

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

IN RE: SMITTY'S/CAM2 303 TRACTOR
HYDRAULIC FLUID MARKETING, SALES
PRACTICES, AND PRODUCTS LIABILITY
LITIGATION

MDL No. 2936

Master Case No. 4:20-MD-02936-SRB

This document relates to:
All Class Actions

**PLAINTIFFS' MOTION FOR FINAL APPROVAL
OF CLASS SETTLEMENT AGREEMENT
WITH MANUFACTURERS SMITTY'S AND CAM2**

COME NOW Plaintiffs, by and through Class Counsel, and move the Court for entry of an order and judgment granting final approval to the Class Settlement Agreement with Manufacturers Smitty's Supply, Inc. ("Smitty's") and CAM2 International, LLC ("CAM2") (referred to collectively as "Manufacturer Defendants"). In support of their Motion, Plaintiffs respectfully state as follows:

Settlement Class and Proposed Final Approval Order

1. On or about October 2, 2024, the two Manufacturer Defendants and Plaintiffs entered into a Settlement Agreement and Release (the "Manufacturer Settlement Agreement"). The Manufacturer Settlement Agreement makes relief available to Settlement Class Members who 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 (referred to collectively as "303 THF Products"), excluding persons and entities who solely purchased Super S Super Trac 303 Tractor Hydraulic Fluid in Missouri or for resale. The Manufacturer Settlement Agreement, with all exhibits thereto, was attached as Exhibit 1 to the Unopposed Motion for Preliminary Approval. Dkt. 1202-1.

2. On October 3, 2024, this Court entered its Preliminary Approval Order granting preliminary approval of the Manufacturer Settlement Agreement (the “Preliminary Approval Order”). Dkt. 1204. The following Manufacturer Settlement Class was conditionally certified:

- a. all persons and other entities who 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 in the United States and its territories, other than Missouri, at any point in time from December 1, 2013 to present, excluding any persons and/or entities who purchased for resale; and,
- b. all persons and other entities who purchased Super S 303 Tractor Hydraulic Fluid, CAM2 ProMax 303 Tractor Hydraulic Oil, and/or CAM2 303 Tractor Hydraulic Oil in Missouri at any point in time from December 1, 2013 to present, excluding any persons and/or entities who purchased for resale.

The Manufacturer Settlement Class also excludes Manufacturer Defendants, including their immediate family members, as well as the MDL judicial officers assigned to this litigation and their immediate family and staff members. Dkt. 1204, ¶ 6.

3. Since that time, the Court-appointed Settlement Administrator, RG/2 Claims Administration LLC (“RG/2”), has implemented the Court-approved notice and claims administration process, as set forth in Exhibit H to the Manufacturer Settlement Agreement and paragraphs 11-14 of the Preliminary Approval Order. The Declaration of Tina Chiango, Director of Claims Administration, Securities, and Antitrust for RG/2, attached hereto as Exhibit 1, and the Supplemental Declaration of RG/2, attached hereto as Exhibit 2, support the adequacy and appropriateness of the Manufacturer Settlement Agreement, including the notice provided to Settlement Class Members, the processing of claims, and the response of Class Members. As set

forth in RG/2's Declaration and Supplemental Declaration, more than 6,000 claims have been submitted, there have been no objections to the Manufacturer Settlement Agreement, and only one potential Class Member has requested to be excluded from the Settlement. Ex. 1, Declaration of Tina Chiango, ¶¶ 19, 21-22; Ex. 2, Supplemental Declaration of Tina Chiango, ¶¶ 4-6.

4. With the objection, opt-out, and claims period closed on March 1, 2025, Plaintiffs, pursuant to the Manufacturer Settlement Agreement and the Court's Preliminary Approval Order, file this Motion and respectfully request that the Court enter an order, in substantially the same form as Exhibit B to the Manufacturer Settlement Agreement, granting final approval of the class action settlement memorialized in the Manufacturer Settlement Agreement. As set forth more fully in Exhibit B to the Manufacturer Settlement Agreement and the Proposed Order which will be provided to the Court, the requested order finally approves the Manufacturer Settlement Agreement and, among other things:

- (a) finds that the notice provided satisfies the requirements of due process and Fed. R. Civ. P. 23(e)(1);
- (b) finds that Settlement Class Members have been adequately represented by the Class Representatives and Class Counsel;
- (c) finds that the Manufacturer Settlement Agreement is fair, reasonable and adequate to the Settlement Class, that each Settlement Class Member shall be bound by the Manufacturer Settlement Agreement, including the release set forth in the Manufacturer Settlement Agreement, and that the Manufacturer Settlement Agreement should be and is finally approved;
- (d) dismisses on the merits and with prejudice the claims asserted by the Settlement Class Members against the Manufacturer Defendants;
- (e) permanently enjoins each and every Settlement Class Member from bringing, joining, or continuing to prosecute any Released Claims against any of the Released Parties; and,
- (f) retains jurisdiction of all matters relating to the interpretation, administration, implementation, effectuation and enforcement of the Manufacturer Settlement Agreement.

