

**IF YOU PURCHASED CELEBRATIONS PASSPORT IN CALIFORNIA AND INCURRED AT LEAST ONE AUTOMATIC RENEWAL CHARGE THAT WAS NOT FULLY REFUNDED, YOU MAY BE ENTITLED TO A PAYMENT FROM A CLASS ACTION SETTLEMENT.**

*A federal court authorized this Class Notice. You are not being sued. This is not a solicitation from a lawyer.*

- A Settlement has been reached in a class action lawsuit claiming that 800-Flowers, Inc. automatically charged annual renewal fees for its Celebrations Passport customer loyalty program in violation of California’s Automatic Renewal Law (“ARL”). The capitalized terms used herein are defined in the Settlement Agreement.
- You are included in the Settlement if you purchased Celebrations Passport in California on or after September 7, 2019, through May 31, 2022, and you incurred at least one automatic renewal charge for Celebrations Passport that was not fully refunded.
- Settlement Class Members will automatically be sent a cash payment of **\$6.91-\$6.99** via Zelle, or, if Zelle is unavailable, via an electronic MasterCard gift card sent to that same email address.
- Please read this Class Notice carefully. Your legal rights are affected whether you act or don’t act.

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>DO NOTHING</b>	If you receive an Email Notice, your Settlement Shares shall be paid by default to a Zelle account linked to the email address the Settlement Class Member most recently used to renew Celebrations Passport, or, if Zelle is unavailable, via an electronic MasterCard gift card sent to that same email address. If you receive a notice by post card you will receive a paper check sent to the address to which the post card was sent. <b>–and–</b> Regardless of whether you received a notice in the mail or by email, you will give up your rights to sue Defendant for the claims made in this case and resolved by the Settlement if you do nothing.
<b>EXCLUDE YOURSELF</b>	If you exclude yourself from the Settlement, you will not receive a Settlement Share, but you will retain any rights you currently have to sue Defendant for the claims made in this case and resolved by the Settlement.
<b>OBJECT</b>	Write to the Court explaining why you don’t like the Settlement.
<b>GO TO THE HEARING</b>	Ask to speak in Court about your opinion of the Settlement.

These rights and options—**and the deadlines to exercise them**—are explained in this Class Notice.

## BASIC INFORMATION

### 1. Why was this notice issued?

A Court authorized this Class Notice because you have a right to know about a proposed Settlement of this class action lawsuit and about all of your options, before the Court decides whether to give Final Approval to the Settlement. This Class Notice explains the lawsuit, the Settlement, and your legal rights.

The United States District Court for the Central District of California is overseeing this case, known as *Paiz, et al. v. 800-Flowers, Inc.*, Case No. 2:23-cv-07441-AB-PVC (C.D. Cal.). Tessible “Skyler” Foster, Marie Scott, and Krista Baumbach are called the Plaintiffs. The Defendant is 800-Flowers, Inc. The Plaintiffs and Defendant are referred to collectively as the “Parties.”

### 2. What is a class action?

In a class action, one or more people called class representatives (in this case, Tessible “Skyler” Foster, Marie Scott, and Krista Baumbach) sue on behalf of a group or a “class” of people who have similar claims. In a class action, the court resolves the issues for all members of the class, except for those who exclude themselves from the class.

### 3. What is this lawsuit about?

This lawsuit claims that Defendant automatically charged annual renewal fees for its Celebrations Passport customer loyalty program in violation of California’s Automatic Renewal Law (“ARL”). Defendant denies that it violated any law.

The Court has not determined who is right. Rather, the Parties have agreed to settle the lawsuit to avoid the uncertainties and expenses associated with ongoing litigation.

### 4. Why is there a Settlement?

The Court has not decided whether Plaintiffs or Defendant should win this case. Instead, both sides have agreed to the Settlement to avoid the uncertainties and expenses associated with ongoing litigation, enabling Settlement Class Members to receive compensation in a timely manner.

## WHO’S INCLUDED IN THE SETTLEMENT?

### 5. How do I know if I am in the Settlement Class?

The Court decided that everyone who fits this description is a member of the **Settlement Class**:

All Persons who purchased Celebrations Passport in California from September 7, 2019, through May 31, 2022, and who incurred at least one automatic renewal charge for Celebrations Passport that was not fully refunded.

