

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
EASTERN DIVISION

MARCELO CUNHA, Individually and on Behalf of ) No. ED-CV-08-01249-GW(JCx)  
All Others Similarly Situated, )  
 ) CLASS ACTION  
Plaintiff, )  
 )  
vs. )  
 )  
HANSEN NATURAL CORPORATION, et al., )  
 )  
Defendants. )

**NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION**

***A Federal Court authorized this Notice. This is not a solicitation from a lawyer.***

***If you purchased or otherwise acquired Hansen Natural Corporation (“Hansen” or the “Company”)<sup>1</sup> common stock between November 9, 2006 and November 8, 2007, inclusive (the “Class Period”) and are not otherwise excluded from the Settlement Class (see Question 6 below), you could get a payment from a class action settlement.<sup>2</sup>***

Please be advised that your rights may be affected by a putative class action lawsuit pending in this Court (the “Action”) if you purchased or otherwise acquired Hansen common stock between November 9, 2006 and November 8, 2007, inclusive.

**NOTICE OF SETTLEMENT:** Please also be advised that the Court-appointed Lead Plaintiff, Structural Ironworkers Local Union #1 Pension Fund, on behalf of itself and the Settlement Class (defined below), have reached a settlement of the Action with Defendants Hansen, Rodney C. Sacks and Hilton H. Schlosberg for a total of Sixteen Million Two Hundred Fifty Thousand Dollars (\$16,250,000.00) in cash, that will resolve claims in the Action (the “Settlement”).

This Notice explains important rights you may have, including your possible receipt of cash from the Settlement. Your legal rights will be affected whether or not you act. Please read this Notice carefully and in its entirety.

**Settlement Fund:** Sixteen Million Two Hundred Fifty Thousand Dollars (\$16,250,000.00) in cash plus any interest earned as set forth in the Stipulation. Your recovery will depend on the timing of your purchases and sales of Hansen common stock during the Class Period. Based on the information currently available to Lead Plaintiff and the analysis performed by its damages consultants, it is estimated that if Settlement Class Members submit claims for 100% of the shares eligible for distribution under the Plan of Distribution (described below), the estimated average distribution per share of common stock will be approximately \$0.36 before deduction of Court-approved fees and expenses, including the cost of notifying Settlement Class Members and settlement administration and any attorneys’ fees and expenses awarded by the Court to counsel for the Lead Plaintiff. The Plan of Distribution is included in this Notice and may be modified by the Court without further notice. Historically, actual claims rates are less than 100%, which result in higher distributions per share. A Settlement Class Member’s actual recovery will be a proportion of the Net Settlement Fund (the Settlement Fund less Taxes and Tax Expenses, Class Notice and Administration Costs, and attorneys’ fees and expenses awarded to Plaintiff’s Counsel) determined by that claimant’s recognized claim as compared to the total recognized claims of all Settlement Class Members who submit valid Proof of Claim and Release forms (“Proof of Claim”).

**Attorneys’ Fees and Expenses:** Court-appointed Lead Plaintiff’s counsel will ask the Court for attorneys’ fees of up to 25% of the Settlement Fund and expenses not to exceed \$360,000 to be paid from the Settlement Fund plus interest. Lead Plaintiff’s counsel have not received any payment for their work investigating the facts, prosecuting this Action, and negotiating this Settlement on behalf of the Lead Plaintiff and the Settlement Class. If the above amounts are requested and approved by the Court, the average cost per share of common stock will be \$0.10.

**Reasons for Settlement:** Avoids the costs and risks associated with continued litigation, including the danger of no recovery.

<sup>1</sup> On or about January 1, 2012, Hansen changed its name to Monster Beverage Corporation. Because the Company was known as Hansen during the events relevant to this lawsuit, this Notice and the other settlement documents refer to the Company by that name rather than its current name.

<sup>2</sup> This Notice incorporates by reference the definitions in the Stipulation of Settlement dated as of April 16, 2014 (“Stipulation”), and all capitalized terms used, but not defined herein, shall have the same meanings as in the Stipulation. The Stipulation can be obtained at [www.hansensecuritiessettlement.com](http://www.hansensecuritiessettlement.com).