Direct Mailed/E-Mailed Notice

5. On November 1, 2024, the Mailed Class Notice was mailed to 148,855 Members of the Settlement Class who were (a) identified by the retailer records as having specific purchases of the 303 THF Products during the Class Period, and/or (b) were identified by prior claims submitted in the Retailer Class Settlement. These notices provided each recipient with the number of their purchases of the 303 THF Products as reflected in the retailers' records and/or prior claims, for each of the various sizes – 1-gallon jugs, 2-gallon jugs; 5-gallon buckets; and 55-gallon drums. The Mailed Class Notice also provided each Class Member the amount of each's valid damage/repair claim, if any, from the Retailer Class Settlement Agreement. These Class Members had the option of adopting the number of purchases reflected in their Mailed Class Notice as well as their previous repair claims submitted in the Retailer Class Settlement. They could also submit claims for additional purchases and/or additional repairs/damage. Ex. 1, ¶ 7.

6. Also on November 1, 2024, the Mailed Class Notice was emailed to 130,598 potential Settlement Class Members and mailed to 24,505 other potential Members of the Settlement Class. These were persons and/or entities who were identified by retailer records as possibly having purchased 303 THF Products during the Class Period, but for whom specific purchase information was not available. Ex. 1, ¶ 8.

7. Also on November 1, 2024, RG/2 mailed 1,642 Mailed Class Notices to potential Class Members identified in listings provided by Bomgaars, Cape Warehouse, Froedge Machine & Supply, and Runnings. Ex. 1, ¶ 9.

8. Of the 175,002 Mailed Class Notices mailed to potential Settlement Class Members, a total of 5,916 were returned by the USPS as undeliverable. Of those returned, 491 contained a forwarding address, and RG/2 immediately remailed those Mailed Class Notices to

the forwarding addresses. RG/2 performed address verification searches (also referred to as “skip tracing”) for those returned as undeliverable without a forwarding address. RG/2 promptly sent the Notice information to 2,479 potential Settlement Class Members via U.S. First Class mail at the updated addresses located via skip tracing. After these efforts, 2,946 remained undeliverable. Ex. 1, ¶ 10.

9. On January 6, 2025, reminder emails were sent to 1,183 Class Members who filed a claim in the Retailer Settlement, who had provided email addresses and who had not yet submitted a Claim Form for this Manufacturer Settlement. Ex. 1, ¶ 11.

Publication of Summary Class Notice

10. In addition to emailing and mailing the Notices and in order to reach additional potential Settlement Class Members, the Summary Class Notice was published in the following publications beginning in November 2024:

- **Successful Farming**
- **Progressive Farmer**
- **Farm Journal**
- **Construction Equipment**
- **Builder**
- **Timber Line**
- **AgriView (WI)**
- **Grassroots (NY)**
- **Wisconsin Agriculturalist**
- **Minnesota Farmer**

Ex. 1, ¶ 12. The total circulation of these publications exceeds 1.1 million.

11. A media notice campaign was also implemented regarding the Manufacturer Settlement. It included Facebook and Google Ads that allowed potential Class Members to click on the ad and be linked to the Settlement website. Overall, this digital media campaign produced over 40 million impressions online. Ex. 1, ¶ 13; Ex. 2, ¶ 3.

Settlement Website

12. All Notices and media referred to the Settlement website www.303tractorhydraulicfluidsettlement.com, which was originally established by RG/2 as the website for the Retailer Class Settlement and was converted to have a home page relating to the current Manufacturer Settlement.¹ The website includes the following:

- a. A “Homepage” containing a brief summary of the Manufacturer Settlement Agreement and advising potential Settlement Class Members of their rights under the Settlement;
- b. An “Important Date” page containing a list of key dates and deadlines relating to the Manufacturer Settlement Agreement;
- c. A “Manufacturer Settlement Court Documents” page containing various Court Documents relating to the Manufacturer Settlement Agreement including the Court-Ordered Long Form Notice, the Claim Form, the Settlement Agreement; the Motion for Preliminary Approval; Suggestions in Support of Preliminary Approval; the Preliminary Approval Order; the Application for Incentive Awards and for Attorneys’ Fees and Expenses; Suggestions in Support of Application for Incentive Awards, Attorneys’ Fees and Expenses; and the Declaration of Thomas Bender in Support of Application for Incentive Awards, Attorneys’ Fees and Expenses; and, Unopposed Amendment to Application for Incentive Awards, Attorneys’ Fees and Expenses;
- d. A “Claims Filing” page containing links to the Claim Form portal. This page also contains pdf versions of these forms for printing;
- e. A “Retailer Settlement Documents” page containing various Court Documents related to the Retailer Settlement;
- f. An “8 Focus States – Contested Class Certification” page containing various Court Documents related to the contested Class Certification Order for the 8 focus states; and,
- g. A “Contact Us” page containing RG/2’s and Class Counsel’s contact information for any questions or requests for information regarding the settlement.

Ex. 1, ¶¶ 14-16.

¹ In addition, a message advising of the Manufacturer Settlement was placed on the separate website regarding the contested class certification in the 8 focus states.

13. Potential Class Members were able to utilize the online claims portal to complete and submit the Claim Form. Claim forms could also be submitted by mail, fax, or email. Ex. 1, ¶ 16.

14. From October 20, 2024, through the present, RG/2 has also made available a toll-free number that provided information to Settlement Class Members and any other persons seeking information about the Manufacturer Settlement, as well as instructions on how to participate in the Settlement. The toll-free number was staffed by live operators during normal business hours. Ex. 1, ¶ 17.

15. Class Counsel has also been available and communicated with Class Members by phone and email.

No Objections to the Settlement Have Been Asserted by Class Members

16. Pursuant to this Court's Preliminary Approval Order, Class Members had until March 1, 2025, by which to file objections to the Settlement. As of March 10, 2025, no Class Member has filed an objection. Ex. 1, ¶ 22; Ex. 2, ¶ 5.

Opt-Outs/Requests for Exclusion

17. Pursuant to this Court's Preliminary Approval Order, Class Members also had until March 1, 2025, by which to opt-out of the Settlement. As of March 10, 2025, one Class Member has timely opted out. Ex. 1, ¶ 21; Ex. 2, ¶ 4.

Summary of Claims

18. As of March 11, 2025, 6,137 Claim Forms had been timely submitted that were not deemed as fraudulent by the Settlement Administrator. Ex. 1, ¶ 19; Ex. 2, ¶ 6. In addition, 30 more non-fraudulent Claim Forms have been submitted after the March 1st deadline. Ex. 2, ¶ 6. The Settlement Administrator and Class Counsel will be reviewing and evaluating these

claims pursuant to the terms of the Manufacturer Settlement Agreement. Claim denial emails and/or letters will be sent to claimants whose claims are denied, with an opportunity to respond.

Settlement Administration and Notice Costs to Date

19. It is anticipated that RG/2 will complete the notice phase of the Settlement Administration process within budget. The original budgeted amount also includes estimates for future services related to claim evaluation, award distribution and other post-Final Approval Settlement Administration. Ex. 2, ¶ 8.

Conclusion

20. Notice has been appropriately disseminated to the Class, and this Court should grant final approval to the Manufacturer Settlement as fair, reasonable and adequate.

21. In further support of this Motion, Plaintiffs file concurrently herewith their Suggestions in Support of Unopposed Motion for Final Approval of Manufacturer Settlement Agreement.

22. Upon Final Approval of the Manufacturer Settlement Agreement, the Settlement Administrator and Class Counsel will complete the claim review and evaluation process. Class Counsel anticipates reporting back to the Court in 30-60 days with an update on claims.

WHEREFORE, Plaintiffs respectfully request the Court enter the proposed Final Approval Order for the Manufacturer Settlement Agreement and for such other and further relief as is just and proper.

Date: March 12, 2025

Respectfully Submitted,

HORN AYLWARD & BANDY, LLC

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DECLARATION OF SETTLEMENT ADMINISTRATOR

I, Tina Chiango, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am the Director of Claims Administration, Securitles, and Antitrust for RG/2 Claims Administration LLC ("RG/2"), the Settlement Administrator retained in this matter, located at 30 S. 17th Street, Philadelphia, PA 19103. I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. RG/2 is a full-service class action settlement administrator offering notice, claims processing, allocation, distribution, tax reporting, and class action settlement consulting services. RG/2's experience includes the provision of notice and administration services for settlements arising from antitrust, consumer fraud, civil rights, employment, negligent disclosure, and securitles fraud allegations. Since 2000, RG/2 has administered and distributed in excess of \$2 billion in class action settlements.

3. RG/2 is not related to or affiliated with any of the attorneys comprising Class Counsel or counsel for Defendants.

4. RG/2 was retained by Class Counsel and approved by the Court to serve as Settlement Administrator, which includes among other tasks, disseminating notice to the class via first class mail or email; contracting and overseeing published notice; receiving and tracking requests for exclusion and objections; responding to Settlement Class Member inquiries; processing Claim Forms and evaluating Claims; calculating, preparing and mailing Settlement Award checks to Eligible Settlement Class Members; and any additional tasks as the parties mutually agree upon or the Court orders RG/2 to perform.

5. The Notice Plan for this Settlement involved direct notice by mail and email as well as published notice through print and digital media. As reflected below, notice was sent consistent with that Plan.

Direct Notice By U.S. Mail and Email

6. Through use of the data and claims produced for the Retailer Settlement as well as purchaser lists from other retailers, RG/2 provided direct notice of the Manufacturer Settlement to over 300,000 Settlement Class Members and potential Settlement Class Members via U.S. First-Class Mail or via email.

7. On November 1, 2024, RG/2 arranged for the mailing of 148,855 Mailed Notices to Class Members who were identified and paid in the Retailer Settlement after either submitting a valid claim or as part of the automatic bucket claims. An exemplar of the Mailed Notice is attached as Exhibit A. A Summary Sheet with the Mailed Notice provided each Class Member with the number of each size bucket for which they were paid in the Retailer Settlement and the amount of any repairs/damages that were approved as valid in the Retailer Settlement. This

allowed each Class Member the opportunity to verify the accuracy of that information and deem submitted prior claim materials submitted in the Retailer Settlement.

8. Also on November 1, 2024, RG/2 arranged for mailing of 24,505 and emailing of 130,598 Mailed Notices to potential Class Members for whom an email or mailing address was provided for the Retailer Settlement, but for which there was no specific data or information on bucket purchases.

9. RG/2 was also provided with listings from Bomgaars, Cape Warehouse, Proedge Machine & Supply, and Runnings, which provided direct contact information which resulted in an additional 1,642 Mailed Notices sent on November 1, 2024.

10. Of the 175,002 Mailed Notices mailed to Class Members and potential Class Members, a total of 5,916 were returned by the USPS as undeliverable. Of those returned, 491 contained a forwarding address, which RG/2 used to immediately re-mail those notices. RG/2 performed address verification searches (also referred to as "skip tracing") for those returned as undeliverable without a forwarding address. Re-mails were promptly sent to 2,479 Class Members and potential Class Members via U.S. First Class mail at the updated addresses located via skip tracing. After these efforts, 2,946 remained undeliverable.

11. On January 6, 2025, reminder emails were sent to 1,183 Class Members who filed a claim in the Retailer Settlement and who had provided email addresses, but who had not yet submitted a Claim Form for this Manufacturer Settlement.

Published Notice – Print and Digital

12. Pursuant to the approved Notice Plan, Notice was given to those Settlement Class Members for whom no addresses were known. RG/2 caused the Summary Class Notice attached as Exhibit B to be published in the following national magazines targeted to farmers and the agricultural community, as well as to construction and logging communities:

PUBLICATION	CIRCULATION	SIZE
Successful Farming	381,980	Full page
Progressive Farmer	267,000	Half page
Farm Journal	310,010	Junior page
Construction Equipment	70,000	Full page
Builder	40,000	Full page
Timber Line	12,500	Two-third page
AgriView (WI)	27,500	4.8889" x 10"
Grassroots (NY)	15,000	Quarter page
Wisconsin Agriculturalist	34,000	One-third page
Minnesota Farmer	26,000	Half page
TOTAL	1,113,990	

Collectively, the print publications reached over 1,113,990 subscribers and newsreaders across the country.

13. RG/2 also conducted an internet banner notice campaign which placed banner ad notices with links to the Settlement Website. Banner notices appeared on six separate "channels" of internet/social media platforms, each of which is optimized to reach the target audience. The internet banner notices ran on websites and social media platforms targeting the class's demographics. The platforms/channels were:

- Programmatic – 7.7 million viewable internet banner ad impressions allowed us to reach the most qualified audience for this notice plan through contextual, behavioral and look-alike targeting segments. These targeted the farm/agricultural, landscaping, logging and construction markets with display ads by running on websites that research indicates have an affinity with our demographics. Targeting examples included tractor shoppers, in-

store tractor supply visitors, those with a job role of farm owner or farmer, landscapers, loggers and those in the construction communities who also purchase tractor hydraulic fluid/oil.