If you received a Class Notice in the mail or by email, the Settlement Administrator has identified you as being a Settlement Class Member.

## THE SETTLEMENT BENEFITS

### 6. What does the Settlement provide?

The Parties believe there are approximately 112,000 email addresses reflecting accounts in the Settlement Class. Defendant has agreed to pay one million two hundred thousand dollars and 00/100 (\$1,200,000.00) to a Common Fund. If the Court grants Final Approval to the Settlement, you will automatically receive a Settlement Share paid by default to a Zelle account linked to the email address the Settlement Class Member most recently used to renew Celebrations Passport, or, if Zelle is unavailable, via an electronic MasterCard gift card sent to that same email address, or you can opt to receive a paper check. The Parties have agreed to an Attorneys' Fee Award (up to \$300,000) to Class Counsel and Service Awards of \$2,500 to each of the three class representatives, and reimbursement of reasonable litigation costs which will also be paid from the Common Fund. The estimated payment of \$6.91-\$6.99 assumes that the Court will award an Attorneys' Fee Award and Service Awards in full, and reimbursement of reasonable litigation costs.

### 7. When will I get my payment?

Settlement Shares will be paid after the Court grants Final Approval of the Settlement and/or after any timely-filed appeals brought by timely-objecting Settlement Class Members have been resolved in favor of the Settlement. The Final Approval Hearing for the Settlement is scheduled for January 31, 2025, at 1:30 p.m. Settlement Class Members will receive a payment automatically by electronic transfer or paper check as discussed in the answer to Question 8.

## HOW TO GET A PAYMENT

### 8. How do I get a Settlement payment?

You do not need to do anything to receive a Settlement Share.

If you received an Email Notice, you shall be paid your Settlement Share by default to a Zelle account linked to the email address you most recently used to renew Celebrations Passport, or, if Zelle is unavailable, via an electronic MasterCard gift card sent to that same email address. If you would prefer to receive your Settlement Share by paper check instead of electronic transfer, you may visit the Settlement Website at [www.CARLPSettlement.com](http://www.CARLPSettlement.com) to request that a paper check be sent to a mailing address in the United States which you designate. To access the Settlement Website, you will need to input your name and the email address at which you received Email Notice.

If you received a Post Card Notice in the mail, you will automatically receive a paper check which will be mailed to the same address at which the Post Card Notice was sent. However, if your name and/or address changes before Settlement Shares are issued, you should submit the form attached to your Post Card Notice with your updated information or update your address on the Settlement Website, [www.CARLPSettlement.com](http://www.CARLPSettlement.com). If you would instead like to receive your Settlement Share via electronic transfer, submit an electronic payment request via the Settlement Website, [www.CARLPSettlement.com](http://www.CARLPSettlement.com).

All change of address requests, paper check requests, and electronic deposit requests must be submitted via the Settlement Website, [www.CARLPSettlement.com](http://www.CARLPSettlement.com) no later than ten (10) days prior to the Settlement Administrator's disbursement of Settlement Shares, which will be no earlier than April 14, 2025.

## REMAINING IN THE SETTLEMENT CLASS

### 9. What am I giving up if I stay in the Settlement Class?

If the Settlement becomes final, you will give up your right to sue Defendant and certain entities related to the Defendant for the claims being resolved by this Settlement. The specific claims you are giving up against Defendant are described in Section X of the Settlement Agreement. You will be “releasing” Defendant and certain entities related to Defendant for claims arising from or relating to the automatic renewal of your Celebrations Passport membership. Unless you exclude yourself (*see* Question 13), you are “releasing” these claims against these entities, regardless of whether you receive a Settlement Share. The Settlement Agreement is available through the “Court Documents” link on the Settlement Website.

The Settlement Agreement describes the Released Claims in greater detail, so read it carefully. If you have any questions, you can talk to Class Counsel for free, or you can, of course, talk to your own lawyer if you have questions about what this means.

