

If you are a person or entity that resided, lived, worked, or maintained a place of business or charitable organization within the one-mile evacuation zone of the Winston Weaver facility on January 31, 2022, and sustained economic and/or nuisance-related damages caused by the fire and evacuation, excluding personal injury, a class action lawsuit may affect your rights.

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

- A class action lawsuit known as *Thomas et al. v. Winston Weaver Co. Inc.*, Case Nos. 22 CVS 929, and 22 CVS 683 is pending in the General Court of Justice, Superior Court Division, in the State of North Carolina, Forsyth County against Winston Weaver Co., Inc. (“Defendant”) arising out of an evacuation as a result of a fire. The lawsuit alleges damages resulting from Defendant’s negligence, negligence per se, gross negligence, private nuisance, and/or public nuisance which proximately caused the fire and subsequent evacuation.
- The class includes: All natural persons and entities (whether business or charitable) that resided, lived, worked, or maintained a place of business or charitable organization within the one-mile evacuation zone of the Winston Weaver facility on January 31, 2022, and sustained economic and/or nuisance-related damages caused by the fire and evacuation, excluding damages arising from personal injury.
- The Court has not decided who is right or wrong. There is no money available now, and no guarantee there will be. However, if you are a member of the class described above, your legal rights are affected, and you have a choice to make now.

This Notice may affect your rights. Please read this notice carefully.

Your Legal Rights and Options		Deadline
EXCLUDE YOURSELF	Get out of this lawsuit. Get no benefits if any are available in the future. Keep your right to sue separately. If you ask to be excluded from this lawsuit and money or benefits are later awarded, you will not receive any money or benefits. You will keep any right to file your own lawsuit or be part of any other lawsuit against Defendant at your own expense, and with your own lawyer about the same legal claims in this lawsuit.	Postmarked by: August 25, 2025
DO NOTHING	Stay in this lawsuit. Await the outcome. Give up the right to sue separately. By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. You will give up your right to sue Defendant separately about the same legal claims in this lawsuit. You will be bound by any future judgment in this lawsuit.	

- The Plaintiffs must prove their legal claims against the Defendant at trial. If you do not ask to be excluded from the lawsuit and money or benefits are obtained from the Defendant, you will be notified about how to receive your benefits.

Questions? Go to www.WinstonWeaverClassAction.com or call 1-877-960-3108

BASIC INFORMATION

1. What is this Notice about?

This Notice explains that the Court has allowed, or “certified,” a class action lawsuit that may affect you if you are a natural person or entity (whether business or charitable) that resided, lived, worked, or maintained a place of business or charitable organization within the one-mile evacuation zone of the Winston Weaver facility on January 31, 2022, and sustained economic and/or nuisance-related damages caused by the fire and evacuation, excluding damages arising from personal injury.

Judge Edwin G. Wilson, Jr. of the General Court of Justice, Superior Court Division in the State of North Carolina, Forsyth County is overseeing this lawsuit. The lawsuit is known as *Thomas et al. v. Winston Weaver Co, Inc.*, Case Nos. 22 CVS 929 and 22 CVS 683.

2. What is a class action?

In a class action, one or more people (called class representatives) sue on behalf of all people who have similar legal claims. Together, all these people are called a class or class members. One court resolves the issues for all class members, except for those class members who timely exclude themselves (opt-out) from the class.

The Class Representatives in this lawsuit are Plaintiffs Vanda Thomas, Stacy Wharton, Karen Prudencio, Arcola Lewis d/b/a Premier One Salon, and Sherman Transou.

THE LEGAL CLAIMS IN THE LAWSUIT

3. What happened at the Winston Weaver facility?

The Winston Weaver facility was a fertilizer plant in Winston-Salem, North Carolina. A fire occurred sometime before 8:00 PM on Jan. 31, 2022. That night, local authorities issued an evacuation notice for approximately 2,500 homes within a one-mile radius of the Winston Weaver facility due to possible explosion hazard. Approximately 6,500 people lived or worked within the evacuation zone. On Feb. 3, 2023, authorities reduced the evacuation zone from a one-mile radius to an eighth of a mile radius.

4. What is the lawsuit about?

Plaintiffs contend that they were subject to an evacuation as a result of the fire which caused damages including loss of the use and enjoyment of their real property; lost wages and lost profits as a result of being delayed and/or prevented from entering their homes, schools, factories, and stores; evacuation expenses, mental anguish and inconvenience; as well as other incidental and consequential damages arising from the incident. The lawsuit includes legal claims for Defendant’s negligence, negligence per se, gross negligence, private nuisance, and/or public nuisance which proximately caused the fire and subsequent evacuation.

The Defendant denies the legal claims and denies any wrongdoing or liability. No court or other judicial entity has made any judgment or other determination of any wrongdoing by the Defendant, or that any law has been violated.

5. Has the Court decided who is right?

The Court has not decided whether the Plaintiffs or Defendant is right. By establishing the class and providing this Notice, the Court has not decided and is not suggesting that Plaintiffs will win or lose this lawsuit. The parties have a chance to prove or disprove their legal claims and/or defenses. The Plaintiffs must prove their legal claims at a trial.

6. What are the Plaintiffs asking for?

The Plaintiffs are asking for money for the class members due to Defendant's alleged wrongdoings, as well as attorneys' fees and costs for Class Counsel.

7. Is there any money or benefits available now?

No money or benefits are available now. The Court has not decided whether Defendant did anything wrong, and Plaintiffs and Defendant have not settled the lawsuit. There is no guarantee money or benefits will be obtained in the future. You will be notified if money or benefits become available.