**Settlement Class:** All Persons who purchased or otherwise acquired Hansen common stock between November 9, 2006 and November 8, 2007, inclusive. Excluded from the Settlement Class are: Defendants, the officers and directors of Hansen, members of their immediate families and their legal representatives, heirs, successors or assigns and any entity in which Defendants have or had a controlling interest. Also excluded from the Settlement Class are those Settlement Class Members who submit valid and timely requests for exclusion pursuant to this Notice.

**If the Case Had Not Settled:** Continuing with the case could have resulted in no class being certified or dismissal on the merits at summary judgment, trial or on appeal. The two sides vigorously disagree on both liability and the amount of money that could have been won if Lead Plaintiff prevailed at trial. The parties disagree about, among other things: (1) whether there was any wrongdoing on the part of Defendants; (2) whether Defendants made any material, false, misleading or otherwise actionable statements under the federal securities laws; (3) whether class certification is appropriate; (4) whether the price of Hansen common stock was artificially inflated during the Class Period and the amount of any such alleged inflation; (5) the extent that various facts alleged by Lead Plaintiff influenced the trading price of Hansen common stock during the Class Period; and (6) whether any purchasers of Hansen common stock during the Class Period were damaged and the amount of such damages.

**Deadlines:**

|                    |                   |
|--------------------|-------------------|
| Submit Claim:      | November 12, 2014 |
| Request Exclusion: | December 1, 2014  |
| File Objection:    | December 1, 2014  |

**Court Hearing on Fairness of Settlement:** January 29, 2015

**More Information:** [www.hansensecuritiessettlement.com](http://www.hansensecuritiessettlement.com) or

|                                     |   |
|-------------------------------------|---|
| Claims Administrator:               | Representative of Lead Plaintiff's Counsel: |
| <i>Hansen Securities Litigation</i> | Rick Nelson                                 |
| Claims Administrator                | c/o Shareholder Relations                   |
| c/o Gilardi & Co. LLC               | Robbins Geller Rudman & Dowd LLP            |
| P.O. Box 8040                       | 655 West Broadway, Suite 1900               |
| San Rafael, CA 94912-8040           | San Diego, CA 92101                         |
| 1-877-343-5654                      | 1-800-449-4900                              |

**YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT**

- |                            |  |
|----------------------------|--|
| <b>SUBMIT A CLAIM FORM</b> | The only way to get a payment.   |
| <b>EXCLUDE YOURSELF</b>    | Get no payment. This is the only option that allows you to participate in another lawsuit against the Defendants for the legal claims in this case.  |
| <b>OBJECT</b>              | You may write to the Court if you do not like this Settlement, the request for attorneys' fees and expenses, or the Plan of Distribution. You cannot object to the Settlement unless you are a member of the Settlement Class and do not validly exclude yourself. |
| <b>GO TO A HEARING</b>     | You may ask to speak in Court about the fairness of the Settlement.  |
| <b>DO NOTHING</b>          | Get no payment. Give up your rights.   |
- These rights and options — **and the deadlines to exercise them** — are explained in this Notice.
  - The Court in charge of this case must decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement and, if there are any appeals, after appeals are resolved. Please be patient.

**BASIC INFORMATION**

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

You or someone in your family may have purchased or otherwise acquired Hansen common stock between November 9, 2006 and November 8, 2007, inclusive.

The Court directed that you be sent this Notice because you have a right to know about a proposed settlement of a class action lawsuit, and about all of your options, before the Court decides whether to approve the Settlement. If the Court approves it and after any objections or appeals (if there are any) are resolved, the Claims Administrator appointed by the Court will make the payments that the settlement allows.

This package explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of the case is the United States District Court for the Central District of California, and the case is known as *Cunha v. Hansen Natural Corporation, et al.*, No. ED-CV-08-02149-GW(JCx). The entity that leads the Action,

Structural Ironworkers Local Union #1 Pension Fund, is called the Lead Plaintiff and the Company and the individuals it sued are called Defendants.