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

If you do nothing, you won’t be able to start a lawsuit or be part of any other lawsuit against Defendant or other related entities for the claims being resolved by this Settlement and released by the Settlement Agreement. If you received an Email Notice, you will receive a Settlement Shares paid by default to a Zelle account linked to the email address the Settlement Class Member most recently used to renew Celebrations Passport, or, if Zelle is unavailable, via an electronic MasterCard gift card sent to that same email address. If you received a Post Card Notice in the mail, you will receive a paper check mailed to the same address indicated in the Post Card Notice (unless an updated address is submitted, *see* answer to Question 8 above).

## THE ATTORNEYS REPRESENTING YOU

### 11. Do I have an attorney in the case?

The following attorney represents the Settlement Class:

Frank S. Hedin  
HEDIN LLP  
535 Mission Street, 14th Floor  
San Francisco, California 94105  
(305) 357-2107  
[fhedin@hedinllp.com](mailto:fhedin@hedinllp.com)

He is called Class Counsel. Class Counsel believes, after conducting an extensive investigation, that the Settlement is fair, reasonable, and in the best interests of the Settlement Class. You will not be charged for this attorney. If you want to be represented by your own attorney in this case, you may hire one at your own expense.

### 12. How will the attorneys be paid?

Subject to Court approval, Class Counsel will seek \$300,000 for attorneys’ fees for investigating the facts, litigating the case, and negotiating the Settlement in this matter, the reimbursement of reasonable litigation costs,

as well as \$2,500 to each class representative (for a collective Service Award amount of up to \$7,500) in recognition of the class representatives' assistance in helping to investigate, assert, and resolve the claims in this case. The Court may award less than these amounts. Under the Settlement Agreement, any Attorneys' Fee Award to Class Counsel and Service Award to class representatives will be paid from the Common Fund.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

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

To exclude yourself from the Settlement, you must mail or submit a request for exclusion on the Settlement Website, [www.CARLPSettlement.com](http://www.CARLPSettlement.com). Your request for exclusion must include your: (1) full name; (2) current address, current telephone number, and email address(es) which you used in connection with your Celebrations Passport membership; and (3) a statement that indicates you desire to be excluded from the Settlement Class; and (4) it must be signed (or electronically signed) by you.

Your request for exclusion must be submitted online or post-marked no later than December 23, 2024. Requests for exclusion sent by mail should be sent to:

Celebrations Passport Autorenewal Class Action Settlement Administrator  
c/o Kroll Settlement Administration, LLC  
P.O. Box 225391  
New York, NY 10150-5391

### 14. If I don't exclude myself, can I sue Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Defendant and certain related entities for the Released Claims being resolved by this Settlement.

### 15. If I exclude myself, can I receive a cash payment from this Settlement?

No. If you exclude yourself, you will not receive a cash payment from the Settlement.

## OBJECTING TO THE SETTLEMENT

### 16. How do I object to the Settlement?

If you are a Settlement Class Member, you can ask the Court to deny approval of the Settlement (and/or object to Class Counsel's request for an Attorneys' Fee Award or the class representatives' requests for Service Awards) by filing an objection. You cannot ask the Court to order a different settlement; the Court can only approve or reject the Settlement. If the Court denies final approval of the Settlement, no Settlement Share payment will be sent out and the lawsuit will continue. If that is what you want to happen, you must object.

Any objection to the proposed Settlement must be in writing, signed, and filed with the Court (or mailed to the Clerk of the Court at the address below) and must identify the case name and number (*Paiz, et al. v. 800-Flowers, Inc.*, Case No. 2:23-cv-07441-AB-PVC) and a statement of all objections to the Settlement and the legal and factual basis for each objection. The objection should include your (1) full name; (2) your current address, current telephone number, and current email address; and (3) the name and contact information of any and all attorneys representing, advising, or in any way assisting the objector in connection with the preparation or submission of the objection or who may profit from the pursuit of the objection; (4) a statement indicating whether you intend

