

Superior Court of Fulton County, Georgia

If you made a food delivery order through Chick-fil-A, Inc.'s Chick-fil-A® App or website between November 1, 2019 and April 30, 2021, you may be entitled to an award from a class action settlement.

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

- A Settlement has been reached to resolve a class action lawsuit against Chick-fil-A, Inc. (“Chick-fil-A” or “Defendant”), relating to allegations that Chick-fil-A made false or misleading representations regarding delivery fees and menu prices for delivery orders.
- Chick-fil-A denies these allegations and denies any wrongdoing. The Court has not decided who is right.
- You are a Settlement Class Member if you made a Chick-fil-A delivery order through the Chick-fil-A® App or website between November 1, 2019 and April 30, 2021, from a Chick-fil-A location in the states of California, Florida, Georgia, New Jersey, or New York. As a Settlement Class Member, you can file a Claim to receive a Cash Settlement Award up to \$29.25 or a Gift Card Settlement Award up to \$29.25. The Settlement creates five Subclasses:

California Settlement Subclass – all Settlement Class Members who made a Chick-fil-A delivery order through the Chick-fil-A® App or website from a Chick-fil-A location in the State of California.

Florida Settlement Subclass – all Settlement Class Member who made a Chick-fil-A delivery order through the Chick-fil-A® App or website from a Chick-fil-A location in the State of Florida.

Georgia Settlement Subclass – all Settlement Class Members who made a Chick-fil-A delivery order through the Chick-fil-A® App or website from a Chick-fil-A location in the State of Georgia.

New Jersey Settlement Subclass – all Settlement Class Members who made a Chick-fil-A delivery order through the Chick-fil-A® App or website from a Chick-fil-A location in the State of New Jersey.

New York Settlement Subclass – all Settlement Class Members who made a Chick-fil-A delivery order through the Chick-fil-A® App or website from a Chick-fil-A location in the State of New York.

- Your legal rights are affected whether or not you act. ***Please read this Notice carefully.***

YOUR RIGHTS AND CHOICES		DEADLINE
Submit a Claim Form	The only way to get a Cash Settlement Award or a Gift Card Settlement Award is to submit a Claim Form.	Submit a Claim Form: February 15, 2024
Exclude Yourself	Get no Cash Settlement Award or Gift Card Settlement Award and keep any right to file your own lawsuit against Chick-fil-A about the legal claims in this lawsuit.	Submit an Exclusion: January 2, 2024
Object	Tell the Court why you do not like the Settlement. You will still be bound by the Settlement if the Court approves it, and you may still file a Claim Form for a Cash Settlement Award or a Gift Card Settlement Award.	File an Objection: January 2, 2024
Attend A Hearing	Ask to speak to the Court about the fairness of the Settlement.	File a Notice of Appearance: January 2, 2024
Do Nothing	Get no Cash Settlement Award or Gift Card Settlement Award. Give up legal rights.	

- These rights and options—and the deadlines to exercise them—are explained in this Notice.
- The Court must decide whether to approve the Settlement. Cash Settlement Awards and Gift Card Settlement Awards will be sent if the Court approves the Settlement, after appeals are resolved.

Questions? Call 1-877-764-4957 or visit www.DeliveryOrderSettlement.com.

BASIC INFORMATION

1. Why should I read this Notice?

If you made a Chick-fil-A delivery order through the Chick-fil-A® App or website between November 1, 2019 and April 30, 2021, from a Chick-fil-A location in the states of California, Florida, Georgia, New Jersey, or New York, you are a Settlement Class Member and may be entitled to receive a Cash Settlement Award up to \$29.25 or a Gift Card Settlement Award up to \$29.25 if you file a Claim.

A Court authorized this Notice because you have a right to know about the proposed Settlement of a class action lawsuit known as *Mayheu et al. v. Chick-fil-A Inc.*, Superior Court of Fulton County, Georgia, Case No. 2022CV365400 and about all of your options before the Court decides whether to give final approval to the Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

Judge Craig Schwall of the Superior Court of Fulton County, Georgia is overseeing this lawsuit. The people who sued are called the “Plaintiffs.” Chick-fil-A, Inc. (“Chick-fil-A”) is the Defendant.

2. What is this lawsuit about?

This lawsuit alleges that Chick-fil-A made false or misleading representations regarding its delivery fees and menu prices for its delivery orders between November 1, 2019 and April 30, 2021. You can get complete details regarding these allegations in the Consolidated Complaint available at the settlement website www.DeliveryOrderSettlement.com. Chick-fil-A denies these allegations and denies any wrongdoing. The Court has not decided who is right. The Parties have agreed to a Settlement.

3. Why is the lawsuit a class action?

In a class action, one or more people called “Class Representatives” (in this case, Plaintiffs Jan Mayheu, Aneisha Pittman, Susan Ukpere, Ron Goldstein, and Ronald Ortega) sued on behalf of themselves and other people with similar legal claims. Together, all the people with similar legal claims (except those who exclude themselves) are members of a “Settlement Class.”

4. Why is there a Settlement?

The Court has not decided in favor of the Plaintiffs or Chick-fil-A. Instead, both sides have agreed to the Settlement to avoid the costs and uncertainty of a trial; if the Settlement is approved by the Court, Settlement Class Members will receive the benefits described in this Notice. The proposed Settlement does not mean that any law was broken or that Chick-fil-A did anything wrong. Chick-fil-A denies all legal claims in this case and denies any wrongdoing. Plaintiffs and their lawyers think the proposed Settlement is best for everyone affected.

WHO IS IN THE SETTLEMENT?

To see if you are eligible for benefits, you must first determine if you are a Settlement Class Member.

5. Am I part of the Settlement?

You are a Settlement Class Member if you made a Chick-fil-A delivery order through the Chick-fil-A® App or website between November 1, 2019 and April 30, 2021, from a Chick-fil-A location in California, Florida, Georgia, New Jersey, or New York. The Settlement creates the following five Subclasses:

- “California Settlement Subclass” refers to all members of the Settlement Class who made a Chick-fil-A delivery order through the Chick-fil-A® App or website from a Chick-fil-A location in the State of California.
- “Florida Settlement Subclass” refers to all members of the Settlement Class who made a Chick-fil-A delivery order through the Chick-fil-A® App or website from a Chick-fil-A location in the State of Florida.
- “Georgia Settlement Subclass” refers to all members of the Settlement Class who made a Chick-fil-A delivery order through the Chick-fil-A® App or website from a Chick-fil-A location in the State of Georgia.

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- “New Jersey Settlement Subclass” refers to all members of the Settlement Class who made a Chick-fil-A delivery order through the Chick-fil-A® App or website from a Chick-fil-A location in the State of New Jersey.
- “New York Settlement Subclass” refers to all members of the Settlement Class who made a Chick-fil-A delivery order through the Chick-fil-A® App or website from a Chick-fil-A location in the State of New York.

This Settlement does not extend to Chick-fil-A delivery orders made through third party apps and websites (including, for example, through DoorDash).

THE SETTLEMENT BENEFITS – WHAT YOU GET

6. What does the Settlement provide?

As a Settlement Class Member, you can file a Claim to receive either a Cash Settlement Award or a Gift Card Settlement Award up to \$29.25. You will have the option to select to receive either a Cash Settlement Award or a Gift Card Settlement Award when you file a Claim.

Cash Settlement Award – Settlement Class Members who submit a valid Claim Form and elect to receive a Cash Settlement Award will receive a cash payment up to \$29.25.

The Settlement creates a “Cash Settlement Fund” of \$1,450,000 USD. The Fund will first be used to pay the Settlement costs of the Notice Plan, including payments to class representatives and attorneys’ fees and litigation costs, and the Claims Process, including exclusions and objections. The Fund will then be used to pay any other remaining Settlement Costs. The remaining amount of the Net Settlement Fund will then be used to pay Cash Settlement Awards to Settlement Class Members.

If there is cash remaining in the Net Cash Settlement Fund after Cash Settlement Awards have been paid, the excess funds will be distributed to either Feeding America or Hunger Initiative as a cy pres award (subject to approval by the Court). If there are not sufficient funds in the Net Cash Settlement Fund to award each Settlement Class Member \$29.25, the Net Cash Settlement Fund will be distributed on a pro rata basis (a legal term meaning equal share) to those Settlement Class Members who elect to receive a Cash Settlement Award.

Gift Card Settlement Award - Settlement Class Members who submit a valid Claim Form and elect to receive a Gift Card Settlement Award will receive an electronic Chick-fil-A, Inc. e-gift card with a balance up to \$29.25. The Chick-fil-A e-gift cards are issued by CFA Servco, Inc. (“Servco”), an affiliate of Chick-fil-A. The e-gift cards may be redeemed at any participating Chick-fil-A restaurant in the United States. The e-gift cards are not accepted at all Chick-fil-A Express™ or Chick-fil-A licensed locations such as airports, college campuses, office complexes, and hospitals unless such locations have been approved by Servco to accept Chick-fil-A Gift Cards for redemption. For a list of licensed locations that accept Chick-fil-A e-gift cards, please visit www.chick-fil-a.com/giftcards. Chick-fil-A e-gift cards are not currently redeemable in Puerto Rico. The e-gift cards are non-reloadable. A gift card balance may be checked at participating Chick-fil-A restaurants in the United States or by calling 1-888-232-1864. After redemption, the remaining balance, if any, will be printed on your receipt. A gift card balance may be transferred to a Chick-fil-A One member’s digital gift card available through the Chick-fil-A App. Servco reserves the right to replace lost, stolen, or damaged Chick-fil-A e-gift cards solely at its discretion. Chick-fil-A e-gift cards are not subject to any expiration dates or any issuance, activation or dormancy fees. The e-gift cards are not redeemable for cash except as required by applicable law. By electing to receive a Chick-fil-A e-gift card, Settlement Class Members agree to accept these terms and conditions. Settlement Class Members may be charged sales tax on Chick-fil-A, Inc. e-gift card redemption transactions in accordance with applicable law; however, no additional purchase will be necessary to use the Chick-fil-A, Inc. e-gift card. The Gift Card Settlement Awards will be paid separate from the Net Cash Settlement Fund. The total value of the Chick-fil-A, Inc. e-gift cards issued to Settlement Class Members will not exceed \$2,950,000 USD in retail value.

If it is not possible to issue Gift Card Settlement Awards of \$29.25 to all Settlement Class Members who elect to receive a Gift Card Settlement Award, the balance of the Gift Card Settlement Awards issued to Settlement Class Members electing to receive a Gift Card Settlement Award will be adjusted downward proportionally.

Questions? Call 1-877-764-4957 or visit www.DeliveryOrderSettlement.com.

HOW TO GET BENEFITS FROM THE SETTLEMENT

7. How can I get my Cash Settlement Award or Gift Card Settlement Award?

If you are a Settlement Class Member, you must fill out and submit a Claim Form to qualify for a Cash Settlement Award or a Gift Card Settlement Award. You can easily file your Claim at www.DeliveryOrderSettlement.com or by mail to the Class Action Settlement Administrator. The completed Claim Form must be submitted online or mailed, **postmarked by February 15, 2024**.

Upon receiving a completed Claim Form, the Class Action Settlement Administrator will review and confirm or deny your eligibility for a Cash Settlement Award or a Gift Card Settlement Award. If the Settlement is approved, Settlement Class Members who file a valid Claim Form will receive an email regarding how to receive a digital payment for the Cash Settlement Award or the digital Gift Card Settlement Award.

8. When will I receive my Cash Settlement Award or Gift Card Settlement Award?

The Court will hold a hearing on **February 29, 2024, at 10:00 a.m.** (subject to change), to decide whether to approve the Settlement. Even if the Court approves the Settlement, there may be appeals. The appeal process can take time, perhaps more than a year. You will *not* receive your Cash Settlement Award or Gift Card Settlement Award until any appeals are resolved. Please be patient.

9. What else does the Settlement Provide?

In April and October 2021, Chick-fil-A revised the disclosures on its Chick-fil-A[®] App and Website respectively to state expressly that menu prices may be higher for delivery orders and that certain fees may apply. These disclosures are presented to consumers on both the Chick-fil-A[®] App and Chick-fil-A website prior to placing an order.

Also, the following disclosure is also present at checkout, just prior to purchasing food for delivery: “Menu prices for delivery are higher than at the restaurant. Delivery fee, order minimums or small order fees, and additional fees apply; see details above.”

These disclosures are intended to fairly and adequately inform customers of these food delivery-related charges. Chick-fil-A agrees to keep these or substantially similar statements in place as long as they are applicable to delivery orders.

Chick-fil-A reserves the right to amend any of these statements from time to time as long as any amended statements similarly advise customers as to the difference in pricing between in restaurant and delivery menu prices.

10. What am I giving up to receive these Settlement benefits?

Unless you exclude yourself from the Settlement, you cannot sue or be part of any other lawsuit against Chick-fil-A about the legal issues in this lawsuit, including any existing lawsuit, arbitration, or proceeding. Unless you exclude yourself, all of the decisions and judgments made by the Court will bind you. If you file a Claim Form for a Cash Settlement Award or a Gift Card Settlement Award or do nothing at all, you will be releasing Chick-fil-A from all of the legal claims described and identified in Section IV.B of the Settlement Agreement.

The Settlement Agreement is available at www.DeliveryOrderSettlement.com. The Settlement Agreement provides more details regarding the Released Claims with specific descriptions in necessary, accurate legal terminology, so read it carefully. You can talk to the Class Counsel, the lawyers representing the Settlement Class listed in Question 11 for free, or you can, at your own expense, talk to your own lawyer if you have any questions about the Released Claims or what they mean.

Questions? Call 1-877-764-4957 or visit www.DeliveryOrderSettlement.com.

THE LAWYERS REPRESENTING YOU

11. Do I have a lawyer in this case?

The Court has appointed lawyers from the law firm KalielGold PLLC, of Washington, D.C. to represent you and the other Settlement Class Members. The lawyers are called Class Counsel. They are experienced in handling similar class action cases. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

You may contact Class Counsel if you have any questions about this Notice or the Settlement. ***Please do not contact the Court.***

Class Counsel:

Andrew Shamis
SHAMIS & GENTILE
14 NE 1st Ave., Suite 705
Miami, FL 33132

Jeffrey D. Kaliel
KALIELGOLD PLLC
1100 15th Street NW, 4th Floor
Washington, D.C. 20005

12. How will the Class Counsel lawyers be paid?

The Class Counsel lawyers will ask the Court for an award of attorneys' fees not to exceed \$880,000 USD, plus litigation costs that the Class Counsel lawyers will request separately. If approved by the Court, these attorneys' fees and litigation costs will be paid out of the Cash Settlement Fund.

Class Counsel will also ask the Court for a Service Award to each Class Representative in an amount not to exceed \$5,000 USD each, for their participation as Class Representatives, for taking on the risks of the lawsuit, and for Settlement of their individual legal claims as Settlement Class Members in this lawsuit. If approved by the Court, the Service Awards will be paid out of the Cash Settlement Fund.

YOUR RIGHTS – EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want a Cash Settlement Award or a Gift Card Settlement Award, and you want to keep your right to sue or continue to sue Chick-fil-A on your own about the legal issues in this lawsuit, then you must take steps to exclude yourself from the Settlement (get out of the Settlement). This is called “excluding yourself”—or “opting out” of the settlement class.

13. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a written “Request for Exclusion” that includes:

- Your name, address, and telephone number;
- Your personal signature and not a signature of your lawyer or anyone acting on your behalf; and
- The statement “I/we request to be excluded from the class Settlement in *Mayheu et al. v. Chick-fil-A Inc.*, Superior Court of Fulton County, Georgia, Case No. 2022CV365400.”

You must mail your Request for Exclusion **postmarked by January 2, 2024** to:

Chick-fil-A, Inc. Delivery Fee Settlement Exclusions
P.O. Box 2237
Portland, OR 97208-2237

If you do not follow these procedures and meet the deadline, you will remain a Settlement Class Member and lose any opportunity to exclude yourself from the Settlement. This means that your rights in this lawsuit will be determined by the Settlement Agreement if it receives final approval from the Court.

Questions? Call 1-877-764-4957 or visit www.DeliveryOrderSettlement.com.

14. If I exclude myself, can I get anything from the Settlement?

No. If you exclude yourself, you cannot receive a Cash Settlement Award or a Gift Card Settlement Award. However, you may sue, continue to sue, or be part of a different lawsuit against Chick-fil-A about the legal issues in this lawsuit.

YOUR RIGHTS – OBJECTING TO THE SETTLEMENT

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

15. How do I tell the Court that I do not agree with the Settlement?

If you are a Settlement Class Member, you can object to the Settlement if you do not agree with any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views. Note: You cannot ask the Court to order a different Settlement; the Court can only approve or reject the Settlement. If the Court denies approval of the Settlement, no Cash Settlement Awards or Gift Card Settlement Awards will be sent out and the lawsuit will continue.