**2. What is this lawsuit about?**

This Action alleges that Hansen and certain of its executives violated the federal securities laws by misrepresenting and omitting material facts about Hansen’s business, including the state of its distribution relationship with Anheuser-Busch (“AB”) and the benefits to be derived therefrom and that Hansen purportedly engaged in a “channel stuffing” scheme during the Class Period relating to sales to AB distributors. Lead Plaintiff alleges that when Defendants disclosed the truth about the AB relationship and the Company’s financial results, Settlement Class Members suffered damages as a result of a decline in the price of Hansen common stock.

Defendants deny all of Lead Plaintiff’s allegations and further deny that they did anything wrong. Defendants also deny that Lead Plaintiff or the Settlement Class suffered damages or that the price of Hansen common stock was artificially inflated by reasons of alleged misrepresentations, non-disclosures or otherwise.

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

In a class action, one or more people called class representatives (in this case, the Court-appointed the Structural Ironworkers Local Union #1 Pension Fund as Lead Plaintiff), sue on behalf of people who have similar claims. All of these people and/or entities are called a class or class members. One judge – in this case, United States District Court Judge George H. Wu – resolves the issues for all class members, except for those who exclude themselves from the class.

**4. Why is there a settlement?**

The Court did not decide in favor of the Lead Plaintiff or Defendants. Instead, the lawyers for both sides of the lawsuit have negotiated a settlement, with the assistance of an independent mediator, that they believe is in the best interests of their respective clients. The Settlement allows both sides to avoid the risks and cost of lengthy and uncertain litigation and the uncertainty of a trial and appeals, and permits Settlement Class Members to be compensated without further delay. The Lead Plaintiff and its attorneys think the Settlement is best for all Settlement Class Members.

**WHO GETS MONEY FROM THE SETTLEMENT**

To see if you will get money from this Settlement, you first have to determine if you are a Settlement Class Member.

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

The Settlement Class includes *all Persons who purchased or otherwise acquired Hansen common stock between November 9, 2006 and November 8, 2007, inclusive.*

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

Yes. Excluded from the Settlement Class are: Defendants, the officers and directors of Hansen, members of their immediate families and their legal representatives, heirs, successors or assigns and any entity in which Defendants have or had a controlling interest. Also excluded from the Settlement Class are those Settlement Class Members who submit valid requests for exclusion pursuant to this Notice.

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

If you still are not sure whether you are included, you can ask for free help. You can call 1-877-343-5654 or visit [www.hansensecuritiessettlement.com](http://www.hansensecuritiessettlement.com) for more information; or, you can call Rick Nelson, Shareholder Relations, Robbins Geller Rudman & Dowd LLP, at 1-800-449-4900 for more information; or, you can fill out and return the Proof of Claim described in Question 10 to see if you qualify.

**THE SETTLEMENT BENEFITS – WHAT YOU GET**

**8. What does the Settlement provide?**

Hansen has agreed to cause to be paid Sixteen Million Two Hundred Fifty Thousand Dollars (\$16,250,000.00) in cash (the “Settlement Amount”). The Settlement Amount, plus interest earned from the date it is deposited into an escrow account to fund the Settlement (the “Settlement Fund”), less costs, fees, and expenses (the “Net Settlement Fund”), will be divided among all eligible Settlement Class Members who send in valid Proofs of Claim (“Authorized Claimants”). Costs, fees, and expenses include Court-approved attorneys’ fees and expenses, the costs of notifying Settlement Class Members, including the costs of printing and mailing this Notice and the cost of publishing newspaper notice, the costs of claims administration, and taxes on the Settlement Fund. The estimated cost of notifying the Settlement Class and administering the Settlement is between \$140,000 and \$240,000.

**9. How much will my payment be?**

Your share of the Net Settlement Fund will depend on the number of valid Proofs of Claim that Settlement Class Members send in and how many shares of Hansen common stock you purchased during the relevant period and when you bought and sold them.

For purposes of determining the amount an Authorized Claimant may recover under the Plan of Distribution, Lead Plaintiff's counsel conferred with their damages consultants and the Plan of Distribution reflects an assessment of damages that they believe could have been recovered had Lead Plaintiff prevailed at trial.

