

For all third-party payors (“TPPs”) in the United States and its territories, that purchased, paid for, and/or reimbursed all or any portion of the price for Actos, ActosPlus MET, ActosPlus MET XR, Duetact, and/or Oseni, for five or more independent prescriptions, between July 1, 1999 and September 17, 2010, for purposes other than resale, a class action lawsuit may affect your rights.

A court authorized this notice. This is not a solicitation.

- A National Third-Party Payor (“TPP”) Class has been certified in a class action lawsuit against Defendant Takeda Pharmaceuticals USA, Inc. and its parent company Defendant Takeda Pharmaceutical Company Limited (jointly, “Takeda”) and Defendant Eli Lilly & Company (“Lilly”) (collectively, “Defendants”) regarding the drug Actos. The lawsuit claims that Defendants violated the Racketeer Influenced and Corrupt Organizations Act (“RICO”) by concealing Actos’ bladder cancer risk, leading TPPs to reimburse a significant number of claims that would not have been reimbursed if not for the fraud. Defendants deny they have done anything wrong. The Court has not decided who is right.
- All TPPs in the United States and its territories, that purchased, paid for, and/or reimbursed all or any portion of the price for Actos, ActosPlus MET, ActosPlus MET XR, Duetact, and/or Oseni, for five or more independent (i.e., non-refill) prescriptions, between July 1, 1999, and September 17, 2010, for purposes other than resale are included in the Class.
- Excluded from the Class are any TPPs that have released claims covered by this lawsuit.

Class Members’ legal rights are affected whether they act or not. Please read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS	
Do Nothing	Class Members who do nothing may be able to receive money and/or benefits that may be available from a trial or a settlement of the lawsuit and will not be able to sue the Defendants separately over the legal claims in this lawsuit and will be bound by any judgment.
Request to be Excluded	Class Members who ask to be excluded will keep any rights to sue the Defendants separately over the legal claims in this lawsuit. Class Members who ask to be excluded will <i>not</i> be able to receive money and/or benefits that may be available from a trial or a settlement of the lawsuit. The deadline to request to be excluded is April 6, 2026 .

- Class Members’ options are explained in this notice. To ask to be excluded, Class Members must act before **April 6, 2026**.
- There is no money available now, and no guarantee there will be. However, Class Members’ legal rights are affected, and Class Members have a choice to make now.

BASIC INFORMATION

1. Why was this notice issued?

A Court has established, or “certified,” this case as a class action lawsuit. A Court authorized this notice because Class Members have a right to know about this class action lawsuit and how it affects Class Members. This notice explains the lawsuit and Class Members’ legal rights.

U.S. District Court Judge John W. Holcomb of the U.S. District Court for the Central District of California is overseeing the case. The case is known as *Painters & Allied Trades Dist. Council 82 Health Care Fund v. Takeda Pharm. Co. Ltd.*, No. 2:17-cv-07223-JWH-AS (“the lawsuit”). The lawsuit involves purchases of Actos and Actos combination products in the United States and its territories. The TPP and consumers who sued are called the “plaintiffs,” and the companies they sued are called the “defendants,” which in this case are Takeda Pharmaceuticals USA, Inc. and its parent company Defendant Takeda Pharmaceutical Company Limited (jointly, “Takeda”) and Defendant Eli Lilly & Company (“Lilly”) (collectively, “Defendants”).

2. What is a class action?

In a class action, one or more people called “Plaintiffs” sue on behalf of people and/or entities who have similar claims. All these people and/or entities are a “class” or “class members.” One court resolves the issues for all class members, except for those who exclude themselves from the class.

The Court decided that claims in this lawsuit can proceed as a class action. More information about why the Court is allowing the litigation to proceed as a class action is in the Court’s Memorandum Opinion and Order on Motion for Class Certification, which is available at www.ActosClassAction.com.

3. Is there any money available now?

No. The Court has not decided whether the Defendants did anything wrong, or whether any Class Members are entitled to relief, so there is no money or benefits available to the Class and no guarantee that there ever will be. If money or benefits become available, Class Members may have to take other steps, such as submitting a claim form, in order to get their shares. If so, Class Members will be notified of any additional steps they must take. Class Members can stay informed of the progress of this case by visiting the website www.ActosClassAction.com or by calling 877-564-4250.

