

RUBBER CHEMICALS AND ETHYLENE PROPYLENE DIENE MONOMER (“EPDM”) CLASS ACTIONS

NOTICE OF SETTLEMENT APPROVAL IN THE RUBBER CHEMICALS MATTER AND APPROVAL OF THE DISTRIBUTION PROTOCOLS IN THE RUBBER CHEMICALS AND EPDM MATTERS

Ad Size: 6 3/8” X 16 1/2”

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 who purchased Rubber Chemicals or Rubber Chemical Products in Canada between July 1, 1995 and December 31, 2001. You are a member of a Settlement class in the Rubber Chemicals proceeding described below.

AND TO: All persons in Canada who purchased EPDM or EPDM Products in Canada between January 1, 1997 and December 31, 2001. You are a member of a Settlement class in the EPDM proceedings described below.

PLEASE BE ADVISED THAT ELIGIBLE CLASS MEMBERS HAVE UNTIL OCTOBER 31, 2006 TO SUBMIT COMPLETED CLAIM FORMS TO THE CLAIMS ADMINISTRATOR FOR DIRECT COMPENSATION PURSUANT TO SECTION II BELOW.

Rubber Chemicals include accelerators, antioxidants, antiozonants, waxes, blowing agents, vulcanization retardants, pre-vulcanization inhibitors, polymerization regulators, shortstops, peptizing agents, post vulcanization stabilizers, anti-reversion agents and treated cellulose reinforcement materials used in the processing and/or protection of rubber. **Rubber Chemicals Products** are products that directly or indirectly contain or are derived from **Rubber Chemicals**. **Rubber Chemicals** are commonly used in the production of various rubber products, including tires, automobile parts, surgical gloves and in other commercial, industrial and health applications.

EPDM is a synthetic rubber used in a variety of applications such as automotive weatherstripping and seals, radiator, garden and appliance hose, electrical insulation, roofing membrane and rubber mechanical goods. Some of the common trade names for **EPDM** include Buna, Royalene, Royaltherm, Keltan, Nordel, and Vistalon. **EPDM Products** are products that directly or indirectly contain or are derived from **EPDM**.

A more detailed description of **Rubber Chemicals**, **Rubber Chemicals Products**, **EPDM**, and **EPDM Products** can be found at www.classaction.ca. For complete definitions of what products are included, please refer to the settlement agreements which can be obtained pursuant to section V below.

I. SETTLEMENTS HAVE BEEN APPROVED BY THE COURTS

This notice advises you of settlements approved by the Courts and informs you of your rights as a class member under the agreements.

A. Rubber Chemicals Proceedings and Settlement Agreement

Class proceeding lawsuits have been initiated in Ontario (Court File No. 46460CP), British Columbia (Court File No. S050984) and Quebec (File No. 500-06-000234-043) in which it is alleged that the Defendants conspired to fix prices for **Rubber Chemicals** and **Rubber Chemicals Products** in Canada (collectively referred to as the “**Rubber Chemicals Proceedings**”).

A settlement has been reached with the following defendants in the **Rubber Chemicals Proceedings**: Chemtura Corporation (f/k/a Crompton Corporation), Crompton Co/Cie, Crompton Canada Corporation, and Uniroyal Chemical Company Inc. (the “**Crompton Defendants**”). The settlement with the **Crompton Defendants** has been approved by the Courts in Ontario, British Columbia and Quebec. For purposes of the settlement with the **Crompton Defendants** only, the **Rubber Chemicals Proceedings** were certified as a class proceeding.

Under the terms of the settlement, the **Crompton Defendants** have agreed, in exchange for a full release of claims against them in the **Rubber Chemicals Proceedings**, to pay \$7,200,000.00. The Crompton Defendants do not admit any wrongdoing or liability on their part. The Rubber Chemicals Agreement represents a compromise of disputed claims. In addition, as part of the settlement, the **Crompton Defendants** have agreed to provide cooperation to the Plaintiff consisting of information in their control with respect to the alleged conspiracy. This information will aid in the prosecution of the action with respect to the remaining defendants.