In the unlikely event there are sufficient funds in the Net Settlement Fund, each Authorized Claimant will receive an amount equal to the Authorized Claimant's claim, as defined below. If, however, the amount in the Net Settlement Fund is not sufficient to permit payment of the total claim of each Authorized Claimant, then each Authorized Claimant shall be paid the percentage of the Net Settlement Fund that each Authorized Claimant's claim bears to the total of the claims of all Authorized Claimants. Payment in this manner shall be deemed conclusive against all Authorized Claimants.

The calculation of claims below is not an estimate of the amount you will receive. It is a formula for allocating the Net Settlement Fund among all Authorized Claimants.

The allocation is based on the November 8, 2007 price decline of \$13.17 as well as the statutory PSLRA 90-day-look back amount of \$43.39:

A "Claim" will be calculated as follows:

For shares of Hansen common stock ***purchased, or otherwise acquired, on or between November 9, 2006 through November 7, 2007***, the claim per share shall be as follows:

- (a) If sold prior to November 8, 2007, the claim per share is zero.
- (b) If retained at the close of trading on November 7, 2007 and sold prior to February 5, 2008, the claim per share shall be the lesser of: (i) \$13.17 (November 8, 2007 Price Decline); (ii) the difference between the purchase price and the selling price; or (iii) the difference between the purchase price per share and the average closing price per share up to the date of sale as set forth in the table below.
- (c) If retained, or sold, on or after February 5, 2008, the claim per share shall be the lesser of: (i) \$13.17 (November 8, 2007 Price Decline); or (ii) the difference between the purchase price per share and \$43.39 per share.

For shares of Hansen common stock ***purchased, or otherwise acquired, on November 8, 2007***, the claim per share shall be \$0.00.<sup>3</sup>

| Date      | Closing Price | Average Closing Price | Date      | Closing Price | Average Closing Price |
|-----------|---------------|-----------------------|-----------|---------------|-----------------------|
| 8-Nov-07  | \$43.50       | \$43.50               | 4-Dec-07  | \$43.31       | \$42.85               |
| 9-Nov-07  | \$46.46       | \$44.98               | 5-Dec-07  | \$45.96       | \$43.02               |
| 12-Nov-07 | \$44.20       | \$44.72               | 6-Dec-07  | \$47.26       | \$43.23               |
| 13-Nov-07 | \$44.68       | \$44.71               | 7-Dec-07  | \$49.12       | \$43.51               |
| 14-Nov-07 | \$44.35       | \$44.64               | 10-Dec-07 | \$48.01       | \$43.71               |
| 15-Nov-07 | \$42.95       | \$44.36               | 11-Dec-07 | \$46.85       | \$43.85               |
| 16-Nov-07 | \$41.52       | \$43.95               | 12-Dec-07 | \$46.87       | \$43.98               |
| 19-Nov-07 | \$42.17       | \$43.73               | 13-Dec-07 | \$47.39       | \$44.11               |
| 20-Nov-07 | \$41.37       | \$43.47               | 14-Dec-07 | \$47.70       | \$44.25               |
| 21-Nov-07 | \$40.48       | \$43.17               | 17-Dec-07 | \$45.33       | \$44.29               |
| 23-Nov-07 | \$41.00       | \$42.97               | 18-Dec-07 | \$44.84       | \$44.31               |
| 26-Nov-07 | \$40.67       | \$42.78               | 19-Dec-07 | \$46.30       | \$44.38               |
| 27-Nov-07 | \$40.91       | \$42.64               | 20-Dec-07 | \$47.30       | \$44.48               |
| 28-Nov-07 | \$42.81       | \$42.65               | 21-Dec-07 | \$47.70       | \$44.58               |
| 29-Nov-07 | \$43.09       | \$42.68               | 24-Dec-07 | \$48.26       | \$44.70               |
| 30-Nov-07 | \$43.41       | \$42.72               | 26-Dec-07 | \$47.39       | \$44.78               |
| 3-Dec-07  | \$44.48       | \$42.83               | 27-Dec-07 | \$45.19       | \$44.79               |

