

NOTICE OF CERTIFICATION AND SETTLEMENT APPROVAL IN THE MATTER OF THE COPPER AND COPPER PRODUCTS CLASS ACTION LITIGATION

PLEASE READ THIS NOTICE CAREFULLY IF YOU ARE A MEMBER OF THE CLASS DESCRIBED HEREIN, YOUR RIGHTS MAY BE AFFECTED
BY LEGAL PROCEEDINGS IN THIS LITIGATION.

TO: All persons resident in Ontario who, between June 1, 1993 and June 30, 1996, purchased Copper, Copper Products, or Scrap or Recycled Copper Products, for use in any trade or business or for resale, and all persons who, between June 1, 1993 and June 30, 1996 purchased Copper, Copper Products, or Scrap or Recycled Copper Products in Ontario for use in any trade or business or for resale ("Settlement Class Members").

Copper, Copper Product and Scrap or Recycle Copper Product are defined as follows:

"Copper and Copper Product" means, without limitation, any of the following: (i) smelter and refinery feed and output, including, but not limited to, copper concentrate, matte, blister and anode, cathode, continuous cast rod, wire bar, ingot, billet, and cake; (ii) copper wire mill fabricated items, including, but not limited to, copper wire and cable, bar and insulated copper wire, magnet wire and power cable; (iii) copper mill fabricated products, including, but not limited to, sheet, strip, coil and extruded shapes, plumbing tube, thin wall tube foil, sections, pipes, slabs, plates, fittings, forgings or powder consisting of refined copper or high copper alloys; or (iv) any product consisting of a copper content of 80% or more.

"Scrap or Recycled Copper Product" means, without limitation, any of the following: (i) any scrap containing copper, waste containing copper, or excess material containing copper generated during the smelting, refining, fabrication or manufacture of (A) Copper Product, (B) brass or products containing brass ("Brass"), (C) bronze or products containing bronze ("Bronze"), or (D) any alloy with a copper content of 50% or more by weight or products containing such an alloy (an "Alloy"); (ii) any Copper Product, Brass, Bronze or Alloy acquired after it has been in the possession of an end-user or consumer or that is otherwise considered post-consumer material; (iii) air conditioners, transformers, electrical generators, electrical motors, motor vehicle radiators containing copper or Alloys acquired after they have been in the possession of an end-user or consumer or that are otherwise considered post-consumer material; and (iv) any other product consisting of a copper content of 50% or more by weight acquired after it has been in the possession of an end-user or consumer or that is otherwise considered post-consumer material.

YOU ARE HEREBY NOTIFIED that by Order dated June 19, 2006, the Honourable Justice Winkler of the Ontario Superior Court of Justice has certified a class action for the purpose of settlement with Sumitomo Corporation, Global Minerals and Metals Corporation, Merrill Lynch & Co. Inc., Merrill Lynch Pierce Fenner & Smith (Brokers & Dealers), Limited, Merrill Lynch International, Inc., Credit Lyonnais Rouse, Ltd., J.P. Morgan & Co., Inc., Morgan Guaranty Trust Company of New York, UBS A.G. (f/k/a Union Bank of Switzerland), and Chase Manhattan Bank, N.A. (the "Defendants") and has approved settlements between the plaintiff class and the Defendants.

I. THE LITIGATION

On June 7, 2002, *Cello Products Incorporated v. Sumitomo Corporation et al.* was filed in the Court as a proposed class action on behalf of certain persons who were purchasers of Copper, Copper Products or Recycled or Scrap Copper Products.

The Class Action seeks redress for Defendants' alleged course of conduct in allegedly colluding to fix, stabilize and maintain artificially inflated prices of copper during the Class Period. The plaintiff (the corporation that brought the lawsuit) alleges that Defendants colluded and conspired with Sumitomo Corporation ("Sumitomo") to form a conspiracy for the purposes of manipulating copper prices on the London Metal Exchange (the "LME") and worldwide. The Defendants deny each and every allegation of unlawful conduct or wrongdoing, assert numerous factual and legal defences to the plaintiff's claims, and disclaim any wrongdoing or liability whatsoever.

