

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**STEPHEN AND JUNE VITIELLO,  
Individually and on Behalf of All Others  
Similarly Situated,**

**No. 2:20-cv-04240-MCA-MAH**

**Plaintiffs,**

**v.**

**BED BATH & BEYOND INC., et al.,**

**Defendants.**

**SUMMARY NOTICE OF (I) PENDENCY OF CLASS ACTION AND  
PROPOSED SETTLEMENT; (II) SETTLEMENT FAIRNESS HEARING;  
AND (III) MOTION FOR ATTORNEYS' FEES AND LITIGATION EXPENSES**

**TO:** All persons and entities who purchased or otherwise acquired the common stock of Bed Bath & Beyond Inc. ("BBBY") during the period from September 4, 2019 through February 11, 2020, inclusive (the "Class Period") (the "Class").<sup>1</sup>

**PLEASE READ THIS NOTICE CAREFULLY. YOUR RIGHTS WILL BE AFFECTED BY A CLASS-ACTION LAWSUIT PENDING IN THIS COURT.**

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the District of New Jersey (the "Court"), that the above-captioned securities class action (the "Action") is pending in the Court.

YOU ARE ALSO NOTIFIED that Lead Plaintiff in the Action, Kavin Bakhda, has reached a proposed settlement of the Action for \$7,000,000 in cash (the "Settlement"), which, if approved, will resolve all claims in the Action.

A hearing will be held on **June 2, 2022, at 2:00 p.m.**, before the Honorable Michael A. Hammer, either in-person at the United States District Court for the District of New Jersey, Martin Luther King Building & United States Courthouse, 50 Walnut Street, Courtroom MLK2C, Newark, NJ 07101, or by telephone or videoconference, to determine: (i) whether to approve the proposed Settlement as fair, reasonable, and adequate; (ii) whether, for purposes of the proposed Settlement only, to certify the Action as a class action and to grant final

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<sup>1</sup> Certain persons and entities are excluded from the Class by definition as set forth in the full Notice of (I) Pendency of Class Action and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for Attorneys' Fees and Litigation Expenses (the "Notice"), available at [www.BedBathBeyondSecuritiesLitigation.com](http://www.BedBathBeyondSecuritiesLitigation.com).

appointment of Lead Plaintiff as Class representative and Lead Counsel as counsel for the Class; (iii) whether to dismiss the Action with prejudice against Defendants and to enter the releases specified and described in the Settlement Agreement dated **October 25, 2021**; (iv) whether to approve the proposed Plan of Allocation as fair and reasonable; and (v) whether to grant Lead Counsel's motion for an award of attorneys' fees and expenses and Lead Plaintiff's costs and expenses. If the hearing is held by telephone or videoconference, information on how to participate will be posted at [www.BedBathBeyondSecuritiesLitigation.com](http://www.BedBathBeyondSecuritiesLitigation.com).

**If you are a member of the Class, your rights will be affected by the pending Action and the Settlement, and you might be entitled to a payment from the Settlement.** If you have not yet received the Notice and Claim Form, you may obtain copies of them by contacting the Claims Administrator at Bed Bath & Beyond Securities Litigation, c/o JND Legal Administration, P.O. Box 91135, Seattle, WA 98111; 866-853-5009; or [www.BedBathBeyondSecuritiesLitigation.com/contact](http://www.BedBathBeyondSecuritiesLitigation.com/contact). You can also download copies of the Notice and Claim Form from the Settlement website, [www.BedBathBeyondSecuritiesLitigation.com](http://www.BedBathBeyondSecuritiesLitigation.com).

If you are a member of the Class, you must submit a Claim Form *postmarked no later than June 6, 2022* to be eligible to receive a payment from the Settlement. If you do not submit a proper Claim Form, you will not be eligible to receive a payment from the Settlement, but you will nevertheless be bound by any judgments or orders entered by the Court in the Action.

If you are a member of the Class and want to exclude yourself from it, you must submit a valid request for exclusion that is *received no later than May 5, 2022*, in accordance with the instructions in the Notice. If you properly exclude yourself from the Class, you will not be bound by any judgments or orders entered in the Action, and you will not be eligible to receive a payment from the Settlement. Excluding yourself from the Class is the only option that might allow you to be part of any other current or future lawsuit against Defendants or any of the other released parties concerning the claims being resolved by the Settlement, even if you have pending or later file another lawsuit or other proceeding against the Releasees related to the claims covered by the Settlement.

Any objections to the proposed Settlement, the proposed Plan of Allocation, Lead Counsel's motion for attorneys' fees and litigation expenses, or Lead Plaintiff's application for expenses must be filed with the Court and delivered to Lead Counsel and Defendants' Counsel such that they are *received no later than May 5, 2022*, in accordance with the instructions set forth in the Notice.

**If you have any questions about this notice, the proposed Settlement, or your eligibility to participate in it, please contact the Claims Administrator or Lead Counsel. Do not contact the Court, the Clerk's office, Defendants, or their counsel regarding this notice.**

Requests for the Notice and Claim Form should go to:

Bed Bath & Beyond Securities Litigation  
c/o JND Legal Administration  
P.O. Box 91135  
Seattle, WA 98111

Inquiries other than requests for the Notice and Claim Form should go to Lead Counsel:

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By Order of the Court.