<sup>3</sup> Please note that although the Class Period includes November 8, 2007, shares of Hansen common stock that were purchased and/or acquired on November 8, 2007 are not eligible for a recovery under the Plan of Distribution because the disclosure made on November 8, 2007 that Lead Plaintiff alleges corrected earlier alleged misrepresentations and omissions was made before the opening of trading that day.

| Date      | Closing Price | Average Closing Price | Date      | Closing Price | Average Closing Price |
|-----------|---------------|-----------------------|-----------|---------------|-----------------------|
| 28-Dec-07 | \$44.48       | \$44.78               | 17-Jan-08 | \$40.15       | \$44.20               |
| 31-Dec-07 | \$44.29       | \$44.77               | 18-Jan-08 | \$40.97       | \$44.13               |
| 2-Jan-08  | \$43.18       | \$44.72               | 22-Jan-08 | \$39.98       | \$44.05               |
| 3-Jan-08  | \$42.90       | \$44.68               | 23-Jan-08 | \$40.76       | \$43.98               |
| 4-Jan-08  | \$41.50       | \$44.59               | 24-Jan-08 | \$42.09       | \$43.95               |
| 7-Jan-08  | \$41.51       | \$44.52               | 25-Jan-08 | \$40.99       | \$43.89               |
| 8-Jan-08  | \$42.77       | \$44.47               | 28-Jan-08 | \$41.79       | \$43.85               |
| 9-Jan-08  | \$43.85       | \$44.46               | 29-Jan-08 | \$41.60       | \$43.81               |
| 10-Jan-08 | \$45.19       | \$44.48               | 30-Jan-08 | \$37.21       | \$43.69               |
| 11-Jan-08 | \$43.13       | \$44.45               | 31-Jan-08 | \$38.56       | \$43.60               |
| 14-Jan-08 | \$43.35       | \$44.42               | 1-Feb-08  | \$39.19       | \$43.53               |
| 15-Jan-08 | \$42.31       | \$44.38               | 4-Feb-08  | \$40.06       | \$43.47               |
| 16-Jan-08 | \$40.00       | \$44.28               | 5-Feb-08  | \$38.96       | \$43.39               |

## HOW YOU GET A PAYMENT – SUBMITTING A CLAIM FORM

### 10. How will I get a payment?

To qualify for a payment, you must submit a Proof of Claim. A Proof of Claim is enclosed with this Notice. Read the instructions carefully, fill out the form, include all the documents the form asks for, sign it, and mail it in the enclosed envelope no later than November 12, 2014.

### 11. When would I get my payment?

The Court will hold a hearing on January 29, 2015, at 8:30 a.m. to decide whether to approve the Settlement. If Judge Wu approves the Settlement, there may be appeals. It is always uncertain whether these appeals can be resolved favorably, and resolving them 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 the Net Settlement Fund as early as nine months after the fairness hearing. Please be patient.

### 12. What am I giving up to get a payment or stay in the Settlement Class?

Unless you exclude yourself, you are staying in the Settlement Class, and that means that you cannot sue, continue to sue, or be part of any other lawsuit against the Defendants about the same issues in this case or about issues that could have been asserted in this case. It also means that all of the Court's orders will apply to you and legally bind you and you will release your Released Claims in this case against Defendants and their Related Persons.

"Released Claims" means any and all claims (including, without limitation, Unknown Claims), demands, rights, liabilities, penalties, sanctions, damages, losses, debts, obligations, fees, expenses, costs, judgments, matters, suits and causes of action of any kind or nature whatsoever, whether known or unknown, contingent or absolute, matured or unmatured, suspected or unsuspected, disclosed or undisclosed, hidden or concealed, discoverable or undiscoverable, accrued or unaccrued, liquidated or unliquidated, regardless of legal or equitable theory, including, without limitation, claims for negligence, breach of fiduciary duty, breach of the duty of care and/or loyalty, violation of any federal or state statute, rule or regulation, violation of common law, violation of administration rule or regulation, tort, breach of contract, violation of international law or violation of the law of any foreign jurisdiction, that Lead Plaintiff or any other Settlement Class Member (i) asserted in the Action, including in the Complaint, the Consolidated Complaint, the CAC and any other document, filing or statement in the Action; or (ii) could have, or in the future might have, asserted in the Action or in any other litigation or proceeding in any court, tribunal or forum against any of the Released Persons, arising from, based upon, or related in any way, directly or indirectly, in whole or in part, to (a) both the allegations, transactions, facts, matters, occurrences, representations, statements and/or omissions involved, set forth or referred to in the Complaint, the Consolidated Complaint or the CAC and any public filing, press release, conference call transcript, recording or other document incorporated therein by reference or otherwise communicated to the public by Defendants (or any of them) during the Class Period, and the purchase or acquisition of Hansen common stock during the Class Period by any Settlement Class Member or the sale of such common stock by any Settlement Class Member during the Class Period; or (b) Defendants' defense or settlement of the Action and/or Defendants' defense or settlement of the Released Claims. Notwithstanding the foregoing, "Released Claims" does not include any claim to enforce the terms of the Stipulation and Settlement.