WHO IS IN THE CLASS

8. Am I part of the Class?

The class includes: All natural persons and entities (whether business or charitable) that resided, lived, worked, or maintained a place of business or charitable organization within the one-mile evacuation zone of the Winston Weaver facility on January 31, 2022, and sustained economic and/or nuisance-related damages caused by the fire and evacuation, excluding damages arising from personal injury.

9. Are there exceptions to being included in the class?

Yes. Excluded from the class are: 1) any person relying solely on personal injury damages; 2) Defendant, including any entity in which Defendant has a controlling interest, is a parent or subsidiary, or which is controlled by Defendant, as well as the officers, directors, employees, affiliates, legal representatives, heirs, predecessors, successors, and assigns of Defendant; 3) judges and court personnel in this lawsuit and any members of their immediate families; and 4) any person or entity that opts-out of this lawsuit.

10. What if I am still not sure if I am in the class?

If you are still not sure whether you are included in the class, you can get free help at www.WinstonWeaverClassAction.com, by calling 1-877-960-3108, or writing to the lawyers in this lawsuit, at the address listed below.

YOUR RIGHTS AND OPTIONS

You must decide whether to stay in the class or ask to be excluded (and keep your right to sue Defendant in your own separate lawsuit).

11. What happens if I do nothing at all?

You do not have to do anything now if you want to keep the possibility of getting money or benefits from this lawsuit in the future. By doing nothing you are staying in the class and if the Plaintiffs obtain money or benefits in the future, you will be notified about how to get your share. If you do

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nothing now, you will not be able to sue or continue to sue the Defendant—as part of any other lawsuit—about the same legal claims in this lawsuit. You will also be legally bound by the orders and judgments.

12. Why would I ask to be excluded?

If you want to sue the Defendant on your own regarding the same legal claims in this lawsuit, or already have your own lawsuit against the Defendant regarding the same legal claims in this lawsuit and you want to continue with it, you need to ask to be excluded from the class. If you exclude or remove yourself from the class—sometimes called “opting-out” of the class—you will not get any money or benefits from this lawsuit even if Plaintiffs win at trial or there is a settlement. However, you may be able to sue or continue to sue the Defendant on your own. If you exclude yourself, you will not be legally bound by the Court’s judgments in this class action lawsuit.

If you start your own lawsuit or continue with an existing lawsuit against the Defendant regarding the same legal claims in this lawsuit after you exclude yourself, you will have to hire your own lawyer(s) for that lawsuit, and you will have to prove your legal claims. If you do exclude yourself so you can start or continue your own lawsuit against the Defendant, you should talk to your own lawyer soon, because *your legal claims may be subject to a statute of limitations*, meaning that you may face a deadline after which you cannot sue.

13. How do I ask the Court to exclude me from the class?

To exclude yourself from the class, you must mail a written request for exclusion, which includes the following:

- 1) Your name, address, telephone number, and email address (if any);
- 2) Your personal physical signature; and
- 3) A statement that you want to be excluded from the class, such as “I hereby request to be excluded from the class in *Thomas et al. v. Winston Weaver Co., Inc.*”

The exclusion request must be **mailed** to the Notice Administrator at the following address, and be **postmarked by August 25, 2025**:

Thomas et al. v. Winston Weaver Co., Inc.
Notice Administrator
PO Box 5349
Portland, OR 97228-5349

You cannot opt-out (exclude yourself) by telephone or by email.

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of class members or multiple class members where the opt-out hasn’t been signed by each and every individual class member will not be allowed.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in this lawsuit?

Yes, the Court has appointed Gary Jackson of the Law Offices of James Scott Farrin and Derek Potts of Potts Law Firm as Class Counsel to represent you and the class for the purposes of this lawsuit. You may hire your own lawyer at your own cost and expense if you want someone other than Class Counsel to represent you in this lawsuit.

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15. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you can hire your own lawyer at your own expense. For example, you can ask them to appear in Court for you if you want someone other than Class Counsel to speak for you.

16. How will the lawyers be paid?

If Class Counsel gets money or benefits for the class, they may ask the Court for an award of attorneys' fees and expenses. You will not have to personally pay these attorneys' fees and expenses. If the Court grants Class Counsels' request, the attorneys' fees and expenses will either be deducted from any money obtained for the class or paid separately by the Defendant.

THE TRIAL

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

Class Counsel will have to prove Plaintiffs' legal claims at a trial. The trial has been scheduled for September 2, 2025. During the trial, a Jury and the Judge will hear all of the evidence to help them reach a decision about whether Plaintiffs or Defendant are right about the legal claims in the lawsuit. There is no guarantee that the Plaintiffs will win, or that they will get any money for the class.

18. Do I have to attend the trial?

No. You do not need to attend the trial. Class Counsel will present the case for the Plaintiffs and the class, and lawyers for the Defendant will present on their behalf. You or your own lawyer may attend at your own expense.

19. Will I get money after the trial?

If the Plaintiffs obtain money or benefits as a result of the lawsuit, and you remain in the class, you will be notified about how to participate to receive money or benefits. It is unknown how long this will take.

GETTING MORE INFORMATION

20. How do I get more information?

This Notice contains a summary of the lawsuit and the proceedings. You can get additional information by visiting www.WinstonWeaverClassAction.com, calling 1-877-960-3108, or writing the Notice Administrator at:

Thomas et al. v. Winston Weaver Co., Inc.
 Notice Administrator
 PO Box 5349
 Portland, OR 97228-5349

PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.

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