

If you purchased chocolate confectionary products in Canada between February 1, 2001 to December 31, 2008, your legal rights could be affected.

Court approval of class action settlements

Class action lawsuits have been initiated across Canada alleging that the Defendants conspired to fix prices of chocolate confectionary, including boxed chocolates, chocolate bars and seasonal novelties ("Chocolate Products"). The claim further alleges that the Defendant ITWAL Limited ("ITWAL") engaged in price maintenance.

The Defendants are: Cadbury Schweppes plc, Cadbury Adams Canada Inc., Mars, Incorporated, Mars Canada Inc. (formerly known as Effem Inc.), The Hershey Company, Hershey Canada Inc., Nestle S.A., Nestle Canada Inc., and ITWAL. With the exception of ITWAL, the Defendants are manufacturers of Chocolate Products. ITWAL operates a retail and foodservice wholesale distribution network, and was a major purchaser and distributor of Chocolate Products during the relevant period.

Cadbury Holdings Limited (as the successor to Cadbury Schweppes plc) and Cadbury Adams Canada Inc. ("Cadbury Adams", collectively "Cadbury"), and ITWAL have entered into separate settlements that will resolve the allegations and litigation against them in Canada. Neither Cadbury nor ITWAL admit any wrongdoing or liability. The settlements represent resolutions of disputed claims. The litigation is continuing against the remaining six Defendants.

Under the terms of the Cadbury Settlement Agreement, Cadbury has paid CDN \$5.7 million, plus pre-deposit interest in the amount of \$95,695.60, for the benefit of the Settlement Class Members. The settlement monies are being held in an interest bearing account for the benefit of Settlement Class Members. Under the terms of the ITWAL Settlement Agreement, ITWAL has agreed to assign to the Settlement Class any and all claims that it may have against the other Defendants in relation to any allegations asserted in the litigation. Cadbury Adams and ITWAL have agreed to provide cooperation to the Plaintiffs in pursuing their claims against the remaining Defendants.

The proceedings were certified for settlement purposes as against Cadbury and ITWAL. The Settlement Agreements were approved by the Ontario Court on [date], the British Columbia Court on [date], and the Quebec Court on [date].

If you have purchased Chocolate Products in Canada between February 1, 2001 to December 31, 2008, you should immediately review the full legal notice in this matter to ensure you understand your legal rights. Copies of the full legal notice and the Settlement Agreements can be viewed online at www.classaction.ca or can be obtained from Class Counsel at the addresses listed below.

Opting out or filing a claim

The deadline for opting-out (excluding oneself) of the proceedings has already passed. Settlement Class Members who have not validly opted-out will be bound by the settlements and any other settlements achieved and/or court orders issued in the proceedings.

The calculation and timing of the distribution of the Cadbury settlement funds will be determined by further order of the courts. Further notices will be published and posted online at www.classaction.ca advising Settlement Class Members of the process for filing a claim.

Additional information

The law firms of Siskinds LLP and Sutts, Strosberg LLP are available to speak with Settlement Class Members in Ontario, and in provinces other than British Columbia or Quebec, as well as corporations of more than 50 employees in Quebec. Siskinds LLP can be reached toll free at 1-800-461-6166 ext. 2455, by email at charles.wright@siskinds.com, or by mail at 680 Waterloo Street, London, Ontario N6A 3V8, Attention: Charles Wright. Sutts, Strosberg LLP can be reached toll free at 1-800-229-5323 ext. 8296, by email at harvey@strosbergco.com, or by mail at 600-251 Goyeau Street, Windsor, ON N9A 6V4, Attention: Harvey Strosberg.

The law firms of Camp Fiorante Matthews and Branch MacMaster are available to speak with Settlement Class Members in British Columbia. Camp Fiorante Matthews can be reached at 604-

689-7555, by email at jjcamp@cfmlawyers.ca, or by mail at 4th Floor, Randall Building, 555 West Georgia Street, Vancouver, BC V6B 1Z6, Attention: J.J. Camp. Branch MacMaster can be reached at 604-654-2966, by email at wbranch@branmac.com, or by mail at 1410-777 Hornby Street, Vancouver, BC V6Z 1S4, Attention: Ward Branch.

The law firm of Siskind Desmeules s.e.n.c.r.l. are available to speak with individuals and corporations of 50 or less employees who are Settlement Class Members in Quebec. Quebec Class Counsel can be reached at 418-694-2009, by email at simon.hebert@siskindsdesmeules.com, or by mail at Les promenades du Vieux-Quebec, 43 rue De Buade, bureau 320, Quebec City, QC G1R 4A2, Attention: Me Simon Hébert.

Class counsel fees

Class Counsel legal fees and disbursements have been approved by the courts. Class Counsel is entitled to legal fees in the amount of \$----, plus disbursements in the amount of \$----, and applicable taxes in the amount of \$----. Legal fees of this amount represent 25% of the Cadbury settlement funds, plus interest. Legal fees, disbursements and applicable taxes will be paid from the Cadbury settlement funds.

THIS NOTICE HAS BEEN AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE,
THE BRITISH COLUMBIA SUPREME COURT, AND THE SUPERIOR COURT OF QUEBEC