"Unknown Claims" means any Released Claims which Lead Plaintiff or any Settlement Class Members do not know or suspect to exist in his, her or its favor at the time of the release of the Released Persons which, if known by him, her or it, might have affected his, her or its settlement with and release of the Released Persons, or might have affected his, her or its

decision not to object to or to seek exclusion from this Settlement, and include, without limitation, any such claims, rights, benefits or provisions released or waived pursuant to ¶6.3 of the Stipulation.

“Related Persons” means, (a) with respect to Hansen, each and all of its past or present subsidiaries, parents, commonly controlled entities or Persons, and affiliates, and each and all of its or their respective current or former officers, directors, employees, managers, shareholders, members, principals, agents, controlling persons, managing members, attorneys, legal counsel, accountants, auditors, consultants, financial advisors, investment advisors, commercial bank lenders, investment bankers, general and limited partners, indemnitors, indemnitees, insurers (including, but not limited to, Directors’ and Officers’ insurance carriers), reinsurers, representatives, predecessors, successors, assigns, and any Person acting on their behalf (collectively, “Affiliated Persons”); and (b) with respect to the Individual Defendants, each and all of any Individual Defendant’s family members and/or spouses, successors, assigns, heirs, estates, administrators, executors, trustees, and personal representatives; any company (including, but not limited to, any limited liability company (“LLC”)), corporation, partnership, trust, association, cooperative or other entity of any kind in which any Individual Defendant and/or family member and/or spouse of any Individual Defendant has or had any direct or indirect interest or management or representative position, and/or which (either in whole or in part) is for the benefit (either directly or indirectly) of any Individual Defendant and/or family member and/or spouse of any Individual Defendant (including, but not limited to, Hilrod Holdings L.P.; any partnership of which any Individual Defendant and/or family member or spouse of any Individual Defendant is (either directly or indirectly) one or more of the general and/or limited partners; and any trust of which any Individual Defendant is (either directly or indirectly) one or more of the settlors, grantors and/or trustees); and all Affiliated Persons of each Individual Defendant and each such company (including, but not limited to, LLCs), corporation, partnership, trust, association, cooperative or other entity.

### **EXCLUDING YOURSELF FROM THE SETTLEMENT**

If you do not want a payment from this Settlement, but you want to keep the right to sue or continue to sue the Defendants on your own about the same issues in this case, then you must take steps to get out of the Settlement Class. This is called excluding yourself or is sometimes referred to as opting out of the Settlement Class.

#### **13. How do I get out of the Settlement Class?**

To exclude yourself from the Settlement Class, you must send a letter by mail stating that you want to be excluded from *Cunha v. Hansen Natural Corporation, et al.*, No. ED-CV-08-01249-GW(JCx). Please include your name, address, telephone number, your signature, the number of shares of Hansen common stock you purchased and sold between November 9, 2006 and November 8, 2007, inclusive, and the dates and prices of such purchases and sales, and the price paid or received for each such purchase or sale. You must mail your exclusion request postmarked no later than December 1, 2014 to:

*Hansen Securities Litigation*  
Claims Administrator  
c/o Gilardi & Co. LLC  
P.O. Box 8040  
San Rafael, CA 94912-8040

You cannot exclude yourself on the phone or by e-mail. Any request for exclusion must also be signed by the Person requesting exclusion. Requests for exclusion will not be valid if they are not received within the time stated above unless the Court orders otherwise. If you ask to be excluded, you are not eligible to get any settlement payment, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit.

