

SUPERIOR COURT OF NEW JERSEY
BERGEN COUNTY

DOCKET NO. L-4378-16

If You Purchased Pocket Hose Products, You Could Receive a Cash Payment as Part of a Proposed Class Action Settlement

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

- A Proposed Settlement has been reached in a class action lawsuit. The lawsuit claims that Telebrands Corporation (“Telebrands”) made false and misleading statements in connection with the marketing and sale of the certain “Pocket Hose” models of expandable garden hoses, and that the products are defective. Telebrand’s denies these claims.
- You are a Class Member if you purchased any of the following “Pocket Hose” models of expandable garden hoses, including: (i) “Pocket Top Brass II”, (ii) “Pocket Hose Top Brass”, (iii) “Pocket Hose Dura Rib II”, (iv) “Pocket Hose Dura Rib”, (v) “Pocket Hose Ultra”, and (vi) the “Pocket Hose” products (the “Class Products”) between January 31, 2014 and November 4, 2016.
- The Settlement provides cash payments to Class Members between \$7.00 and \$50.00.

Please read this Notice carefully and in its entirety.

Your rights may be affected by the Proposed Settlement of this Lawsuit, and you have a choice to make now about how to act:

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
WHAT IS THIS?	A Proposed Settlement has been reached in a class action lawsuit. The lawsuit alleges that Telebrands made false and misleading statements in connection with the marketing and sale of the certain “Pocket Hose” models of expandable garden hoses.
SUBMIT A CLAIM FORM POSTMARKED BY FEBRUARY 10, 2017	This is the only way to receive the Settlement Benefit of a full refund. By submitting a claim, you will give up any rights to sue Telebrands separately about the same legal claims in this lawsuit.
EXCLUDE YOURSELF FROM THE CLASS BY FEBRUARY 20, 2017	If you opt out of the Proposed Settlement, you will not be eligible to receive the Settlement Benefits, but you will keep your right to sue Telebrands about the same legal claims in this lawsuit.
OBJECT OR COMMENT BY FEBRUARY 20, 2017	You may write to the Court about why you do, or do not, like the Proposed Settlement. You must remain in the class to comment in support of or in opposition to the Proposed Settlement.
APPEAR IN THE LAWSUIT	You may ask to speak in Court about the fairness of the Proposed

Questions? Call 1-877-338-8286 or visit www.pockethosettlement.com

OR ATTEND A HEARING ON MARCH 3, 2017	Settlement. You may enter your appearance in Court through an attorney at your own expense if you so desire.
DO NOTHING	If you do nothing, you will receive no Settlement Benefits. You also give up your right to sue Telebrands on your own regarding any claims that are part of the Proposed Settlement.

- These rights and options, **and the deadlines to exercise them**, are further explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Proposed Settlement. The Settlement Benefits will be made available if the Court approves the Proposed Settlement and after any appeals are resolved.
- If you have any questions, please read on and visit www.pockethosesettlement.com.

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Questions? Call 1-877-338-8286 or visit www.pockethosesettlement.com

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BASIC INFORMATION

1. Why did I get this Notice?

If you purchased one or more of the Class Products between January 31, 2014 and November 4, 2016, as described on page 1 of this Notice, you have a right to know about a proposed settlement or a class action lawsuit and your options. If you have received this Notice in the mail or by e-mail, you have been identified from available records as a purchaser of the Class Products. You also may have received this Notice because you requested more information after reading the Summary Notice.

The Court ordered that you be given this Notice because you have a right to know about a Proposed Settlement of a class action lawsuit, and about your options, before the Court decides whether to approve the Proposed Settlement. If the Court approves it, and after objections and appeals are resolved, an administrator approved by the Court will oversee the distribution of the Settlement Benefits that the Proposed Settlement allows. You will be informed of the progress of the Proposed Settlement.

This Notice explains the lawsuit, the Proposed 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 Superior Court of New Jersey in Bergen County, and the case is known as *Stephen Inocencio, et al. v. Telebrands*, Docket No. L-4378-16. The people who sued are called Plaintiffs, and the company they sued, Telebrands, is called the Defendant.

2. What is this lawsuit about?

The lawsuit alleges violations of consumer protection and warranty laws, and claims that Telebrands made false and misleading statements in connection with the marketing and sale of certain “Pocket Hose” models of expandable garden hoses or the Class Products, including allegations that the products were defective.

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Telebrands denies it did anything wrong, and the Court has not made any ruling on the merits of the allegations of the lawsuit.

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

In a class action lawsuit, one or more people, called “Class Representatives” (in this case Plaintiff Stephen Inocencio and Plaintiff John Carvelli) sue on behalf of other people who have similar legal claims, and represent the interests of those people. All of these people together are called a “Class” or “Class Members.” The named plaintiffs who sued are called the Plaintiffs. The company they sued (in this case, Telebrands) is called the Defendant. One court resolves the issues for everyone in the Class – except for those people who choose to exclude themselves from the Class.

4. Why is there a Proposed Settlement?

The Court has not decided in favor of either side in the case. Telebrands denies all allegations of wrongdoing or liability against it, and contends that its conduct was lawful. Telebrands is settling to avoid the expense, inconvenience, and inherent risk of litigation, as well as the related disruption of its business operations. The Class Representatives and their attorneys assert that the Proposed Settlement is in the best interests of the Class, because it provides an appropriate recovery now while avoiding the risk, expense, and delay of pursuing the case through trial and any appeals.

WHO IS IN THE PROPOSED SETTLEMENT

To see if you will be entitled to the Settlement Benefits from this Proposed Settlement, you first have to decide if you are a Class Member.

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

You are a Class Member if you purchased any of the following Class Products between January 31, 2014 and November 4, 2016: (i) “Pocket Top Brass II”, (ii) “Pocket Hose Top Brass”, (iii) “Pocket Hose Dura Rib II”, (iv) “Pocket Hose Dura Rib”, (v) “Pocket Hose Ultra”, and (vi) the “Pocket Hose” products.

Excluded from this definition are the following: (a) Telebrands employees, officers and directors, (b) persons or entities who purchased the Settlement Class Products for the purpose of re-sale, (c) retailers or re-sellers of the Settlement Class Products, (d) governmental entities, (e) persons who timely and properly exclude themselves from the Class as provided herein, (f) any natural person or entity that entered into a release with Defendant prior to the Effective Date concerning any of the Settlement Class Products, and (g) the Court, the Court’s immediate family, and Court staff.

If you are still not sure whether you are included in the Settlement Class, you can go to www.pockethosesettlement.com, or you can call 1-877-338-8286, and ask for free help.

Questions? Call 1-877-338-8286 or visit www.pockethosesettlement.com

THE PROPOSED SETTLEMENT BENEFITS

6. What does the Proposed Settlement provide if I submit a claim?

Each Settlement Class Member who completes and sends in a valid Claim Form will be eligible for refunds as follows:

1. For Settlement Class Members who return a Class Product to the Settlement Administrator, you will receive a full refund as specified below (depending on which Class Product you purchased) up to the total amount of units purchased that are returned with Proof of Purchase. Telebrands will provide free shipping to return the Class Product(s).

“Pocket Hose Top Brass 2” and “Pocket Hose Top Brass”

25' length	\$	20.00
50' length	\$	30.00
75' length	\$	40.00
100' length	\$	50.00

“Pocket Hose”; “Pocket Hose Ultra”; “Dura Rib”; and “Dura Rib II”

25' length	\$	13.00
50' length	\$	20.00
75' length	\$	33.00
100' length	\$	40.00

2. For Settlement Class Members who provide a copy of the receipt or a retail rewards submission memorializing the purchase of the Class Products or your purchases appear in Defendant’s records (collectively “Proof of Purchase”), but who do not return the Class Products, you will receive a refund as specified below (depending on which Class Product you purchased) up to the total amount of units purchased that are returned with Proof of Purchase. Your purchases may appear in Defendant’s records if you purchased Class Product directly from Defendant’s website at www.pockethose.com, www.pockethoseultra.com, www.pockethosedurarib.com, or www.pockethosetopbrass.com or by calling a toll free number in response to a television advertisement.

Questions? Call 1-877-338-8286 or visit www.pockethosesettlement.com

“Pocket Hose Top Brass 2” and “Pocket Hose Top Brass”

25’ length	\$	10.00
50’ length	\$	15.00
75’ length	\$	20.00
100’ length	\$	25.00

“Pocket Hose”; “Pocket Hose Ultra”; “Dura Rib”; and “Dura Rib II”

25’ length	\$	7.00
50’ length	\$	10.00
75’ length	\$	16.50
100’ length	\$	20.00

3. For those Settlement Class Members who neither return the Class Products nor provide a valid receipt nor a retail rewards submission memorializing the purchase of the Class Products nor do your purchases appear in Defendant’s records, but who substantiate their claims through a submission of the Claim Form attesting to their purchase of the Covered Products under penalty of perjury, together with additional information requested by the Settlement Administrator on the Claim Form, a total of \$7.00.

All payments to Settlement Class Members who submit Valid Claims will be made within thirty Day (30) days after the Settlement Approval Order and Final Judgment becomes final (“Final Settlement Approval Date”). All Settlement Class Members who do not opt out of the Proposed Settlement and who submit a Valid Claim shall receive either a cash award or voucher, as set forth above.

In addition, Telebrands will pay for Notice to the Class and administration costs related to this lawsuit. Subject to Court approval, Telebrands will also pay an incentive award not to exceed \$2,500 to each of the two Class Representatives in this lawsuit.

HOW YOU GET A CASH PAYMENT — SUBMITTING A CLAIM FORM

7. How can I get a cash payment from the Proposed Settlement?

Class Members who wish to receive a payment must submit claims.

To submit a claim, you must complete a Claim Form.

You can complete and/or get a Claim Form on the Internet at <http://www.pockethosettlement.com>. Read the instructions carefully, and submit it online on or before February 10, 2017.

Questions? Call 1-877-338-8286 or visit www.pockethosettlement.com

Alternatively, you may also submit your Claim Form by mailing it to the following address: Pocket Hose Products Litigation Administrator P.O. Box 1571 West Palm Beach, FL 33402. It must be postmarked no later than February 10, 2017.

If you received this Notice in the mail or by e-mail, a Claim Form is enclosed.

TO BE VALID, ALL CLAIMS MUST BE POSTMARKED OR SUBMITTED NO LATER THAN February 10, 2017.

8. What do I do if I didn't get a Claim Form in the mail or by e-mail?

If you did not receive a Claim Form in the mail or by e-mail, you can obtain the Claim Form in one of three ways:

- (1) **Online:** You can download the Claim Form at www.pockethosesettlement.com. You can also submit a Claim Form online through the same website.
- (2) **By Phone:** Call toll-free, 1-877-338-8286.
- (3) **By Mail:** Write to Pocket Hose Products Litigation Administrator P.O. Box 1571 West Palm Beach, FL 33402. Be sure to include your name and mailing address.

YOUR RIGHTS AND CHOICES - EXCLUDING YOURSELF FROM THE PROPOSED SETTLEMENT

If you do not want to receive the Settlement Benefits from this Proposed Settlement, but you want to keep the right to sue Telebrands, on your own, about the subject matter of this lawsuit, then you must take steps to get out of the Proposed Settlement. This is called excluding yourself – or is sometimes referred to as opting out of the Class.

9. How do I get out or exclude myself from the Proposed Settlement?

To exclude yourself from the Proposed Settlement, which is sometimes called “opting-out” of the Class, you must send a letter by mail saying that you want to be excluded from this lawsuit.

To exclude yourself from the Class, you must postmark a written Request for Exclusion to Pocket Hose Products Litigation Administrator P.O. Box 1571 West Palm Beach, FL 33402. The written Request for Exclusion must be postmarked no later than February 20, 2017.

Your written Request for Exclusion must contain: (1) the name of this lawsuit, *Inocencio v. Telebrands*, Docket No. L-4378-16; (2) your full name and current address; (3) a clear statement of intention to exclude yourself such as “I wish to be excluded from the Class”; and (4) your signature or, if the Class Member is an entity or a person who is unable to sign, an authorized legal representative or guardian’s name and signature.

Questions? Call 1-877-338-8286 or visit www.pockethosesettlement.com

You cannot exclude yourself on the phone or by e-mail. If you ask to be excluded, you will not get any Settlement Benefits, and you cannot object to the Proposed Settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) Telebrands in the future.

10. If I don't exclude myself, can I sue Telebrands for the same things later?

No. If you do not properly and timely submit a written Request for Exclusion, you waive your right to opt out and will be deemed to be a member of the Class. Unless you exclude yourself, you give up the right to sue Telebrands for the claims that this Proposed Settlement resolves, and you will be bound by the terms of this Proposed Settlement. If you have a pending lawsuit against Telebrands, other than this class action, speak to your lawyer in that lawsuit immediately. You must exclude yourself from *this* Class to continue your own lawsuit. Remember, any exclusion request must be signed, mailed, and postmarked by February 20, 2017.

11. If I exclude myself, can I get the Settlement Benefits from this Proposed Settlement?

No. If you exclude yourself, do not send in a claim form to ask for any money. But, you may sue, continue to sue, or be part of a different lawsuit against Telebrands.

YOUR RIGHTS AND CHOICES - OBJECTING TO THE PROPOSED SETTLEMENT

You can tell the Court that you do not agree with the Proposed Settlement or some part of it.

12. How do I tell the Court that I don't like the Proposed Settlement?

If you are a Class Member, you can object to the Proposed Settlement if you do not like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views.

To object, you must send a letter that contains the following:

- Your name, current address and telephone number, or your lawyer's name, address and telephone number if you are objecting through counsel;
- The name of the lawsuit, *Inocencio v. Telebrands*, Docket No. L-4378-16;
- A statement of your objections and the reasons for each objection you make, including the facts supporting your objection and the legal grounds on which your objection is based;
- A list of any documents you may give the Court to support your objection, if any;
- A list of legal authorities you want the Court to consider;

Questions? Call 1-877-338-8286 or visit www.pockethosesettlement.com

- The names and addresses of any witness you want to call to testify, and a summary of the witnesses' expected testimony;
- If you (or your lawyer) want to appear and speak at the Fairness Hearing, a statement that you wish to appear and speak;
- Documents sufficient to establish your membership in the Settlement Class, such as verification under oath as to the date and location of your purchase of a Settlement Class Product, or a Proof of Purchase; **and**
- Your signature (or your lawyer's signature).

To object, you must send your written objection and any supporting documents ***that is received no later than*** February 20, 2017 to the Court at:

Superior Court of New Jersey
Law Division Bergen County
Bergen County Justice Center
10 Main Street Hackensack, NJ 07601

You must also send copies of your objection along with any supporting documents ***that is received no later than*** February 20, 2017 to the following two addresses:

Counsel for the Class:

Antonio Vozzolo
Vozzolo, LLC
345 Route 17 South
Upper Saddle River, NJ 07458
Telephone: (201) 630-8820
E-Mail: avozzolo@vozzolo.com

Counsel for Defendant Telebrands:

Christine A. Amalfe
Gibbons, PC
One Gateway Center
Newark, NJ 07102
Telephone: (973) 596-4829
E-Mail: camalfe@gibbonslaw.com

If you object through a lawyer, you will have to pay for the lawyer yourself.

13. What's the difference between objecting and excluding?

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

Questions? Call 1-877-338-8286 or visit www.pockethosesettlement.com

YOUR RIGHTS AND CHOICES – APPEARING IN THE LAWSUIT

14. Can I appear or speak in this lawsuit and Proposed Settlement?

As long as you do not exclude yourself, you can (but do not have to) participate and speak for yourself in this lawsuit and Proposed Settlement. This is called making an appearance. You can also have your own lawyer appear in court and speak for you, but you will have to pay for the lawyer yourself.

15. How can I appear in this lawsuit?

If you want yourself or your own lawyer (instead of Class Counsel) to participate or speak for you in this lawsuit, you must give the Court a paper that is titled a “Notice of Appearance.” The Notice of Appearance must contain the title of the lawsuit, a statement that you wish to appear at the Fairness Hearing, and the signature of you or your lawyer.

Your Notice of Appearance can also state that you or your lawyer would like to speak at the Court’s Fairness Hearing on the Proposed Settlement. If you submit an objection (see question 12 above) and would like to speak about the objection at the Court’s Fairness Hearing, both your Notice of Appearance and your objection should include that information.

Your Notice of Appearance must be signed, mailed and ***postmarked by*** February 20, 2017, to the Court at:

Superior Court of New Jersey
Law Division, Bergen County
Bergen County Justice Center
10 Main Street Hackensack, NJ 07601

Copies of your Notice of Appearance must also be mailed to the same three addresses appearing on page 8 of this Notice, in question 12.

IF YOU DO NOTHING

16. What happens if I do nothing at all?

If you do nothing, you will get no Settlement Benefits from this Proposed Settlement. But, 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 Telebrands about the subject matter of this lawsuit, ever again.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

The Court has appointed the law firm of Vozzolo LLC as legal counsel or Class Counsel for the Class. You will not be charged for these lawyers.

Questions? Call 1-877-338-8286 or visit www.pockethosesettlement.com

18. How will the lawyers be paid?

From the inception of the litigation to the date of the Proposed Settlement, Class Counsel has not received any payment for their services in prosecuting the case or obtaining settlement, nor have they been reimbursed for any out-of-pocket expenses they have incurred. When they ask the Court to approve the Proposed Settlement, Class Counsel will also make a motion to the Court for an award of attorneys' fees and reimbursement of expenses, in a total amount not to exceed \$200,000.00. If the Court grants Class Counsel's request for attorneys' fees and expenses, Telebrands will pay those fees and expenses in addition to (and not out of) the settlement relief that is available to Class Members. No matter what the Court decides with regard to the requested attorneys' fees, Class Members will never have to pay anything toward the fees or expenses of Class Counsel. Class Counsel will seek final approval of the Proposed Settlement on behalf of all Class Members. You may hire your own lawyer to represent you in this case if you wish, but it will be at your own expense.

THE COURT'S FINAL FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Proposed Settlement. You may attend and you may ask to speak, but you do not have to attend or speak.

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

The Court has scheduled a Fairness Hearing for March 3, 2017, at 9 a.m. in the Superior Court of New Jersey, 10 Main Street, Hackensack, NJ 07601 to decide whether the settlement is fair, reasonable, and adequate and to determine the amount of attorneys' fees and costs and incentive fee awards. If there are objections, the Court will consider them. The Court may also discuss Class Counsel's request for an award of attorneys' fees and reimbursement of costs. After the hearing, the Court will decide whether to approve the settlement and whether to grant Class Counsel's request for attorneys' fees and expenses. We do not know how long these decisions will take.

20. Do I have to come to the hearing?

No. Class Counsel is working on your behalf and will answer any questions the Court may have, but, you are welcome to attend the hearing 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 it is not necessary.

You do not have to attend the hearing, but you are welcome to come at your own expense. If you file a timely written objection, you are not required to attend the hearing for the Court to consider the objection, but you may come if you want to do so. You may only be heard at the Fairness Hearing if you timely filed a written objection, served it upon Class Counsel and Counsel for the Defendants, and you file a Notice of Intent to Appear at the hearing.

Questions? Call 1-877-338-8286 or visit www.pockethosesettlement.com

FINAL SETTLEMENT APPROVAL

21. What is the effect of final settlement approval?

If the Court grants final approval of the Proposed Settlement, all members of the Class will release and forever discharge any and all claims or causes of action that have been, might have been, are now, or could have been brought relating to the transactions, actions, conduct and events that are the subject of this action or settlement, arising from or related to the allegations in the complaint filed in the Action or Telebrands' marketing, advertising, promoting or distributing of Class Products.

If the Proposed Settlement is not approved, the case will proceed as if no settlement had been attempted. There can be no assurance that if the Proposed Settlement is not approved and litigation resumes, the Class will recover more than is provided for under the Proposed Settlement, or will recover anything.

GETTING MORE INFORMATION

22. Are there more details about the Proposed Settlement?

This Notice is only intended to provide a summary of the Proposed Settlement. You may obtain the complete text of the settlement at www.pockethosesettlement.com, by writing to the Claims Administrator (at the address listed above), or from the court file, which may be examined and copied during regular office hours at the Superior Court of New Jersey, 10 Main Street, Hackensack, NJ 07601, under Docket No. L-4378-16.

Visit the website, at <http://www.pockethosesettlement.com>, where you will find the Plaintiffs' Complaints, Stipulation of Settlement, and Claim Forms. You may also contact Class Counsel by email at avozzolo@vozzolo.com, or by writing to Pocket Hose Products Litigation Administrator P.O. Box 1571 West Palm Beach, FL 33402.

PLEASE DO NOT CALL OR DIRECT ANY INQUIRIES TO THE COURT.

This Notice is given with the approval and at the direction of the Court.

Questions? Call 1-877-338-8286 or visit www.pockethosesettlement.com