to appear at the Final Approval Hearing (either personally or through counsel who files an appearance with the Court in accordance with the Local Rules); (5) a statement of all objections to the Settlement and the legal and factual basis for each objection; (6) any and all agreements that relate to the objection or the process of objecting—whether written or oral—between you or your counsel and any other person or entity; (7) the number of times in which the you, your counsel, and/or your counsel’s law firm have objected to a class action settlement within the five (5) years preceding the date of the filed objection, the caption of each case in which you, your counsel, and/or your counsel’s law firm has made such objection and a copy of any orders related to or ruling upon the objection, your counsel’s or your counsel’s law firm’s prior objections that were issued by the trial and appellate courts in each such case in which the you, your counsel, and/or your counsel’s law firm have objected to a class action settlement within the preceding five (5) years; and (8) your signature (an attorney’s signature is not sufficient). Any Settlement Class Member who fails to timely file with the Court a written objection shall not be permitted to object to the approval of the Settlement at the Final Approval Hearing.

Class Counsel will file with the Court and post on the Settlement Website, [www.CARLPSettlement.com](http://www.CARLPSettlement.com), its motion for an Attorneys’ Fee Award and for Service Awards to the class representatives by December 2, 2024.

If you want to appear and speak at the Final Approval Hearing to object to the Settlement, with or without a lawyer (explained below in answer to Question 20), you must say so in your objection letter or brief. You must either file the objection with the Court no later than December 23, 2024, or mail the objection to the Court, at the address below, post-marked no later than December 23, 2024.

<b>Court</b>
<i>Paiz, et al. v. 800-Flowers, Inc.</i> , Case No. 2:23-cv-07441-AB-PVC United States District Court for the Central District of California Clerk of the Court 350 West First Street, Suite 4311 Los Angeles, CA 90012

**17. What’s the difference between objecting to and excluding myself from the Settlement?**

Objecting simply means telling the Court that you do not like something about the Settlement. You can object only if you stay in (*i.e.*, do not exclude yourself from) 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 affects you, and you will not receive a Settlement Share.

## **THE COURT’S FINAL APPROVAL HEARING**

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

The Court will hold the Final Approval Hearing at 1:30 p.m. on January 31, 2025, in Courtroom 7B, First Street U.S. Courthouse, 350 West First Street, Los Angeles, CA 90012. The purpose of the hearing will be for the Court to determine whether to approve the Settlement as fair, reasonable, adequate, and in the best interests of the Class; to consider Class Counsel’s motion for an Attorneys’ Fee Award; and to consider the motion for Service Awards to the class representatives.

At the Final Approval Hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement and of the requested Attorneys’ Fee Award and Service Awards and reimbursement of reasonable litigation costs.

The Final Approval Hearing may be postponed to a different date or time without notice, so it is a good idea to check [www.CARLPSettlement.com](http://www.CARLPSettlement.com) for information on any changes to the date and time of the hearing. If you timely objected to the Settlement and advised the Court that you intend to appear and speak at the Final Approval Hearing, you will receive notice of any change in the date of such Final Approval Hearing.

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

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend the hearing at your own expense. If you send an objection or comment, you do not have to come to Court to talk about it. As long as you filed or mailed your written objection on time and it included everything listed in the answer to Question 16, the Court will consider it. You may also hire another lawyer to attend, but that is not required.

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

Yes. You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must include in your letter or brief objecting to the Settlement a statement saying that it is your “Notice of Intent to Appear in *Paiz, et al. v. 800-Flowers, Inc.*, Case No. 2:23-cv-07441-AB-PVC.” It must include your name, address, telephone number, and signature as well as the name and address of your lawyer, if one is appearing for you. Your objection and notice of intent to appear must be filed with the Court no later than December 23, 2024 (or mailed to the Court at the address listed in Question 16) and post-marked no later than December 23, 2024.

## GETTING MORE INFORMATION

**21. Where do I get more information?**

This Notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please review the Settlement Agreement available at [www.CARLPSettlement.com](http://www.CARLPSettlement.com), by contacting Class Counsel at Hedin LLP, 535 Mission Street, 14th Floor, San Francisco, California 94105; Telephone: (305) 357-2107, by accessing the Court docket in this case, for a fee, through the Court’s Public Access to Court Electronic Records (PACER) system at <https://ecf.cacd.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Central District of California at 350 West First Street, Suite 4311, Los Angeles, California 90012, between 9:00 a.m. and 4:00 p.m. PST, Monday through Friday, excluding Court holidays. PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.