You will be bound by the terms of the settlement unless you exclude yourself by opting out. Opting out is explained below in Section IV.

Please see Section II for information on how to make a claim under the settlement in the **Rubber Chemicals Proceedings**.

B. EPDM Proceedings and Settlement Agreements

Class proceedings lawsuits have been initiated in Ontario (Court File No. 45604CP), British Columbia (Court File No. 5050982) and Quebec (File No. 200-06-000052-053) in which it is alleged that the defendants conspired to fix prices for **EPDM** in Canada (collectively referred to as the “**EPDM Proceedings**”).

Notices were previously published advising that settlements with the **Crompton Defendants** and the **DDE Defendants** (DuPont Dow Elastomers L.L.C., E.I. du Pont de Nemours and Company, E.I. du Pont Canada Company, Dow Chemical Company, and Dow Chemical Canada Inc.) had been reached and subsequently approved by the courts. Copies of these notices are posted at www.classaction.ca for **Settlement Class Members** to review. The litigation is continuing against all other defendants in the **EPDM Proceedings** named in the Amended Statement of Claim, a copy of which can be found at www.classaction.ca. The deadline to opt-out of the **EPDM Proceedings** has already passed.

Please see Section II for information on how to make a claim under the settlements in the **EPDM Proceedings**.

II. MAKING A CLAIM

A. Class Member Categories

Settlement Class Members fall into the following categories:

Distributors	Settlement Class Members who purchased Rubber Chemicals and/or EPDM in raw form and who resold the Rubber Chemicals and/or EPDM in raw form to a further purchaser
Manufacturers	Settlement Class Members who purchased Rubber Chemicals and/or EPDM in raw form and manufactured Rubber Chemical Products and/or EPDM Products
Intermediaries	Settlement Class Members who are not Distributors , Manufacturers or Consumers
Consumers	Settlement Class Members who purchased Rubber Chemicals Products and/or EPDM Products for personal consumption or use

B. Compensation Plan – Distributors and Manufacturers

Under the terms of the distribution protocols, settlement funds equal to the total **Settlement Amount** plus accrued interest less (a) applicable **Class Counsel Fees**,

disbursements and taxes, (b) proportionate costs of notice, (c) costs of administration, and (d) monies allocated to the **Intermediaries** and **Consumers** settlement funds shall be available to compensate **Distributors** and **Manufacturers**. Eligible **Distributors** and **Manufacturers** will receive direct compensation on a pro-rata basis up to a maximum of \$0.06 per dollar spent on **Rubber Chemicals/EPDM** for **Manufacturers** and \$0.006 per dollar spent on **Rubber Chemicals/EPDM** for **Distributors**.

Distributors and **Manufacturers** must complete a **Claim Form** and submit certain required supporting documentation outlined in the **Claim Form**. Please contact the Claims Administrator, Neal, Pallett & Townsend at 1-866-432-5534 or go 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. To be eligible for compensation pursuant to the settlements described above in section I, the **Claim Form** together with the required supporting documentation must be submitted to the Claims Administrator by October 31, 2006.

C. Compensation Plan – Intermediaries and Consumers

Under the terms of the distribution protocols, settlement funds equal to the total **Settlement Amount** plus accrued interest less (a) applicable **Class Counsel Fees**, disbursements and taxes, (b) proportionate costs of notice, and (c) monies allocated to the **Distributors** and **Manufacturers** settlement funds shall be available to compensate **Intermediaries** and **Consumers**. Recognizing the difficulty of accurately identifying the amount of overcharge, if any, actually borne by any given **Intermediaries** and **Consumers**, compensation for **Intermediaries** and **Consumers** will be paid out through a distribution to organizations which operate for the general benefit of **Intermediaries** and **Consumers** (Auto 21; Canadian Roofing Contractors' Association; London Community Foundation (for the benefit of Community Foundations across Canada other than Quebec); Habitat for Humanity; Automobile Protection Association; Fonds d'Aide; Centraide (for the benefit of Quebec); Option Consommateurs, and Union Des Consommateurs). For the exact breakdown of the percentage of monies payable to the above organizations, please refer to the Distribution Protocols which can be viewed at www.classaction.ca.