To object to the Settlement, you must do so in writing and your objection must be **postmarked** by **January 2, 2024**. Your objection and any supporting papers must (a) clearly identify the case name and number (*Mayheu et al. v. Chick-fil-A Inc.*, Superior Court of Fulton County, Georgia, Case No. 2022CV365400); (b) be filed with the Court; and (c) be submitted to the Class Action Settlement Administrator at the following address:

Chick-fil-A Delivery, Inc. Fee Settlement Objections
P.O. Box 2237
Portland, OR 97208-2237

Written objections must include:

- Your full name, address and telephone number;
- A written statement of all grounds for the objection accompanied by any legal support for the objection (if any);
- Copies of any papers, briefs or other documents upon which the objection is based;
- A list of all persons who will be called to testify in support of the objection (if any);
- A statement of whether you intend to appear at the Fairness Hearing;
- Proof of membership in the Settlement Class;
- A list of all objections filed by you, the objector and your lawyer to any and all class action settlements in the last ten years; and
- Your signature and the signature of your lawyer, if any.

If you file a timely objection it will be considered by the Court at the Fairness Hearing. You do not need to attend the Fairness Hearing for the Court to consider your objection.

If you do not submit a written objection in accordance with the deadline and procedure set forth above, you will waive your right to be heard at the Fairness Hearing.

16. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you do not agree with something about the 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 cannot object because you are no longer part of the lawsuit.

YOUR RIGHTS – APPEARING AT THE FAIRNESS HEARING

The Court will hold a “Fairness Hearing” to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to.

Questions? Call 1-877-764-4957 or visit www.DeliveryOrderSettlement.com.

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

The Court will hold a Fairness Hearing at **10:00 a.m. on February 29, 2024**, at the Superior Court of Fulton County, Georgia, located at 185 Central Ave, S.W., Atlanta, Georgia 30303, in Courtroom 5E.

At the hearing, the Court will hear any comments, objections, and arguments concerning the fairness of the proposed Settlement, including the amount requested by Class Counsel for attorneys' fees and costs. If there are objections, the Court will consider them. You do not need to attend this hearing. You also do not need to attend to have a comment or objection considered by the Court. After the hearing, the Court will decide whether to approve the Settlement. It is unknown how long these decisions will take.

Note: The date and time of the Fairness Hearing are subject to change by Court Order. Any change will be posted at www.DeliveryOrderSettlement.com. You should check this website to confirm that the date and/or time have not changed.

18. Do I have to attend the Fairness Hearing?

No. Class Counsel will answer all questions the Court may have. But, you are welcome to attend the hearing at your own expense. If you submit an objection, you do not have to attend the hearing to talk about your objection. As long as you filed your written objection by the deadline, the Judge will consider it. You may also pay your own lawyer to attend, but it is not necessary.

19. May I speak at the Fairness Hearing?

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

If you want to appear, or if you want your own lawyer instead of Class Counsel to speak for you in this lawsuit, you must include in your objection a statement of whether you intend to appear at the Fairness Hearing. You must also provide all other information required to object to the Settlement (Question 15 above).

YOUR RIGHTS – DO NOTHING

20. What happens if I do nothing at all?

If you do nothing, you will be part of the Settlement Class, and you will not get a Cash Settlement Award or a Gift Card Settlement Award from the Settlement. Unless you exclude yourself, you will not be permitted to continue to assert Released Claims in any other lawsuit against Chick-fil-A about the legal issues in this case, ever again.

GETTING MORE INFORMATION

21. Are there more details available about the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at www.DeliveryOrderSettlement.com, or by contacting Class Counsel at the address listed in response to Question 11 above.

22. How do I get more information?

You can call toll-free 1-877-764-4957; write to Chick-fil-A Delivery Fee Settlement, P.O. Box 2237, Portland, OR 97208-2237; or go to www.DeliveryOrderSettlement.com, where you will find answers to common questions about the Settlement, the Settlement Agreement, the Motion for Preliminary Approval and Class Counsel's request for attorneys' fees and expenses (once it is filed), and other important documents in the case.

**PLEASE DO NOT CONTACT THE COURT OR THE COURT CLERK'S OFFICE
REGARDING THIS NOTICE.**

Questions? Call 1-877-764-4957 or visit www.DeliveryOrderSettlement.com.