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

No. Unless you exclude yourself, you give up any right to sue Defendants for the claims that this Settlement resolves. Remember, the exclusion deadline is December 1, 2014.

#### **15. If I exclude myself, can I get money from this Settlement?**

No. If you exclude yourself, do not send in a Proof of Claim to ask for any money. Once you exclude yourself, you will receive no cash payment or any other benefit provided for in the Settlement even if you also submit a Proof of Claim.

### **THE LAWYERS REPRESENTING YOU**

#### **16. Do I have a lawyer in this case?**

The Court appointed the law firm of Robbins Geller Rudman & Dowd LLP to represent you and other Settlement Class Members. These lawyers are called Lead Counsel. These lawyers will apply to the Court for payment from the Settlement Fund; you will not otherwise be charged for their work. If you want to be represented by your own lawyer, you may hire one at your own expense.

#### **17. How will the lawyers be paid?**

At the fairness hearing, Lead Plaintiff’s counsel will request the Court to award attorneys’ fees of up to 25% of the Settlement Fund and for expenses up to \$360,000, which were incurred in connection with the Action. If awarded, the cost would be \$0.10 per share. This compensation will be paid from the Settlement Fund. The Court could award such attorneys’ fees and expenses to be paid within five (5) business days after the Court enters an order awarding such fees and expenses and enters the Judgment. Settlement Class Members are not personally liable for any such fees or expenses. To date, Lead

Plaintiff's counsel have not received any payment for their services in conducting this Action on behalf of the Lead Plaintiff and the Settlement Class, nor have counsel been paid for their expenses. The fee requested will compensate Lead Plaintiff's counsel for their work in achieving the Settlement Fund and is within the range of fees awarded to class counsel under similar circumstances in other cases of this type. The Court may award less than this amount.

### **OBJECTING TO THE SETTLEMENT**

You can tell the Court that you do not agree with the Settlement, the Plan of Distribution, or Lead Plaintiff's counsel's request for an award of attorneys' fees and expenses.

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

If you are a Settlement Class Member (and you have not excluded yourself), you can object to the Settlement, the request for attorneys' fees and expenses, or the Plan of Distribution if you do not like any part of it. You can give reasons why you think the Court should not approve the Settlement, the request for attorneys' fees and expenses, or the Plan of Distribution. The Court will consider your views. To object, you must send a signed letter saying that you object to the proposed Settlement in *Cunha v. Hansen Natural Corporation, et al.*, No. ED-CV-08-01249-GW(JCx). Be sure to include your name, address, telephone number, your signature, the number of shares of Hansen common stock purchased between November 9, 2006 and November 8, 2007, inclusive, and the reasons you object to the Settlement, the requested attorneys' fees and expenses, or the Plan of Distribution. Any such objection must be mailed or delivered such that it is received by each of the following no later than December 1, 2014:

|   |   |  |
|---|---|--|
| <i>Court:</i><br>Clerk of the Court<br>United States District Court<br>Central District of California<br>312 North Spring Street<br>Los Angeles, CA 94102 | <i>Counsel for Lead Plaintiff:</i><br>ROBBINS GELLER RUDMAN &<br>DOWD LLP<br>JEFFREY D. LIGHT<br>DOUGLAS R. BRITTON<br>655 West Broadway, Suite 1900<br>San Diego, CA 92101 | <i>Counsel for Defendants:</i><br>SCHULTE ROTH & ZABEL LLP<br>MARTIN L. PERSCHETZ<br>GARY STEIN<br>919 Third Avenue<br>New York, NY 10022-3902 |
|---|---|--|

If you object to the Settlement, the Plan of Distribution and/or Lead Counsel's request for an award of attorneys' fees and expenses, you are submitting to the jurisdiction of the Court with respect to the subject matter of the Settlement.

Any Settlement Class Member who does not make his, her or its objection in the manner provided for herein shall be deemed to have waived such objection and shall forever be foreclosed from making any objection to the fairness or adequacy of the Settlement as reflected in the Stipulation, to the Plan of Distribution or to the application by Lead Counsel for an award of attorneys' fees and expenses.

