$10 (off purchase of \$25 or more)	\$20 (off purchase of \$25 or more)	\$30
<b>Applicable States</b>	AL, GA, LA, MS, MT, SC, TN	AK*, AR, AZ, CA, CT, DE, IA, IL, FL, KS, KY, MD, ME, MI, MN, MO, ND, NE, OK, OR, RI, SD, UT, VT, WV, WY	DC, CO, HI*, ID, IN, MA, NH, NM, NJ, NY, NV, NC, OH, PA, TX, VA, WA, WI

\*Alaska and Hawaii residents will receive a gift card via first class mail instead of a voucher.

## **HOW YOU CAN OBTAIN THE BENEFITS UNDER THIS SETTLEMENT**

### **9. How do I choose my benefits as a Class Member?**

Log onto the Settlement website at [www.JusticeClassAction.com](http://www.JusticeClassAction.com). If you choose Option One – the basic cash award or the basic voucher award – you can submit your claim electronically through the website. If you do not have Internet access or wish to receive a paper Claim Form through the mail, or you have any questions, please contact the Claims Administrator at 1-877-854-5282.

For Option Two, which requires submitting proof of purchase, log onto the Settlement website at [www.JusticeClassAction.com](http://www.JusticeClassAction.com). Read the instructions carefully, fill out the claim information and submit with the proof of purchase documents – bank statements, credit card statements and/or Justice receipts. If you do not have Internet access or wish to receive a paper Claim Form through the mail, or you have any questions, please contact the Claims Administrator at 1-877-854-5282.

### **10. I wish to choose the basic cash award, how do I submit a claim for a cash payment?**

Log onto the Settlement website at [www.JusticeClassAction.com](http://www.JusticeClassAction.com). If you choose Option One - the basic cash award or the basic voucher award – you can submit your claim electronically through the website or you can print the Claim Form and mail it to the address listed on the form. If you did not receive an Access Code, you must submit proof of one purchase during the Class Period to receive either the basic cash award or the basic voucher award. If you received a postcard or email notice, an Access Code was included in that notice.

### **11. I wish to choose the basic voucher award, how do I submit a claim for voucher payment?**

Log onto the Settlement website at [www.JusticeClassAction.com](http://www.JusticeClassAction.com). If you choose Option One - the basic cash award or the basic voucher award – you can submit your claim electronically through the website or you can print the Claim Form and mail it to the address listed on the form. If you did not receive an Access Code, you must submit proof of one purchase during the Class Period to receive either the basic cash award or the basic voucher award. If you received a postcard or email notice, an Access Code was included in that notice.

### **12. I wish to submit a claim for cash or voucher with proof of purchase because between January 1, 2012 and February 28, 2015 I made more than five (5) separate purchases AND/OR I made one or more purchases that totaled \$105 or more.**

For Option Two, which requires submitting proof of purchase, log onto the Settlement website at [www.JusticeClassAction.com](http://www.JusticeClassAction.com) or submit a paper claim by mail. Read the instructions carefully, fill out the claim information, and submit proof of purchase documents – bank statements, credit card statements and/or Justice receipts.

### **13. When will I receive my payment?**

The Court will hold a hearing on May 20, 2016, to decide whether to approve the Settlement. If the Court approves the Settlement, one or more Class Members who objected to the Settlement could file an appeal. If there is an appeal, it is always uncertain when or if such appeals will be resolved favorably for the Settlement. Resolving an appeal can take time, perhaps more than a year. It also takes time for all the Claim Forms to be processed. If there are no appeals, and depending on the number of claims submitted, the Claims Administrator could distribute payments as early as six months after the Court approves the Settlement. You may track the progress of the Settlement by visiting the Settlement Website at [www.JusticeClassAction.com](http://www.JusticeClassAction.com). Please be patient.

### **14. What am I giving up if I stay in this class action Lawsuit?**

Unless you exclude yourself, you are a member of the Settlement Class, and that means you cannot sue, continue to sue, or be part of any other lawsuit against Justice about the matters at issue and the claims that were or could have

**Questions? Call 1-877-854-5282 or email [info@JusticeClassAction.com](mailto:info@JusticeClassAction.com)**

been raised in the lawsuit. If the Settlement is approved, you will be deemed to have released all “Released Claims” set forth below in exchange for the benefits of this Settlement.

“Released Claims” means any case, claim, cause of action, cross-claim, liability, right, demand, suit, action, matter, obligation, damage, restitution, disgorgement, loss or cost, attorney’s fee or expense, action or cause of action, of every kind and description that the Releasing Parties had or has, including assigned claims, whether in arbitration, administrative, or judicial proceedings, whether as individual claims or as claims asserted on a class basis or on behalf of the general public, whether known or unknown, asserted or unasserted, suspected or unsuspected, latent or patent, that is, has been, could reasonably have been or in the future might reasonably be asserted by the Releasing Parties either in the Action or in the Related Actions or in any action or proceeding this Court or any other court or forum, regardless of legal theory or the law under which such action may be brought, and regardless of the type or amount of relief or damages claimed, against any of the Released Parties arising out of or relating to the allegations in the Complaint, Amended Complaint, Second Amended Complaint, or Third Amended Complaint and prior to the Effective Date of this Settlement, including but not limited to all claims that were brought or could have been brought in the Action or the Related Actions.

To fully understand the impact of the Settlement and release, please refer to the Settlement Agreement. *See* Question 26 for information on how you can access a copy of the Settlement Agreement.

## **EXCLUDING YOURSELF FROM THE SETTLEMENT**

### **15. How do I exclude myself from the Settlement?**

To exclude yourself from the Settlement, you must send a letter by mail stating that you want to be excluded from this Settlement. Be sure to include your name, address, telephone number, your Access Code, if you have one, which is listed on the top of the Summary Notice (that was e-mailed or mailed to you) and your signature. You must mail your exclusion request so that it is **postmarked** no later than **April 20, 2016** to:

Justice Class Action Exclusions  
P.O. Box 3240  
Portland, OR 97208-3240

You cannot exclude yourself by phone or by e-mail. If you do not send your written request for exclusion on time, you will be legally bound by all the proceedings in this Lawsuit and this Settlement, including all court orders and judgments in the Lawsuit, even if you have a lawsuit pending against Justice that concerns Released Claims, or if you subsequently start a lawsuit or an arbitration or any other proceeding against Justice that concerns Released Claims.

### **16. If I do not exclude myself, can I sue Justice for the same thing later?**

No. Unless you exclude yourself, you give up any right to sue Justice for the Released Claims. If you have a pending lawsuit, speak to your lawyer in that case immediately. You must exclude yourself from *this* Settlement to continue your own lawsuit. Remember, the exclusion deadline is **April 20, 2016**.

### **17. If I exclude myself, can I receive money from this Settlement?**

No. If you exclude yourself, you may not obtain any of the monetary benefits or vouchers available under this Settlement. Once you exclude yourself, you will not receive any Settlement Benefits even if you also submit a Claim Form, unless you withdraw your notice of exclusion before the deadline.

**Questions? Call 1-877-854-5282 or email [info@JusticeClassAction.com](mailto:info@JusticeClassAction.com)**

## THE LAWYERS REPRESENTING YOU

### 18. Do I have a lawyer in this case?

The Court has approved Plaintiffs' selection of Pietragallo Gordon Alfano Bosick & Raspanti, LLP and Mansour Gavin, LPA to serve as Plaintiffs' Counsel for Plaintiffs and the other Class Members, including you. You will not be charged for these lawyers' work. If you want to be represented by your own lawyer, you may hire one at your own expense.

### 19. How will the lawyers be paid?

Plaintiffs' Counsel have expended considerable time and effort in the prosecution of this litigation on a contingent fee basis, and have advanced the expenses of the litigation, in the expectation that if they were successful in obtaining a recovery for the Settlement Class, they would be paid from such recovery. In this type of litigation, it is customary for a defendant to pay plaintiffs' counsel their attorneys' fees and reimburse their expenses. Justice has agreed not to oppose these fees and expenses. After reaching the core terms of the Settlement on behalf of Plaintiffs and the Class Members, Plaintiffs' Counsel and Justice separately negotiated for Justice to pay Plaintiffs' Counsel Fifteen Million Dollars (\$15,000,000) for Plaintiffs' Counsel's attorneys' fees and expenses. Plaintiffs' Counsel will ask the Court to approve this payment. The Court may award more or less than this amount. The payment of attorneys' fees will not affect your benefits in any way.

## OBJECTING TO THE SETTLEMENT

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

If you are a member of the Settlement Class (and you have not excluded yourself), you can object to the proposed Settlement if you do not like any part of it, the request for attorneys' fees and reimbursement of expenses, or the Plaintiffs' request for Incentive Payments. You may state why you think the Court should not approve the Settlement. The Court will consider your views. Your Objection must be in writing and include:

- Statement of each objection being made;
- Description of the facts and legal basis for each objection;
- Statement of whether the objector intends to appear at the Final Approval Hearing;
- List of witnesses whom the objector may call by live testimony, oral deposition testimony or affidavit during the Final Approval Hearing; and
- List of exhibits which the objector may offer during the Final Approval Hearing along with copies of all of the exhibits.

You must mail your Objection so that it is **postmarked** no later than **April 15, 2016** to:

Justice Class Action Objections  
P.O. Box 3240  
Portland, OR 97208-3240

Be sure to include your name, address, telephone number, Your Access Code which is listed on the top of the Summary Notice that was e-mailed or mailed to you, and your original signature (no copies). You should also send copies of your Objection to:

COURT	PLAINTIFFS' COUNSEL	DEFENDANT'S COUNSEL
Clerk of the Court United States District Court Eastern District of Pennsylvania 601 Market Street Room 2609 Philadelphia, PA 19106	PIETRAGALLO GORDON ALFANO BOSICK & RASPANTI, LLP 1818 Market Street, Suite 3402 Philadelphia, PA 19103 MANSOUR GAVIN LPA 1001 Lakeside Avenue, Suite 1400 Cleveland, Ohio 44114	Gregory T. Parks MORGAN, LEWIS & BOCKIUS LLP 1701 Market Street Philadelphia, PA 19103

**Questions? Call 1-877-854-5282 or email [info@JusticeClassAction.com](mailto:info@JusticeClassAction.com)**



You may object either on your own or through an attorney that you hire at your own expense. If you do hire an attorney to represent you, your attorney must file a notice of appearance with the Clerk of the Court and deliver a copy of that notice to Plaintiffs' Counsel and Defendant's counsel **no later than April 20, 2016**.

**21. What is the difference between objecting and requesting exclusion?**

Objecting is simply telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you stay in the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the case no longer applies to you.

**THE COURT'S HEARING FOR FINAL APPROVAL**

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak.

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

The Court will hold a Hearing for Final Approval at 9:30 a.m. on **May 20, 2016**, at the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Courtroom 9A, Philadelphia, PA 19106. At this hearing the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. The Judge will listen to Class Members (or their counsel) who have submitted written objections and written indication(s) of their intention to speak at the hearing, as long as they are filed with the Court and served on Plaintiffs' Counsel and Defendant's Counsel and are **postmarked no later than April 20, 2016**. The Court may also decide whether to approve the payment of fees, costs and expenses to Plaintiffs' Counsel and the payment of Incentive Payments to Plaintiffs. We do not know how long the hearing will take or whether the Court will make its decision about the Settlement on that day or sometime later.

**23. Do I have to come to the hearing?**

No. Plaintiffs' Counsel will answer any questions the Court may have about the Settlement. If you would like to attend the hearing, you are welcome to do so, at your own expense. If you send an objection, you do not have to come to Court to talk about it. The Court will consider your written objection, as long as you mailed your objection in on time (*see* Question 20). You may also pay your own lawyer to attend, but it is not necessary.

**24. May I speak at the hearing?**

If you object to the Settlement, you may ask the Court for permission to speak at the hearing. To do so, you must include with your objection (*see* Question 20) a statement saying that it is your "Notice of Intention to Appear in *Rougvie, et al. v. Ascena Retail Group, Inc., et al.*" Persons who intend to object to any part of the Settlement and wish to present evidence at the hearing must also include in their written objection the identity of any witnesses they may call to testify and exhibits they intend to introduce into evidence at the hearing.

*You cannot speak at the hearing if you exclude yourself.*

**IF YOU DO NOTHING**

**25. What happens if I do nothing at all?**

If you do nothing, you may receive a voucher in the amount described under Question 8, above, based on your state of residence and depending on the availability of your contact information. *However*, unless you exclude yourself, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendant concerning the Released Claims in this case ever again.

**Questions? Call 1-877-854-5282 or email [info@JusticeClassAction.com](mailto:info@JusticeClassAction.com)**

## GETTING MORE INFORMATION

### 26. How do I obtain more information about the Settlement?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement, which has been filed with the Court. You can inspect a copy of the Settlement Agreement at the office of the Clerk of the Court, United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106 during regular business hours and a copy is available on the Settlement Website at [www.JusticeClassAction.com](http://www.JusticeClassAction.com).

For additional, detailed information concerning the matters involved in this Lawsuit, you may inspect the pleadings, the orders of the Court, and other papers filed in this Lawsuit at the office of the Clerk of the Court, United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, during regular business hours. You can also contact the Claims Administrator at the address and phone number below or Plaintiffs' Counsel (see response to Questions 18 and 20). Please do not call the Court or the Clerk of the Court for additional information about the Settlement.

### INQUIRIES

All inquiries concerning this notice, the Claim Form, or any other questions by Class Members should be directed to:

Justice Class Action Settlement  
PO Box 3240  
Portland, OR 97208-3240  
1-877-854-5282  
[info@JusticeClassAction.com](mailto:info@JusticeClassAction.com)

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

DATED: October 27, 2015

BY ORDER OF THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**Questions? Call 1-877-854-5282 or email [info@JusticeClassAction.com](mailto:info@JusticeClassAction.com)**