WHAT THE LAWSUIT IS ABOUT

4. What is this lawsuit about?

The lawsuit is regarding Defendants’ prescription drug Actos. The lawsuit claims that Defendants violated the Racketeer Influenced and Corrupt Organizations Act (“RICO”) by concealing Actos’ bladder cancer risk. Plaintiffs allege that Takeda and Lilly misled the FDA regarding Actos’ bladder cancer risk by generating false studies, manipulating study results, and controlling the messaging about Actos to conceal aspects of the drug’s mechanism that could have raised concerns. Plaintiffs also allege that Defendants misled prescribing physicians, consumers, and TPPs into believing that Actos did not create an increased risk of bladder cancer. Accordingly, Plaintiffs allege that TPPs reimbursed a

significant number of Actos claims that would not have been reimbursed but for the fraud. Defendants deny they have done anything wrong. The Court has not decided who is right. A copy of the Plaintiffs' Second Amended Class Action Complaint is available at www.ActosClassAction.com.

WHO IS IN THE CLASS

5. Who is a Class Member?

The Court certified the following Class: All TPPs in the United States and its territories, that purchased, paid for, and/or reimbursed all or any portion of the price for Actos, ActosPlus MET, ActosPlus MET XR, Duetact, and/or Oseni, for five or more independent prescriptions, between July 1, 1999, and September 17, 2010, for purposes other than resale are included in the Class.

Excluded from the Class are any TPPs that have released claims covered by this lawsuit.

Note: "independent" means non-refill prescriptions.

6. What is a Third-Party Payor ("TPP")?

TPPs (Third-Party Payors) are insurance companies, healthcare benefit providers, health maintenance organizations, union health and welfare plans, self-funded health and welfare plans, and any other health benefit provider and/or entity that contracts with a health insurance company or other entity to serve as a third-party claims administrator to administer their prescription drug benefits.

TPPs also include entities that may provide prescription drug benefits for current or former public employees and/or retirees and private entities that provide pharmacy benefits for a state Medicaid program or Medicare Part D, but only to the extent that the entity was at risk for the cost of the payment(s).

7. How do Class Members get more information if they are still not sure whether they are included in the Class?

Class Members can get more information at www.ActosClassAction.com, or by calling 877-564-4250.

YOUR RIGHTS AND OPTIONS

Class Members who do not want to be a part of the Class and want to keep the right to sue Defendants on their own about the legal issues in this lawsuit, must take steps to get out of the Class. This is called excluding yourself from – or "opting out" of – the Class.

8. What happens if a Class Member does nothing at all?

Class Members who do nothing will stay in the Class and will be legally bound by all the decisions that the Court makes, and if the Plaintiffs obtain money or benefits Class Members may be entitled to a share. Regardless of the outcome of the lawsuit, however, Class Members who do nothing, and thereby stay in the Class, will never be able to sue (or continue to sue) the Defendants about the legal claims in this lawsuit.

9. What happens if a Class Member requests to be excluded?

QUESTIONS? CALL 877-564-4250 OR VISIT WWW.ACTOSCLASSACTION.COM

Class Members who ask to be excluded will not be eligible to claim any of that money or those benefits and will not be legally bound by the Court’s judgments. Class Members who ask to be excluded will be able to sue (or continue to sue) the Defendants on their own about the legal claims that are involved in this lawsuit, now or in the future, assuming their claims are not time-barred or otherwise prohibited (Class Members should consult their own attorney to make such a determination).

EXCLUDING YOURSELF FROM THE CLASS

10. How do Class Members request to be excluded?

To request exclusion, Class Members must send a letter that includes the following information:

- The full name of your entity (including any predecessor entities from July 1, 1999, forward), FEIN, and address;
- A statement saying that your entity wants to be excluded from the Class in *Painters & Allied Trades Dist. Council 82 Health Care Fund v. Takeda Pharm. Co. Ltd.*, No. 2:17-cv-07223-JWH-AS;
- Your signature on behalf of the entity;
- If your entity claims to have authority to exclude a Class Member in a representative capacity, the request for exclusion must provide all information requested above for that Class Member and provide written evidence of your entity’s authority to exclude the Class Member in a representative capacity. For example, your entity must provide a list of all self-funded healthcare plans (“SFPs”) or other entities (if any), for which it is authorized to opt out of the Class, including the name and Employer Identification Number (“EIN”) of each entity on whose behalf your entity is authorized to act; and
- The amount of Actos and Actos combination products your entity (or the entity or entities you are authorized to act for) purchased during the period between July 1, 1999, and September 17, 2010. A list of relevant National Drug Codes (“NDCs”) associated with Actos to be used for this purpose is available at www.ActosClassAction.com.
- Your request for exclusion must also include a signed certification containing the following language:

The undersigned individual hereby represents that he/she has authority to sign and submit this notice of exclusion on behalf of the above-named entity falling within the definition of the Class. The undersigned also certifies that he/she has not received any advice from the parties to this litigation or their attorneys concerning his/her or the fiduciary obligations of the entity seeking exclusion from the Class under the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1100, et seq., or other laws governing their obligations to any class member. The undersigned understands that by submitting this notice of exclusion, the entity identified above will not be entitled to receive any proceeds of any potential future class settlement fund. By affixing my signature below, I certify under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

The Exclusion Request must be mailed, **postmarked** by **April 6, 2026**, to:

Actos Class Action Exclusions
PO Box 2118
Portland, OR 97208-2118

QUESTIONS? CALL 877-564-4250 OR VISIT WWW.ACTOSCLASSACTION.COM

THE LAWYERS REPRESENTING THE CLASS

11. Do Class Members have a lawyer in this case?

Yes. The Court appointed the following law firms to represent the Class as “Class Counsel.”

Class Counsel	Class Counsel
R. Brent Wisner, Esq. rbwisner@wisnerbaum.com Michael L. Baum, Esq. mbaum@wisnerbaum.com WISNER BAUM, LLP 11111 Santa Monica Blvd, Suite 1750 Los Angeles, CA 90025 Telephone: (310) 207-3233 Facsimile: (310) 820-7444	Christopher L. Coffin, Esq. ccoffin@pbclawfirm.com PENDLEY, BAUDIN & COFFIN, LLP 1100 Poydras Street, Suite 2505 New Orleans, LA 70163 Telephone: (504) 355-0086 Facsimile: (504) 355-0089

12. How will the lawyers be paid?

If Class Counsel obtains money or benefits for the Class, they may ask the Court for fees and expenses. Class Members do not have to pay for Class Counsel. If Class Members want to be represented by their own lawyer and have that lawyer appear in court in this case, Class Members may hire one at their own expense. If the Court grants their request, the fees and expenses will either be deducted from any money obtained for the Class or paid separately by the Defendants.

13. Can a Class Member hire their own lawyer?

Class Members are not required to hire their own lawyer because Class Counsel is working on their behalf. But if a Class Member wants to hire their own lawyer, they are entitled to retain one at their own expense.

A TRIAL

14. How and when will the Court decide who is right?

If the case is not dismissed or settled, the Plaintiffs will have to prove their claims at a trial. During the trial, the judge and/or jury will hear evidence to determine whether the Plaintiffs or the Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiffs will win any money or benefits for the Class.

15. Do Class Members have to come to the trial?

Class Members will not need to attend unless they choose to do so or are asked to attend by the Court. A Class Member and/or their own lawyer are welcome to attend, at your own expense. If a Class Member is interested in attending, please check the website or call the toll-free number and ask to be kept informed of the trial schedule.

16. Will Class Members get money after the trial?

If the Plaintiffs obtain money or benefits as a result of the trial, Class Members will be notified about how to submit a claim to participate. It is unknown how long this may take or if it will happen at all. Information will be posted on the website www.ActosClassAction.com if it becomes available.

GETTING MORE INFORMATION

17. Are more details available?

This Notice contains a summary of relevant Court papers. Please visit the website at www.ActosClassAction.com to find important court documents and additional information about this lawsuit. Class Members may also contact the Class Administrator by mail or phone using the following contact information:

Actos Class Action Administrator
PO Box 2118
Portland, OR 97208-2118
877-564-4250

**PLEASE DO NOT CONTACT THE COURT OR THE COURT CLERK'S OFFICE TO
INQUIRE ABOUT THIS CASE.**