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

Objecting is telling the Court that you do not like something about the proposed Settlement. You can object *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 FAIRNESS HEARING**

The Court will hold a hearing to decide whether to approve the proposed Settlement. You may attend, but you do not have to.

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

The Court will hold a hearing at 8:30 a.m. on January 29, 2015, at the United States District Court, Central District of California, 312 North Spring Street, Los Angeles, California 90012. 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 Court will listen to people who have asked to speak at the hearing. The Court will also decide whether to approve the payment of fees and expenses to Lead Plaintiff's counsel, including the Plan of Distribution. We do not know how long the hearing will take or whether the Court will make its decision on the day of the hearing or sometime later.

#### **21. Do I have to come to the hearing?**

No. Lead Plaintiff's counsel will answer questions Judge Wu may have. But, you are welcome to come at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but you are not required to do so. Persons who intend to object and desire to present evidence at the Settlement Hearing must include in their written objections the identity of any witnesses they may call to testify and exhibits they intend to introduce into evidence at the hearing.

#### **22. May I speak at the hearing?**

You may ask the Court for permission to speak at the hearing. To do so, you must send a letter saying that it is your intention to appear regarding *Cunha v. Hansen Natural Corporation, et al.*, No. ED-CV-08-01249-GW(JCx). Be sure to include your name, address, telephone number, your signature, and the number of shares of Hansen common stock purchased between November 9, 2006 and November 8, 2007, inclusive. Your notice of intention to appear must be received no later than December 1, 2014 by the Clerk of the Court, Lead Plaintiff's counsel, and Defendants' counsel, at the addresses listed in Question 18. You cannot speak at the hearing if you exclude yourself from the Settlement Class.

## IF YOU DO NOTHING

### 23. What happens if I do nothing at all?

If you do nothing, you will get no money from this Settlement. But, unless you exclude yourself, you **will be bound by the Judgment and** will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendants about the same issues in this case.

## GETTING MORE INFORMATION

### 24. Are there more details about the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Stipulation dated April 16, 2014, which has been filed with the Court. You can get a copy of the Stipulation from the Clerk's office at the United States District Court, Central District of California, 312 North Spring Street, Los Angeles, California 90012, during regular business hours, or at [www.hansensecuritiessettlement.com](http://www.hansensecuritiessettlement.com) or you can contact a representative of Lead Counsel at the number and address below in the answer to Question 25.

### 25. How do I get more information?

You can call 1-800-449-4900 or write to a representative of Lead Plaintiff's counsel, Rick Nelson, Shareholder Relations, Robbins Geller Rudman & Dowd LLP, 655 West Broadway, Suite 1900, San Diego, CA 92101, or visit the Claims Administrator's website at [www.hansensecuritiessettlement.com](http://www.hansensecuritiessettlement.com). **Please do not call the Court or the Clerk of the Court for additional information about the Settlement.**

### 26. Special notice to banks, brokers, and other nominees:

If you hold any Hansen common stock purchased or otherwise acquired between November 9, 2006 and November 8, 2007, inclusive, as a nominee for a beneficial owner, then, within ten (10) calendar days after you receive this Notice, you must either: (1) send a copy of this Notice by First-Class Mail to all such Persons; or (2) provide a list of the names and addresses of such Persons to the Claims Administrator:

*Hansen Securities Litigation*  
Claims Administrator  
c/o Gilardi & Co. LLC  
P.O. Box 8040  
San Rafael, CA 94912-8040

If you choose to mail the Notice and Proof of Claim yourself, you may obtain from the Claims Administrator (without cost to you) as many additional copies of these documents as you will need to complete the mailing.

Regardless of whether you choose to complete the mailing yourself or elect to have the mailing performed for you, you may obtain reimbursement for or advancement of reasonable administrative costs actually incurred or expected to be incurred in connection with forwarding the Notice and which would not have been incurred but for the obligation to forward the Notice, upon submission of appropriate documentation to the Claims Administrator.

DATED: July 28, 2014

BY ORDER OF THE COURT  
UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA