## MAILED CLASS NOTICE MANUFACTURER SETTLEMENT

Records Indicate You May Have Purchased Super S Super Trac 303 Tractor Hydraulic Fluid, Super S 303 Tractor Hydraulic Fluid, CAM2 ProMax 303 Tractor Hydraulic Oil, and/or CAM2 303 Tractor Hydraulic Oil ("Smitty's/CAM2 303 THF Products") During the Class Period, and A Proposed Class Action Settlement May Affect Your Rights.

## READ THIS NOTICE CAREFULLY. YOUR LEGAL RIGHTS ARE AFFECTED WHETHER YOU ACT OR DO NOT ACT. PLEASE CHECK <u>www.303tractorhydraulicfluidsettlement.com</u> REGULARLY FOR UPDATES AND FURTHER DETAILS

## In Re: Smitty's/CAM2 303 Tractor Hydraulic Fluid Marketing, Sales Practices, and Product Liability Litigation MDL No. 2936, Case No. 4:20-MD-02936-SRB (U.S. Dist. Court, W.D. Mo.)

A federal court authorized this notice. This is not a solicitation from a lawyer

## SPANISH-LANGUAGE – If detailed information regarding the proposed settlement and how to submit a claim is needed in Spanish, please contact the Settlement Administrator at <u>info@rg2claims.com</u>

- 1. A class-action settlement was reached with Smitty's Supply, Inc. and CAM2 International, LLC (collectively referred to as "Manufacturer Defendants") in the above-referenced Multi-District Litigation ("MDL") regarding Smitty's/CAM2 303 THF Products made by the Manufacturer Defendants.
- 2. In the MDL lawsuit, Plaintiffs alleged (1) that Smitty's/CAM2 303 THF Products did not meet the equipment manufacturers' specifications or provide the performance benefits listed on the product labels, (2) that Smitty's/CAM2 303 THF Products were made with inappropriate ingredients, and (3) that use of Smitty's/CAM2 303 THF Products in equipment caused damage to various parts of the equipment. Because of the ingredients contained in Smitty's/CAM2 303 THF Products, Plaintiffs alleged that Smitty's/CAM2 303 THF Products should not be used as tractor hydraulic fluid and that the fluid should be flushed from equipment systems. The Manufacturer Defendants have denied these allegations and any claims of wrongdoing.
- 3. This notice summarizes the Manufacturer Class-Action Settlement (sometimes referred to herein as the "Proposed Manufacturer Settlement") For more detailed information please: (i) visit the Settlement Website at www.303tractorhydraulicfluidsettlement.com where you can access settlement documents, including a Long Form Notice, the Manufacturer Settlement Agreement, a Claim Form with the Part A Class Membership Section to be completed to be eligible for damage payment based on purchases and the Part B Repairs/Parts/Specific Equipment Damage Section to be completed to be eligible for an award based on any such damage you claim to have experienced, in whole or in part, due to Smitty's/CAM2 303 THF Products; (ii) call the settlement hotline at 1-877-979-7115; (iii) contact Class Counsel at 816-595-7721 or dhubbard@hab-law.com; or (iv) access the Court docket in this case through the Court's Public Access to Court Electronic Records (PACER) system at https://www.mow.uscourts.gov/mdl-cases, or by visiting the office of the Clerk of the Court for the United States District Court for the Western District of Missouri, 400 E. 9th Street, Kansas City, Missouri, 64106, between 9:00 a.m. and 4:30 p.m., Monday through Friday, excluding Court holidays. Please do not telephone the Court or the Court Clerk's Office to inquire about this Proposed Manufacturer Settlement or the claim process.

