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FOR IMMEDIATE RELEASE

**Bag Wars | Plastic Bag Giants Superbag and Advance Poly
Split from Hilex Poly, Drop Out of Lawsuit Against ChicoBag**
*Hilex Poly, standing alone, settles case with ChicoBag and agrees to
change position on windblown litter and recycling rates.*

Chico, Calif. – The ChicoBag Company, a reusable bag company, has announced today that the lawsuit filed against it by Hilex Poly Company, LLC, Superbag Operating, LTD., and Advance Polybag, Inc. – three of the largest domestic manufacturers of disposable single-use plastic bags – has ended.

The plastic bag giants, which have also sued municipalities over bag bans or fees, had initiated the suit against ChicoBag alleging that the company's "Learn the Facts" page, (which contains widely accepted third party statistics regarding the impact of single-use plastic bags on the environment) was false and misleading, and had resulted in 'irreparable harm' to their companies.

When ChicoBag challenged these three plastic bag companies to back up their allegations and asked for the true recycling rate for plastic bags among other things, Superbag and Advance Polybag provided little in response and subsequently dropped out of the case.

Hilex Poly, the lone plaintiff without the support of its peers, agreed to settle the case the trio had brought against ChicoBag.

The lawsuit against ChicoBag was filed in South Carolina, a state that has no anti-SLAPP laws. A SLAPP suit (Strategic Lawsuit Against Public Participation) is intended to censor, intimidate and silence critics by burdening them with the cost of a legal defense until they abandon their criticism or opposition.

ChicoBag Founder and President Andy Keller presented Hilex Poly with more than 25,000 petition signatures urging them to drop the case collected by Care2, Surfrider Foundation, Plastic Pollution Coalition, Heal the Bay, Earth Resource Foundation, Environmental Working Group, Green Cities California and a number of other grassroots organizations.

In a victory for plastic bag foes and environmentally conscious consumers, the terms of the settlement will likely help the public to be better informed about the real impacts of single-use plastic bags.

In a surprising departure from the plastic bag industry's standard axiom "Bags don't litter, people do", Hilex Poly acknowledged the fact that single-use bags can become windblown litter despite proper disposal by agreeing to address this issue on their website, as well as printing a message on their bags informing users to tie the bag in a knot after use to prevent windblown litter.

Also in dispute was the percentage of single-use plastic retail carryout bags that are actually recycled, a number that Hilex Poly says to be 12%, while ChicoBag cited 1%, an EPA stat from 2005, which is the most recent recycling rate for bags only. The higher number was reached by counting single-use plastic

bags along with other sacks, film and plastic wrap used on pallets. As part of the settlement Hilex Poly agreed to properly cite recycling statistics, which will be much less misleading to the public.

Interestingly, ChicoBag is not the original publisher of the disputed statements at issue in the lawsuit. This information has been used in hundreds of publications, news stories and websites over many years. The ChicoBag Company is one of the few organizations that actually provides documented sources for the facts they use on their website.

In the agreement, both Hilex Poly and ChicoBag have agreed to provisions including:

- Both parties will provide citations and dates for all facts and statistics on any web page or advertising, excluding labels and hangtags.
- Hilex Poly agrees that to the extent permitted by customers and in the normal rotation of plate replacement, it will include a statement on its products: "Tie Bag in Knot Before Disposal"
- Hilex will include statements on a website that discuss ways to prevent windblown litter.
- ChicoBag will stop any countdown list for Hilex to dismiss the litigation
- ChicoBag had already made updates to its website in response to Hilex Poly's early communications, and will keep these in place. {ChicoBag agrees not to cite any archived EPA websites, link to the full NOAA report if utilized in advertising, will inform visitors to chicobag.com that reusable bags should be washed when dirty and inform visitors to its Learn the Facts Page that plastic retail carryout bags are only a subset of plastic bags in ocean debris reports.}

ChicoBag congratulates Hilex Poly for boldly accepting their corporate responsibility to properly inform the public about plastic bag recycling rates, and for breaking step with the plastic bag industry with a new commitment to messages that will hopefully result in combating windblown litter.

When announcing the settlement, Andy Keller stated: "What started as a bullying tactic, to silence a critic and stop ChicoBag from achieving our mission of helping humanity kick the single-use bag habit, has morphed into two wins for the environment: First, Hilex Poly can no longer inflate plastic bag recycling numbers by including non-bag wrap and plastic film. And they have also agreed to acknowledge that plastic bags can become windblown litter despite proper disposal and to better educate the public."

"Ultimately, I hope this settlement will encourage Hilex Poly and the rest of the plastic bag industry to refrain from filing any future frivolous lawsuits, stop attacking reusable bags, and instead invest their dollars into reducing unnecessary single-use bag consumption and litter, while developing solutions to meet the growing consumer demand for more sustainable products."

The ChicoBag Company, an entrepreneurial mission driven company, is working to help humanity kick the single-use disposable bag habit by offering compact reusable bags and packs that are designed to be unforgettable.

For more information on the ChicoBag Company visit www.chicobag.com

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