

\$12,047,508

THE GREAT ESCAPE PROMOTION CASES, Individually and Representatives for all others similarly situated and the General Public. This is a national class action against:

THE GREAT ESCAPE PROMOTION CASES

Case No.: JCCP 4343

Superior Court of the State of California, Central Civil West

Honorable Judge Carl J. West

Plaintiffs, as class representatives, alleged that they and in excess of 300,000 other Ralphs Club members were advertised an offer to purchase \$400 worth of groceries from Ralphs, Cala Foods/Bell Markets, within a 6 week period, in exchange for a certificate good for a free "3 day-two night" stay at a Marriott-like hotel in 38 participating cities in the U.S. When over 300,000 customers qualified for over 420,000 free stay certificates, only approximately 7,000 customers were accommodated with free stays. Ralphs contended that the promotion they called the "Great Escape" was a promotion, not a binding offer of any type, and that most of the customers who qualified for the promotional certificate failed to comply with the terms of the promotion. The claims were settled on August 30, 2006, after 2 ½ years of litigation and 3 mediations. All qualifying customers (in excess of 300,000) were awarded either a booklet of certificates good for a discounted \$108 worth of groceries, or a Visa card good for \$90 in purchases, depending on whether they lived in Northern or Southern California. Judge West valued the settlement at \$12,047,508.