III. CLASS COUNSEL FEES

Class Counsel have already received some fees with respect to these proceedings and will make applications to the courts for approval of further fees at the appropriate time. In all of these proceedings, Class Counsel cumulatively will not request legal fees which are in excess of 25% of any settlement or judgment plus disbursements and taxes.

IV. OPTING OUT OF THE RUBBER CHEMICALS PROCEEDINGS

If you would like to exclude yourself from the **Rubber Chemicals Proceedings**, you can opt out by submitting a written request to be excluded to the Claims Administrator by mail. Your request must include the following information:

- Name, address, and telephone number;
- province or provinces of residence during the Class Period (July 1, 1995 to December 31, 2001);
- province in which Rubber Chemicals Product(s) was purchased;
- the dollar amount and the date of such Rubber Chemicals purchases; and
- the request to be excluded from the Proceedings.

If a Class Member does not timely and properly opt out of the **Rubber Chemicals Proceedings**, he or she will be forever barred from instituting or continuing any action, other than the present class action, against the **Rubber Chemicals Defendants** and various other **Released Parties**, related to the **Released Claims**. Any Class Member who does timely and properly opt out is not bound by the settlement with the **Crompton Defendants**, cannot participate in the settlement with the **Crompton Defendants**, and cannot participate in any further settlements with, or judgements against, other defendants in the present **Rubber Chemicals Proceedings**. Written requests to opt out must be sent by September 18, 2006, to:

RUBBER CHEMICALS CLASS ACTION LITIGATION
c/o Neal, Pallett & Townsend
P.O. Box 3355
London, ON N6A 3K5

V. FURTHER INFORMATION

To register yourself to receive further notices in these proceedings, you may provide the Claims Administrator with your regular or e-mail address.

Complete copies of the Settlement Agreements, notices and **Claim Form** are available on Ontario Class Counsel's website at www.classaction.ca. To obtain a paper copy of the opt out Form, please call the Claims Administrator at 1-866-432-5534, via email at claims@nptca.com or visit their website www.nptca.com.

This notice contains only a summary of the settlements and distribution protocols and class members are encouraged to review the entire settlement agreements and distribution protocols. If you have any questions, please contact the appropriate **Class Counsel** for your province.

The law firm of Siskind, Cromarty, Ivey & Dowler LLP represents class members in provinces other than British Columbia and Quebec, and corporate entities in Quebec, for both the **EPDM** and **Rubber Chemicals Proceedings**. Ontario Class Counsel can be reached toll free at 1-800-461-6166 ext. 455 or by mail at 680 Waterloo Street, London, Ontario N6A 3V8.

The law firm of Poyner Baxter^{LP} represents class members in British Columbia in both the **Rubber Chemicals** and **EPDM Proceedings**. British Columbia Class Counsel can be reached at 604-988-6321 or by mail at Lonsdale Quay Plaza, #408-145 Chadwick Court, North Vancouver, BC V7M 3K1.

The law firm of Siskind Desmeules S.E.N.C.R.L. represents individuals who are class members in Quebec in the **EPDM Proceedings**. 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.

The law firm of Unterberg, Labelle, Lebeau S.E.N.C. represents individuals who are class members in Quebec in the **Rubber Chemicals Proceedings**. Quebec Class Counsel can be reached at 514-934-0841 or by mail at 1980 Rue Sherbrooke Ouest, Bureau 700, Montreal, QC H3H 1E8.

If there is a conflict between the provisions of this Notice and the Settlement Agreements, any of their appendices, and/or distribution protocols, the terms of the Settlement Agreements and/or distribution protocols shall prevail.