

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

**If you purchased Ultra Fast Keto Boost, Instant Keto, or InstaKeto Products,
you may be part of a class action settlement.**

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

- A Settlement has been reached in a class action lawsuit to resolve allegations against Richard Nelson, The Fulfillment Lab, Inc., David Flynn, Rickie Joe James, Bmor Global LLC, Brightree Holdings Corp., and Beyond Global, Inc. (the “Settling Defendants”), relating to Ultra Fast Keto Boost, Instant Keto, and InstaKeto diet products (the “Keto Products”). The suit alleges that the marketing of the Keto Products was false or misleading to consumers, and the Settling Defendants were involved in selling these products or assisting in the sale of those products. The Settling Defendants deny these allegations but have settled this case to avoid further litigation and distraction of resources from their business.
- The Settlement provides for a payment by the Settling Defendants of \$200,000, in addition to providing cooperation in an ongoing lawsuit in Florida against other defendants. The Florida lawsuit is titled *Sihler et al. v. Global E-Trading, LLC (d/b/a Chargebacks911) et al.*, No. 8:23-cv-1450 (M.D. Fla.). The Class Representatives and Class Counsel are continuing to pursue a monetary recovery against those Defendants, and you may receive a separate notice in that lawsuit. The settlement in this case provides for injunctive relief against two of the Defendants. The Settlement streamlines what would otherwise be a longer trial with a likelihood that the Settling Defendants would have no remaining assets available to compensate the Class after that trial.
- The Settlement’s Monetary Payment will be applied to the costs of notice, expenses, incentive awards to the class representatives, and attorneys’ fees.
- Your legal rights are affected whether or not you act. ***Please read this notice carefully.***

YOUR RIGHTS AND CHOICES		DEADLINE
Exclude Yourself	Keep any right to file your own lawsuit against Defendant about the legal claims in this case.	Submit an Exclusion: Postmarked by October 29, 2025, or November 5, 2025 by submitting online
Object	Tell the Court why you don’t like the Settlement. You will still be bound by the Settlement if the Court approves.	Deadline to file an Objection: Postmarked by October 29, 2025, or November 5, 2025 by filing on the docket
Attend A Hearing	Ask to speak to the Court about the fairness of the Settlement.	Deadline to file a Notice of Appearance: Postmarked by November 5, 2025, or November 12, 2025 by filing on the docket
Do Nothing	Give up legal rights.	

- 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.

Questions? Call 1-888-680-9759, or visit www.KetoPillsLawsuit.com.

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BASIC INFORMATION

1. Why should I read this Notice?

If you were billed for shipments of either three bottles or five bottles of Ultrafast Keto Boost, InstaKeto, or Instant Keto between August 6, 2016 and June 18, 2025, you are a member of a Settlement Class.

This Notice explains the class action lawsuit, the proposed Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get the benefits.

The Court in charge of this case is the United States District Court for the Southern District of California. The lawsuit is known as *Sihler et al v. The Fulfillment Lab, Inc., et al*, Case No. 3:20-cv- 01528-LL-DDL. You may obtain additional updates on the status of the case by contacting Class Counsel (listed in Question 8 below), going to www.KetoPillsLawsuit.com or viewing case information through the Court's system at www.Pacer.gov.

2. What is this lawsuit about?

This lawsuit is about whether Keto Products were marketed in a false or misleading way. "Keto Products" is a defined term under the Settlement Agreement, meaning "any product manufactured, marketed, sold, or otherwise promoted under the Ultra Fast Keto Boost, Instant Keto, or InstaKeto brand names." The suit alleges that Settling Defendants were involved in selling these products or assisting in the sale of those products. Defendants deny that they did anything wrong. This Settlement is not an admission of any liability. The Court has not decided who is right.

3. Why is the lawsuit a class action?

In a class action lawsuit, one or more people called "Class Representatives" sue on behalf of other people who have similar claims. The people together are a "Class" or "Class Members." The people who sue – and all the Class Members like them – are called the "Plaintiffs." The individuals and companies the Plaintiffs sued are called the "Defendants." The court resolves the issues for everyone in the Class – except for those people who choose to exclude themselves from the Class. U.S. District Judge Linda Lopez is in charge of this class action.

4. Why is there a Settlement?

The Court did not decide in favor of Plaintiffs or Defendant. Instead, both sides agreed to a settlement. By agreeing to settle, both sides avoid the cost and risk of a full trial and the Plaintiffs obtain cooperation in the form of evidence that may be used against other Defendants in another pending class action lawsuit in Florida. The goal is to obtain compensation for the Class in that separate class action lawsuit. The Class Representatives and their attorneys believe the Settlement is best for the Settlement Class and its members.

WHO IS IN THE SETTLEMENT?

To see if you are eligible for benefits, you first have to determine if you are a Class Member.

5. Am I part of the Settlement?

You are a Class Member if you were billed for Keto Products between August 6, 2016 and June 18, 2025.

Excluded from the Settlement are: (i) jurists and mediators who are or have presided over the Action, Plaintiff's Counsel and Defendants' Counsel, their employees, legal representatives, heirs, successors, assigns, or any members of their immediate family; (ii) any government entity; (iii) the Settling Defendants and any entity in which the Settling Defendants have a controlling interest, any of their subsidiaries, parents, affiliates, and officers, directors, employees, legal representatives, heirs, successors, or assigns, or any members of their immediate family; and (iv) any persons who timely opt out of the Settlement Class.

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THE SETTLEMENT BENEFITS – WHAT YOU GET

6. What does the Settlement provide?

The Settlement does not provide monetary payment to Class Members. Class notice and claim administration expenses, Plaintiffs' Counsel's attorneys' fees and expenses and any service award to the Class Representatives (discussed below) will be paid out of the Settlement Fund, if approved by the Court. The Settlement provides injunctive relief against two of the Defendants, and requires evidentiary cooperation from the remaining Defendants on behalf of the class in litigation pending in Florida.

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

Unless you exclude yourself ("opt out") from the Settlement Class by timely submitting an Exclusion Request (see Questions 13-14 below), you will remain in the Settlement Class. By remaining in the Settlement Class, you "release" and can't sue, continue to sue, or be part of any other lawsuit against the Settling Defendants about the "Released Claims" in this case. These Released Claims are only those claims that you could have brought based on the identical factual predicate of those claims brought in this case about the alleged misleading marketing and labeling of Keto Products between August 6, 2016 and June 18, 2025. Whether you opt out or remain in this Settlement Class does not affect your participation in the related Florida case *Sihler et al. v. Global E-Trading, LLC (d/b/a Chargebacks911) et al.*, No. 8:23-cv-1450 (M.D. Fla.).

The Settlement Agreement at Section VIII (titled "Releases") describes these "Released Claims" and the "Released Parties" in necessary legal terminology, so read these sections carefully. For ease of reference, the full release section of the Settlement Agreement is attached to this Notice as Appendix A. The Settlement Agreement is available at www.KetoPillsLawsuit.com or in the public court records on file in this lawsuit. For questions regarding the Releases or what they mean, you can also talk to one of the lawyers listed in Question 8 below for free, or you can talk to your own lawyer at your own expense.

THE LAWYERS REPRESENTING YOU

8. Do I have lawyers in this case?

The Court has appointed attorneys from the law firm Kneupper & Covey, PC of Huntington Beach, CA, to represent you and the other 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:
 Kevin Kneupper
 Cyclone Covey
 KNEUPPER & COVEY, PC
 17011 Beach Blvd., Ste. 900
 Huntington Beach, CA 92647-5998
 Tel: 657-845-3100
 Email: cyclone@kneuppercovey.com
 Website: www.kneuppercovey.com

9. How will the lawyers be paid?

Class Counsel will ask the Court for an award of the costs of notice, expenses, incentive awards to the class representatives, and attorney's fees; this request (or motion) will be posted on the Settlement Website at www.KetoPillsLawsuit.com no later than October 5, 2025. Plaintiffs expect that this will exceed the \$200,000 settlement amount. Any award of attorney's fees and costs will be paid from the Settlement Fund. Class Counsel

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will also ask the Court for a service award for the Class Representative. The purpose of the service awards is to compensate the Plaintiffs for their time, efforts and risks taken on behalf of the Settlement Class. Any award of payment to the Class Representative will be paid from the Settlement Fund.

YOUR RIGHTS – EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want a Monetary Payment but want to keep the right to sue or continue to sue the Settling Defendants on your own, on the basis of the legal issues in this case, then you must take steps to exclude yourself from the Settlement (get out of the Settlement). This is called "excluding yourself"— or is sometimes referred to as "opting out" of the settlement class.

10. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a "Request for Exclusion" in the form of a letter or Request for Exclusion form stating that you want to be excluded from *Sihler et al. v. The Fulfillment Lab, Inc., et al.*, Case No. 3:20-cv-01528-LL-DDL. Be sure to include your name, address, telephone number, and basis upon which you are a Class Member. You must mail your Request for Exclusion postmarked by October 29, 2025 to: Keto Products Class Action Administrator, P.O. Box 2437, Portland, OR 97208-2437. Request for Exclusion forms can be obtained online at www.KetoPillsLawsuit.com. A request for exclusion may also be submitted online at the Settlement Website no later than November 5, 2025.

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

11. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, you cannot receive Monetary Payments. However, you may sue, continue to sue, or be part of a different lawsuit against the Settling Defendants about the legal issues in this case.

YOUR RIGHTS – OBJECTING TO THE SETTLEMENT

You can tell the Court that you don't agree with the Settlement or some part of it.

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

If you're a Class Member, you can object to the Settlement if you don't like 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 can't ask the Court to order a different Settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no settlement awards will be sent out and the lawsuit will continue. If that is what you want to happen, you must object.

To object, you must send a letter. Be sure to include the following information:

- a. The case name and number (*Sihler et al. v. The Fulfillment Lab, Inc., et al.*, Case No. 3:20-cv- 01528-LL-DDL);
- b. Your name, address, telephone number and, if represented by counsel, the name, address, and telephone number of your counsel;
- c. A statement under oath that you are a Class Member;
- d. A statement whether you intend to appear at the Final Approval Hearing, either in person or through counsel;
- e. A statement of all your objections and the specific grounds supporting your objections;
- f. A statement whether the objection applies only to you, to a specific subset of the Settlement Class, or to the entire Settlement Class;
- g. Copies of any papers, briefs, or other documents upon which your objection is based; and
- h. Your handwritten, dated signature (the signature of your counsel, an electronic signature, and the annotation "/s/" or similar annotation will not suffice).

Questions? Call 1-888-680-9759, or visit www.KetoPillsLawsuit.com.

Your objection must be submitted to the Court and served on Class Counsel and Defendant's Counsel to the following addresses either by mailing it with a postmark no later than **October 29, 2025** to each of the three addresses, or filing it on the docket or in person at the United States District Court for the Southern District of California no later than **November 5, 2025**:

<u>Court:</u> Clerk of Court United States District Court, Southern District of California 333 West Broadway, Ste. 420 San Diego, CA 92101	<u>Class Counsel:</u> Kevin Kneupper Cyclone Covey Kneupper & Covey PC 17011 Beach Blvd., Ste. 900 Huntington Beach, CA 92647	<u>Defense Counsel:</u> Robert Knaier 402 W Broadway, Suite 1400 San Diego, CA 92101
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If you timely file an objection it will be considered by the Court at the Final Approval Hearing. You do not need to attend the Final Approval Hearing for the Court to consider your objection.

The Court will require substantial compliance with these requirements above. 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 Final Approval Hearing. However, the Court may excuse your failure to file a written objection upon a showing of good cause, which, if granted, would permit you to still appear at the Final Approval Hearing and object to the Settlement.

13. What's the difference between objecting and asking to be excluded?

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

YOUR RIGHTS – APPEARING AT THE FINAL APPROVAL HEARING

The Court will hold a "Final Approval Hearing" to decide whether to approve the Settlement. You may attend and you may ask to speak, but you don't have to.

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

The Court will hold a Final Approval Hearing on November 19, 2025 at 10:30 a.m. Pacific Time, at the United States District Court for the Southern District of California, 333 West Broadway, Ste. 420, San Diego, CA 92101.

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 attorney's fees and expenses. 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. We do not know how long these decisions will take.

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

15. Do I have to attend the Final Approval Hearing?

No. Class Counsel will answer all questions Judge Lopez may have. 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.

16. May I speak at the Final Approval Hearing?

As long as you do not exclude yourself, you can (but do not have to) participate and speak for yourself in this lawsuit and 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.

Questions? Call 1-888-680-9759, or visit www.KetoPillsLawsuit.com.

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 send a letter saying that it is your “Notice of Intention to Appear in *Sihler et al. v. The Fulfillment Lab, Inc. et al.*, Case No. 3:20-cv-01528-LL DDL.” Be sure to include your name, address, telephone number, and your signature. Your Notice of Intention to Appear must be postmarked by November 5, 2025, and sent to the Clerk of Court at the address listed in Question 12. You may also file it in person at the address listed in Question 12 for the Clerk of Court by **November 12, 2025**.

If you want to speak at the Final Approval Hearing without having followed these procedures, you may do so if you demonstrate good cause to the Court.

YOUR RIGHTS – DO NOTHING

17. What happens if I do nothing at all?

If you do nothing, you’ll be part of the Settlement Class. Unless you exclude yourself, you will not be permitted to continue to assert Released Claims in any other lawsuit against the Settling Defendants about the legal issues in this case, ever again.

GETTING MORE INFORMATION

18. Are there more details 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.KetoPillsLawsuit.com, or by contacting Class Counsel by email or telephone at the address or number listed in response to Question 8 above.

19. How do I get more information?

You can call toll-free 1-888-680-9759, write to Keto Products Class Action Administrator, P.O. Box 2437, Portland, OR 97208-2437; or go to www.KetoPillsLawsuit.com, where you will find answers to common questions about the Settlement, a Claim Form, motions for approval of the Settlement and Class Counsel’s request for attorneys’ fees and expenses, and other important documents in the case.

You can also access information about this case through the Court’s Public Access to Court Electronic Records (PACER) system. To learn about PACER and register for a PACER account, go to <https://www.Pacer.gov/>. Once you have a PACER account, you can access and retrieve documents from the Court’s docket for the Action at <https://ecf.casd.uscourts.gov/>. You can also access and retrieve documents from the Court’s docket by visiting the Clerk’s Office located at United States District Court for the Southern District of California, 333 West Broadway, Ste. 420, San Diego, CA 92101, during business hours.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT’S CLERK TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.