II. THE SETTLEMENTS

Two separate settlements have been reached, one between the plaintiff and Credit Lyonnais Rouse, Ltd., and a second between the plaintiff and Sumitomo Corporation, Chase Manhattan Bank, N.A., J.P. Morgan & Co., Inc., Morgan Guaranty Trust Company of New York, UBS A.G. (f/k/a Union Bank of Switzerland AG), Global Minerals and Metals Corporation, Merrill Lynch & Co. Inc., Merrill Lynch Pierce Fenner & Smith (Brokers & Dealers), Limited, and Merrill Lynch International, Inc. The settlements have been approved and the lawsuit has been certified as a class proceeding in relation to the Defendants.

This Notice is to advise you of the settlements and inform you of your rights as a Settlement Class Member under the settlements. You will be bound by the terms of the settlements and subsequent results of the litigation unless you decide

to exclude yourself by opting out of the settlements. Opting out is explained in Section III of this Notice.

Under the terms of the settlements, the Defendants have agreed, in exchange for a full release of claims against them relating to the above-noted litigation, to pay a combined sum of \$1,677,500.00. The Defendants do not admit any wrongdoing or liability on their part. The settlements represent a compromise of disputed claims.

Pursuant to the terms of the Distribution Protocol, \$1,577,500.00 plus accumulated interest, less deductions for Class Counsel fees and disbursements, costs of notice, and costs of administration, has been allocated to directly compensate eligible Settlement Class Members. Settlement Class Members who are resident of Ontario and had purchases of Copper, Copper Products, or Scrap or Recycled Copper Products of \$2,000,000.00 or more between June 1, 1993 and June 30, 1996, and Settlement Class Members who had purchases of Copper, Copper Products, or Scrap or Recycled Copper Products of \$2,000,000.00 or more in Ontario between June 1, 1993, and June 30, 1996, will be entitled to make claims for direct compensation. Eligible Settlement Class Members will receive settlement benefits from the direct compensation settlement fund on a pro-rata basis based on the total dollar value of purchases made as well as the applicability of relative indices on the purchase and related sale prices of the product.

Settlement Class Members eligible for direct compensation must complete a Claim Form, and submit certain required documentation outlined in the Claim Form. Please contact the Claims Administrator at 1-866-432-5534 or go to www.nptca.com to receive a Claim Form. Please visit www.nptca.com to complete your Claim Form electronically, but all supporting documentation should be sent directly to the Claims Administrator by regular mail, to the address noted on the Claim Form. The Claim Form together with the required supporting documentation must be submitted to the Claims Administrator by October 17, 2006.

Pursuant to the terms of the Distribution Protocol, \$100,000.00 has been allocated to be paid out through a distribution to organizations which operate for the general benefit of Settlement Class Members to indirectly compensate Settlement Class Members who are not eligible for direct compensation.

The Proceeding was certified and the Settlement approved by the Order of the Honourable Mr. Justice Winkler dated June 19, 2006.

III. OPTING OUT OF THE SETTLEMENT

If you opt out of the proceeding, you will not be able to participate in these settlements. If you would like to exclude yourself from the settlements, you can opt out by submitting a written request to be excluded to the Claims Administrator. Your request must include the following information:

- (a) name, address, and telephone number
- (b) province or provinces of residence during the Class Period;
- (c) province or state in which Copper Products and/or Scrap or Recycled Copper Products were purchased during the Class Period;
- (d) type and dollar amount of Copper Products and/or Scrap or Recycled Copper Products purchased during the Class Period;
- (e) the date(s) when such Copper Products and/or Scrap or Recycled Copper Products were purchased; and
- (f) the request to be excluded from the Settlement Class.

The request for exclusion must be mailed by August 28, 2006 to:

CLAIMS ADMINISTRATOR
Copper Class Action
P.O. Box 3355
London, ON N6A 3K5

IV. QUESTIONS ABOUT THE SETTLEMENTS

If you would like a copy of the settlement agreements or have questions, you can call plaintiff's counsel information line at 1-800-461-6166 (ext. 455). A copy of the settlement agreements can be obtained at www.classaction.ca or they can be sent to you at a cost of \$20 per copy, which amount represents the cost of photocopying and mailing the settlement agreements. **INQUIRIES SHOULD NOT BE DIRECTED TO THE COURT.**

V. INTERPRETATION

If there is a conflict between the provisions of this notice and the settlement agreements and any of their respective appendices, the terms of the settlement agreements shall prevail.