

LEGAL NOTICE

YOU MAY BE ENTITLED TO A CASH BENEFIT IF YOU ARE A NEW JERSEY CITIZEN WHO, BETWEEN MARCH 1, 2020, AND THE PRESENT, PURCHASED A FINGER-STICK ANTIBODY BLOOD TEST FOR COVID-19 THAT WAS ADMINISTERED AND SOLD IN NEW JERSEY BY INFINITY DIAGNOSTICS LABORATORY, INC., OR ITS EMPLOYEES.

WHAT IS THIS NOTICE ABOUT? A lawsuit entitled Arabia, et al. v. Infinity Diagnostics Laboratory, Inc., Docket No. ATL-L-3962-20, was filed in the Superior Court of New Jersey, Atlantic County on behalf of all New Jersey citizens who purchased a finger-stick antibody blood test for COVID-19 that was administered and sold in New Jersey by Infinity Diagnostics Laboratory, Inc. (“Infinity”) or its employees between March 1, 2020, and the present. The lawsuit alleges that Infinity fraudulently sold and administered these finger-stick antibody blood tests as “rapid blood tests” capable of diagnosing active cases of COVID-19, despite the fact that the tests did not and could not diagnose COVID-19. The lawsuit seeks to obtain refunds for class members who paid money for such allegedly fraudulent tests. Infinity denies the claims and allegations asserted by Plaintiffs, denies any wrongdoing or liability to Plaintiffs and the class whatsoever, and maintains that it has fully complied with New Jersey law in all its dealings with Plaintiffs and the class. The parties nevertheless have agreed to settle the lawsuit on a class-wide basis, and the proposed class settlement has now been preliminarily approved by the Court.

WHY SHOULD I READ THIS NOTICE? You may be a member of the Class. This is a class action lawsuit that the parties have proposed to settle on a class-wide basis. If the proposed settlement is approved by the Court, your legal rights may be affected. This notice describes what the lawsuit is about, explains the terms of the proposed settlement, tells you who would be covered and what legal claims would be resolved by the settlement if the Court approves it, and explains how individuals can obtain benefits under the settlement.

AM I COVERED BY THIS CLASS ACTION LAWSUIT AND THE PROPOSED SETTLEMENT?

You are a Class member if you are a New Jersey citizen who purchased a finger-stick antibody blood test for COVID-19 that was administered and sold by Infinity or its employees in New Jersey between March 1, 2020, and the present. If you have any questions regarding whether you are a Class member, you can contact the Claims Administrator at 1-844-844-2992 or via email at info@infinitydiagnosticssettlement.com, or you may contact Class Counsel at 856-797-9951 or via e-mail at sdenittis@denittislaw.com. You can also obtain more information about the settlement by visiting the www.infinitydiagnosticssettlement.com or Class Counsel’s website www.denittislaw.com.

WHAT ARE THE TERMS OF THE SETTLEMENT?

Infinity has agreed to pay a benefit in the form of a cash award to each eligible Class Member who submits a timely, completed Claim Form, as follows: (i) a check for \$75 to Claimants who submit documentary proof (such as a payment receipt, a test result, or other record) that they received a COVID-19 finger-stick antibody blood test from Infinity; or (ii) a check for up to \$37.50 to Claimants who do not submit documentary proof of testing, but who certify that they received a COVID-19 finger-stick antibody blood test from Infinity; that amount may be reduced on a pro rata basis depending on the number of Claimants..

Infinity has also agreed to pay \$1,000.00 to each of the five Class Representatives as an Incentive Award to compensate them for their efforts in bringing this case. Also, Infinity has agreed to pay up to \$10,000.00 for costs of notice and administering the settlement, and up to \$100,000.00 to Class Counsel in attorney’s fees and litigation expenses, subject to court approval, for their time and expenses incurred in prosecuting

the case. All incentive awards, notice and administration costs, and attorney's fees and costs awarded will be paid separately by Infinity and will not reduce the benefit to you or any class member. The proposed settlement is intended to settle all claims against Infinity that arise in any way from Infinity's actions that are the subject of this lawsuit. By participating in this Settlement, each class member is releasing all such claims.

The foregoing is a summary of the basic settlement terms. The full settlement is set forth in a Settlement Agreement that can be viewed at www.infinitydiagnosticssettlement.com or www.denittislaw.com, or by contacting the Claims Administrator or Class Counsel at the below email address or telephone number.

WHAT ARE MY RIGHTS? If you are a member of the Class and wish to participate in the Settlement, you need to complete and submit a Claim Form on or before **February 12, 2022**.

If you do not wish to be a part of this Settlement, you may exclude yourself. If you do not exclude yourself, you will be bound by the Settlement and all Orders of the Court. As a result, you will no longer be able to sue or continue to sue Infinity about the claims in the lawsuit that are covered by the Settlement. To request exclusion, you must mail your request in writing, postmarked no later than December 31, 2021 to the Infinity Class Settlement Administrator – Attn: Exclusions at P.o.Box: 58220, Philadelphia, Pa 19102.

If you are a member of the Class and you wish to intervene or object to this Settlement, you must file an Objection with the Court. Your Objection must also be mailed, postage pre-paid, to the Infinity Class Settlement Administrator at the address listed above; to Class Counsel at DeNittis Osefchen Prince, P.C., 5 Greentree Centre, Suite 410, 525 Route 73 N., Marlton, NJ 08053; and to Defendant's Counsel at Shalom D. Stone, Stone Conroy, LLC, 25 Hanover Road, Suite 301, Florham Park, NJ 07932. Your Objection must be post-marked on or before **December 31, 2021** and contain: the name of the lawsuit; your full name, current address, and phone number; your signature; proof that you are in the Class; a specific statement of your intention to object to the Settlement; and the reasons you are objecting to the Settlement.

On January 21, 2022, at 2:30p.m., the Superior Court of New Jersey, Law Division, Atlantic County, the Honorable Stanley L. Bergman, Jr., J.S.C., Courtroom 3E or via Zoom by notice to be sent by the Court, Atlantic County Civil Courts Building, 1201 Bacharach Blvd., Atlantic City, New Jersey 08401, will hold a public hearing to determine whether the proposed settlement is fair, adequate, and reasonable and should be approved. Class members who support the proposed settlement do not need to appear at the hearing or take any other action to indicate their approval. Class members who object to the proposed settlement are not required to attend the settlement hearing. If you want to be heard orally in opposition to the settlement, either personally or through counsel, you must indicate your intention to appear at the hearing in your written objection.

HOW DO I GET MORE INFORMATION? Claim forms and further information about the settlement can be obtained by visiting www.infinitydiagnosticssettlement.com or www.denittislaw.com, by contacting the Claims Administrator at <1-844-844-2992> or by contacting Class Counsel at 856-797-9951 or sdenittis@denittislaw.com

PLEASE DO NOT WRITE OR TELEPHONE THE COURT FOR INFORMATION ABOUT THE PROPOSED SETTLEMENT OR THIS LAWSUIT.

Dated: November 2021