

LEGAL NOTICE OF CLASS CERTIFICATION AND SETTLEMENT APPROVAL TO OWNERS OF CERTAIN PLASTIC PLUMBING AND HEATING SYSTEMS SOMETIMES REFERRED TO AS POLYBUTYLENE PLUMBING AND HEATING SYSTEMS

THIS NOTICE MAY AFFECT YOUR LEGAL RIGHTS PLEASE READ THIS NOTICE CAREFULLY

WHO SHOULD READ THIS NOTICE:

You should read this notice if you are a past or present owner of any real property or structures in Canada with a polybutylene plumbing and/or heating system.

Polybutylene plumbing inside a structure ("PB Plumbing System") is a potable water supply system containing plastic pipes made of polybutylene ("PB") and either plastic or metal fittings (such as tees or elbows). PB pipe is non-rigid, sometimes curved, usually gray (or possibly silver or black) plastic pipe. PB pipe is not used for drains, waste, or vent pipe. PB Plumbing Systems do not include fire sprinkler systems, sewer lines, faucets, or fixtures. When used in the underground service from the water company to a structure ("PB Yard Service Line"), PB pipe is blue, gray, or black. PB Yard Service Lines do not include sprinkler systems or irrigation systems. "PB Hot Water Heating Systems" are indoor space heating systems utilizing PB pipe through which heated water circulates.

WHY THIS NOTICE HAS BEEN PUBLISHED

Certain past or present property owners have initiated the following legal proceedings in British Columbia, Ontario, and Quebec relating to PB Plumbing Systems and PB Hot Water Heating Systems in Canadian properties:

Furlan v. Shell Oil Company, et al.,

No. C967236, in the Supreme Court of British Columbia.

Gariepy v. Shell Oil Company, et al.,

No. 307981/99, Ontario Superior Court of Justice.

Couture v. Shell Oil Company, et al.,

No. 200 06-000001-985, Quebec Superior Court of Justice.

Each of these proceedings has been brought on behalf of the named plaintiffs and a class of similarly situated property owners. In general, the plaintiffs in these proceedings allege that PB Plumbing Systems, PB Yard Service Lines, and/or PB Hot Water Heating Systems are defective, as a result of which these systems allegedly leak and/or fail prematurely. The defendants in these proceedings deny liability and further deny that any plaintiff or any class member is entitled to damages or any other relief. The Courts have not ruled on the merits of the plaintiffs' claims or the defendants' defenses. The Ontario Superior Court of Justice has ruled that the **Gariepy** case cannot be maintained as a class proceeding over defendants' objections, but the plaintiffs in **Gariepy** have appealed that decision. No motion for class certification has as yet been presented in **Furlan** or **Couture**. You can learn more about the allegations in these cases by inspecting the pleadings and other papers on file with each of the respective Courts or by contacting Class Counsel at the addresses below.

CLASS CERTIFICATION AND SETTLEMENT APPROVAL

Class Counsel in these proceedings have entered into a settlement agreement with one of the defendants, Shell Oil Company ("the Shell Settlement Agreement"). Another defendant, E.I. DuPont de Nemours and Company, has also previously settled. At settlement approval hearings in British Columbia, Ontario, and Quebec the Courts certified class proceedings against Shell solely for the purpose of settlement and approved the settlement set forth in the Shell Settlement Agreement. The Courts also approved representative plaintiffs and settlement class definitions.

SETTLEMENT CLASS

Subject to certain exclusions set forth in the Shell Settlement Agreement, you are a member of the settlement class if you are a past or present owner of a structure with either a PB Plumbing System, a PB Yard Service Line, or a PB Hot Water Heating System. **If you are a class member, you will be bound by the terms of the Shell Settlement Agreement and can make a claim unless you opt out.**

SETTLEMENT TERMS

Subject to specified terms, conditions, and limitations, the Shell Settlement Agreement requires Shell to pay \$20 million in settlement of class members' claims. The settlement amount (less costs of notice and claims administration) will be allocated among class members who timely file claims in accordance with a point system based generally on the level of expense incurred in repairing or replacing class members' PB Plumbing Systems, PB Yard Service Lines, or PB Hot Water Heating Systems and subject to specified maximum dollar limits. Hence, the amount any class member will receive from the settlement will depend on the total number of claims made, the level of repair or replacement expense the class member has incurred, and the maximum dollar limit applicable to the class member's claim. **The foregoing is only a summary, and a complete description of the point system and the maximum dollar limits on claims is set forth in the Shell Settlement Agreement, a copy of which you can obtain by following the instructions below.**

In addition, and subject to court approval, Shell will pay Class Counsel \$3 million for legal fees and expenses, which amount will not come out of or reduce in any way the \$20 million settlement fund for class members.

In exchange for these settlement benefits, class members will release and discharge all claims against Shell arising out of or relating to their PB Plumbing Systems, PB Yard Service Lines, and PB Hot Water Heating Systems. As a result, class members (except for those who timely and properly opt out) will be barred from making or pursuing any such claims against Shell.

In offering this settlement, Shell does not admit any wrongdoing or liability on its part. Rather, the proposed settlement is a compromise of hotly disputed claims. The settlement is only a partial settlement of the class proceedings, which will continue against the remaining defendant, which is not a participant in either the DuPont or the Shell settlement. However, Shell will be dismissed from the class proceedings as a defendant.

A copy of the complete Shell Settlement Agreement and this notice are posted at www.polypipes.ca and can also be obtained by contacting Class Counsel at the addresses below or by calling toll-free at 1-866-348-0333. If you are uncertain whether you have a plumbing or heating system covered by this notice, you can obtain pictures of the pipe and fittings at the website, by calling the toll-free 866 number, or by contacting Class Counsel at the addresses below.

HOW TO OPT OUT OF (BE EXCLUDED FROM) THE SETTLEMENT

If you are a member of the class and do not want to participate in the settlement, you may opt out (be excluded from the settlement) by returning a completed opt out form postmarked on or before August 11, 2004. You may obtain the opt out form at www.polypipes.ca, by calling toll-free at 1-866-348-0333, or by contacting Class Counsel at the addresses below.

No person may opt out minors or mentally incapable persons without permission of the Court after notice to the Children's Lawyer and/or the Public Guardian or Trustee.

HOW TO MAKE A CLAIM

To make a claim for compensation from the Shell settlement fund, you must mail to the Claims Administrator, postmarked no later than June 18, 2005, a completed, executed and verified Claim Form together with the supporting documentation required by the Claim Form. Further information regarding the procedures for making, processing, and paying claims are set forth in the Shell Settlement Agreement.

You may obtain a claim form and accompanying instructions and definitions at www.polypipes.ca, or by calling toll-free at 1-866-348-0333, or by contacting Class Counsel at the addresses below.

ADDITIONAL INFORMATION AND QUESTIONS FOR CLASS COUNSEL

Do not contact the Courts about this notice or the proceedings. Please address requests for additional information and any questions to the appropriate Class Counsel:

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ONTARIO AND ALL OTHER PROVINCES AND TERRITORIES (EXCEPT BRITISH COLUMBIA AND QUEBEC)

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COURTS APPROVING NOTICE

This Notice has been approved by the following Courts:

Ontario Superior Court of Justice:

Gariepy v. Shell Oil Court File No. 307981/99

Supreme Court of British Columbia:

Furlan v. Shell Oil Court File No. C967236

Quebec Superior Court of Justice:

Couture v. Shell Oil Court File No. 200 06-000001-985