

# NOTICE OF CERTIFICATION AND SETTLEMENT APPROVAL IN THE MATTER OF LINERBOARD/CORRUGATED MATERIAL CLASS ACTION LITIGATION

**PLEASE READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR LEGAL RIGHTS.**

**TO: All persons who, in Canada, purchased Corrugated Material Products for delivery in Canada between January 1, 1993 and December 31, 1995, except the Defendants, subsidiaries or affiliates of each Defendant, and the entities in which each Defendant or any of that Defendant's subsidiaries or affiliates have a controlling interest.**

**"Corrugated Material"** means any grade of paperboard suitable for use as the inner and outer layers of corrugated sheets (also known as linerboard), the fluted inner layer of a corrugated sheet (also known as medium), any combination of medium and linerboard (including corrugated sheets made out of containerboard), and boxes or containers manufactured using corrugated sheets.

**"Corrugated Material Products"** means Corrugated Material and any products that directly or indirectly contain, include, are packaged in or are derived from Corrugated Material.

## I. THE PURPOSE OF THIS NOTICE

Class Proceedings lawsuits have been initiated in Ontario, British Columbia and Quebec against Stone Container Corp., Jefferson Smurfit Corp., Smurfit-Stone Container Corp., Smurfit-MBI, formerly known as Macmillan Bathurst, Roger Stone, Union Camp Corp., International Paper Co., International Paper Canada, Inc., also known as International Paper Ltd – Canada, Georgia Pacific Corp., Georgia-Pacific Canada, Inc., Weyerhaeuser Paper Co., Weyerhaeuser Company, Weyerhaeuser Company Limited, formerly known as Weyerhaeuser Canada Ltd., Temple-Inland Inc., Inland Paperboard And Packaging, Inc., Gaylord Container Corp., Tenneco, Inc., Tenneco Packaging, and Packaging Corporation Of America (the "Defendants"), in which it is alleged that the Defendants conspired to fix prices and supply of Corrugated Material Products in Canada (collectively the "Proceedings").

Settlement Agreements have been reached with each of the Defendants.

The Proceedings were certified for settlement purposes and the Agreements approved by the Courts in Ontario on May 24, 2006 and August 15, 2006, Quebec on July 4, 2006 and British Columbia on June 21, 2006.

This notice is to advise you of the Agreements and to inform you of your rights as a Class Member under the Agreements. You will be bound by the terms of the Agreements unless you exclude yourself by opting out of the Agreements. Opting out is explained below.

## II. THE AGREEMENTS

Under the terms of the Agreements, the Defendants have agreed, in exchange for a full release of claims against them relating to the Proceedings, and after certain settlement rebates, to pay a total of \$1,885,063.00 into a Settlement Fund for the benefit of Class Members.

The total fees, disbursements and taxes of class counsel in all jurisdictions, as approved by the Courts, are \$678,447.88.

The Defendants do not admit any wrongdoing or liability on their part. The Agreements represent a compromise of disputed claims. The Proceedings were certified as a class proceeding on consent against the Defendants for the purpose of the Agreements only.

## III. DISTRIBUTION PLAN

Of the total monies payable, and after reduction for payment to Class Counsel for legal fees, disbursements, and taxes, and payment of legal notice and claims administration fees, payments shall be made to Settlement Class Members as follows:

1. \$75,000 shall be paid to the Tree Canada Foundation for the indirect benefit of those Class Members who are not eligible for the cash payments detailed below.

2. 90% of the remaining funds shall be allocated to compensate Class Members who had purchases of Corrugated Material directly from one or more Defendants (excluding purchases from Smurfit-MBI) during the Purchase Period (January 1, 1993 to December 31, 1995). This fund shall be paid out to Eligible Claimants on a pro rata basis based on the dollar value of Corrugated Material purchased, with linerboard being valued at twice the level of other Corrugated Material.
3. 10% of the remaining funds shall be allocated to compensate Class Members who had purchased at least \$250,000.00 of Corrugated Material from one or more non-Defendants, and Smurfit-MBI, during the Purchase Period (January 1, 1993 to December 31, 1995). This fund shall be paid out to Eligible Claimants on a per capita basis (equal shares).

Eligible Settlement Class Members may receive direct compensation from both of the above Funds. Eligible Settlement Class Members must complete a Claim Form, and submit certain required supporting documentation outlined in the Claim Form. You may obtain the Claim Form by visiting Class Counsel's website at [www.classaction.ca](http://www.classaction.ca) or by contacting the Claims Administrator at 1-866-432-5534 or go to [www.nptca.com](http://www.nptca.com). Please visit [www.nptca.com](http://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 December 14, 2006.

## IV. OPTING OUT OF THE PROCEEDINGS

If you would like to exclude yourself from the Proceedings and from participating in the settlement, you must opt out by faxing, couriering or mailing a completed Opt-Out Form to the Claims Administrator. You may obtain an Opt-Out Form by visiting Class Counsel's website at [www.classaction.ca](http://www.classaction.ca) or by contacting the Claims Administrator at 1-866-432-5534 or go to [www.nptca.com](http://www.nptca.com).

If a Class Member does not timely and properly opt out of the settlements, he, she or it will be forever barred from instituting or continuing any action against the Defendants and/or Released Parties related to allegations of conspiracy in the market for Corrugated Material Products.

The Opt-Out Form must be received by the Claims Administrator on or before November 14, 2006 at the following address:

CLAIMS ADMINISTRATOR  
Linerboard/Corrugated Material Class Action  
P.O. Box 3355  
London, ON N6A 3K5

## V. FURTHER INFORMATION

Complete copies of the Agreements, court approval materials, court orders, Distribution Protocol, Opt Out Form and Claim Form are available on Ontario Class Counsel's website at [www.classaction.ca](http://www.classaction.ca).

The law firm of *Siskinds LLP* represents Class Members in provinces other than Quebec, and corporate entities in Quebec. *Siskinds LLP* can be reached toll-free at **1-800-461-6166 ext. 455** or by mail at 680 Waterloo Street, London, ON N6A 3V8.

The law firm of *Siskinds, Desmeules s.e.n.c.r.l.* represents the Quebec consumers. Quebec Class Counsel can be reached at **418-694-2009** or by mail at Les promenades du Vieux-Quebec, 43 rue De Buade, bureau 320, Quebec City, QC G1R 4A2.

If there is a conflict between the provisions of this Notice and the Agreements, including their appendices, the terms of the Agreements shall prevail.

**THIS NOTICE HAS BEEN AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE, THE SUPREME COURT OF BRITISH COLUMBIA & THE QUEBEC SUPERIOR COURT.**