- 4. Records show you may be a Manufacturer Settlement Class Member because you may have purchased Smitty's/CAM2 303 THF Products at some time from December 1, 2013 to the present. However, you are not a member of the settlement class if (a) you did not purchase one of the specific products identified herein or if the only such product you purchased was Super S Super Trac 303 THF in Missouri; (b) the only Smitty's/CAM2 303 THF Products your purchased were for resale; (c) you are an employee, director, officer or agent of Defendants or their subsidiaries or affiliated companies; or (d) you are a judge of the Court in which the lawsuit is pending (or could be appealed to), or part of their immediate family and staff.
- 5. If you are a Manufacturer Settlement Class Member, the Proposed Manufacturer Settlement may provide you with a cash award. It is not known at this time what any specific monetary award will be, but one component of the Plan of Allocation is based on the number of purchases during the Class Period. Under the Settlement Agreement, this damage portion of your claim will be valued as follows based on your Smitty's/CAM2 303 THF Product purchases: \$12 for each 5-gallon bucket purchased; \$6 for each 2-gallon jug purchased \$4 for each 1-gallon jug purchased; and \$90 for each 55-gallon drum purchased. Each damage claim for purchases is subject to a maximum \$100 claim value unless receipts or other acceptable proof of purchases are provided. If purchases greater than \$100 are reflected in the purchase data provided by Retailers, such data satisfies the proof of purchase requirement for those purchases. Note also that your monetary award will be whatever pro rata percentage of the total claim value that the settlement funds can provide.
- 6. Even if you received a Mailed Class Notice indicating at least one of the Retailers has a record of your possible purchase of Smitty's/CAM2 303 THF Products, you MUST complete Part A of the Manufacturer Settlement Claim Form to be eligible to receive a monetary award from the Proposed Manufacturer Settlement. If you filed a claim or had an automatic payment in the Retailers 303 THF Class Settlement, your Mailed Class Notice will include a summary of the number of buckets you were paid on and any approved repairs/damages you were paid on. You can note on the Claim Form that you wish to submit a claim for those purchases reflected on that data as well as those repairs.
- 7. You must complete the Part A Class Membership Section of the Claim Form in order to be eligible for this damage portion based on purchases. If you have previously submitted a claim in the Retailer 303 Class Settlement, there is a place on Part A of the Claim Form for you to request that claim submission be applied to this Manufacturer Settlement.
- Under the Manufacturer Class Settlement Agreement, in addition to a monetary award based upon your Smitty's/CAM2 8. 303 THF Product purchases during the Class Period, you also may be entitled to an additional Claim Value component if you have experienced any repairs/parts/specific equipment damage that you believe are related, in whole or in part, to your use of Smitty's/CAM2 303 THF Products. Therefore, if you have experienced any such repairs/parts/specific equipment damage, you should also complete the Part B Repairs/Parts/Specific Equipment Damage Section of the Claim Form. The Claim Form is available at <u>www.303tractorhydraulicfluidsettlement.com</u> or by calling the Settlement Administrator at 1-877-979-7115 or by email to 303tractorhydraulicfluidsettlement@rg2claims.com. Your claim value for any repairs done, repairs needed, and/or damage beyond repair is subject to a maximum \$1,000 claim value unless receipts or other acceptable proof of repairs, parts, specific damage are provided. Be sure to attach all supporting documents (such as receipts, invoices, and work orders or other records reflecting work/repairs performed) related to any claimed repairs/parts/equipment losses as well as any further information you have supporting your claim for additional funds due to alleged equipment losses, repairs and/or parts purchases. Note also that your monetary award will be whatever pro rata percentage of the total claim value that the settlement funds can provide. If you have previously submitted a Repairs/Parts/Specific Equipment Damage claim in the Retailer 303 THF Class Settlement, there is a place on the Claim Form for you to request that claim submission be applied to this Proposed Manufacturer Settlement.
- 9. As noted above, if you have previously submitted claim forms in the Retailers 303 THF Class Settlement, you MUST still file a Claim Form in this Manufacturer Settlement, however, you can simply agree to use the same claim information/ documentation and sign the form. (Note that you may submit additional claims and/or documentation as supplements to that prior claim).

ACTION		DUE DATE
Do Nothing	If you do nothing, you will be bound by the Proposed Manufacturer Settlement (if approved), you will have released your claims, and you will <u>not</u> be eligible to receive any monetary award.	
Submit a Claim Form with Part A Completed for Purchases	If you wish to be eligible for any award, you must submit a Claim Form with Part A completed setting forth your purchases of Smitty's/CAM2 303 Tractor Hydraulic Fluid during the Class Period. To submit a Claim Form, go to <u>www.303tractorhydraulicfluidsettlement.com</u> or request a form via email to <u>303tractorhydraulicfluidsettlement@rg2claims.com</u> or call 1-877-979-7115	<u>By March 1, 2025</u>
Submit a Claim Form with Part B Completed for Repairs/Parts/ Specific Equipment Damage	If you complete Part A of the Claim Form, you may also complete Part B claiming the repairs, parts, and damage to your equipment caused, in whole or in part, by Smitty's/CAM2 303 THF Products. To submit such a Claim Form, go to <b>www.303tractorhydraulicfluidsettlement.com</b> or request a form via email to <u>303tractorhydraulicfluidsettlement@rg2claims.com</u> or call 1-877-979-7115.	<u>By March 1, 2025</u>
Exclude Yourself	You may request to be excluded from the Manufacturer Settlement Class by timely submitting a request in writing to the Settlement Administrator. If you do this, you will not receive any of the benefits provided by the Proposed Manufacturer Settlement and also you may not object to the Proposed Manufacturer Settlement. You will, however, keep your right to sue the Manufacturer Defendants regarding the claims asserted in the class action.	<u>By March 1, 2025</u>
Object	You may object to the Proposed Manufacturer Settlement by submitting a valid and timely objection to the Court and counsel for the parties. If you object, you must still timely submit a valid Claim Form by the date specified above in order to receive an award. You may object to the Proposed Manufacturer Settlement only if you <b>do not</b> exclude yourself by the date listed immediately above.	<u>By March 1, 2025</u>