- Google Display – 13.37 million impressions using a well-known targeting platform and utilizing national digital networks where the farming/agriculture and logging, landscaping and construction target audiences were likely to be present. The campaign spread the ads over a broad platform of Google assets (display, search, Discover and Gmail).
- Google Search Engine – 548,000 million impressions based on contextual relevance nationally appeared when the target market queries words/phrases that are germane to Agriculture & Forestry, Industrial Materials & Equipment, logging, landscaping and construction. Typical keyword phrases included: tractor hydraulic fluid, 303 tractor fluid/oil, Smitty's/CAM2, Super S Super Trac 303, CAM2 Promax 303, Super S 303, CAM2 303, and other similar terms/phrases.
- Direct Banner Ad Placements – 4.45 million impressions on the Progressive Farmer and Farm Journal (agweb.com), Progressive Farmer and CustomBuilderOnline.com websites.
- Facebook, Instagram, Facebook Messenger, Instant articles – 10.8 million impressions targeting adults 18-65+ People who match: Dairy farming, Agribusiness, Agronomy, Farmer, Agricultural machinery, Poultry farming, Organic farming, United States Department of Agriculture, Field (agriculture), Agricultural science, Farm, Agricultural cooperative or Agriculture. Industries: Farming, Fishing, Forestry/Logging, Construction and Landscape.

Website and Other Class Communications

14. RG/2 used the website associated with the Retailer Settlement for this Manufacturer Settlement, converting that website to have a homepage relating to the current Manufacturer Settlement. Class Members were advised that Court Documents related to the Retailer Settlement were available by clicking on the Retailer Settlement page. The separate website regarding the previously contested Class Certification in the 8 Focus States also contained a message advising of the Manufacturer Settlement and a link to the Manufacturer Settlement website homepage.

15. The updated Manufacturer Settlement website included the following:

- A "Homepage" containing a brief summary of the Manufacturer Settlement and also advising potential Settlement Class Members of their rights under the Settlement;
- An "Important Dates" page containing a list of the key dates and deadlines relating to the Manufacturer Settlement;
- A "Manufacturer Settlement Court Documents" page containing various Court Documents relating to the Settlement;
- A "Claims Filing" page containing links to the Claims portal and also containing a pdf version of the Claim Form for printing;
- A "Retailer Settlement Documents Page" page containing various Court Documents related to the Retailer Settlement;
- An "8 Focus States – Contested Class Certification" page containing various Court Documents relating to the Class Certification Order for the previously contested 8 Focus States; and
- A "Contact Us" page containing RG2's and Class Counsel's contact information for any questions or requests for information regarding the Settlement.

16. RG/2 set up and had available at the settlement website online claims portals for Claim Forms. The claim portals were open as of October 29, 2024, and they remain open. Claims could also be submitted via mail, fax or email.

17. Beginning on October 29, 2024, RG/2 also made available a toll-free telephone number that provided information to Settlement Class Members and any other persons seeking information about the Settlement, as well as instructions on how to participate in the Settlement. The toll-free telephone number was staffed by live operators during normal business hours.

Claims, Opt-Outs, Objections

18. Class Members were advised in the Mailed Notice and Long Form Notice that they must file a Claim Form to receive any funds from this Manufacturer Settlement, even if they already have a claim in the Retailer Settlement. When filing their claims, Class Members had the

option to deem their prior Retailer Settlement claim forms and documents submitted in this Manufacturer Settlement. They also had the option to use the data from the Retailer Settlement (if that was provided to them) or to instead provide their own bucket information and any repairs/damages they would like to claim. Class Members could also add to their Retailer Settlement claim forms with additional repairs/damages.

19. The deadline to submit a Claim Form in the Manufacturer Settlement is March 1, 2025. As of February 12, 2025, more than 4,700 claim forms have been submitted, excluding those suspected as fraudulent based on similar filings, emails and IP addresses.

20. RG/2 and Class Counsel are in the process of reviewing and evaluating the claims submitted on the Claim Forms. Claim denial emails and/or letters will be sent to claimants whose claims are denied. RG/2 will update the Court regarding this process.

21. The deadline to submit a Request for Exclusion for the Manufacturer Settlement is March 1, 2025. As of February 12, 2025, RG/2 has received one (1) Request for Exclusion. A List of Requests for Exclusion is attached as Exhibit C.

22. The deadline to submit an Objection to the Manufacturer Settlement is March 1, 2025. As of February 12, 2025, RG/2 has not received any Objections to the Manufacturer Settlement.

23. RG/2 will continue to process claims, opt-outs, and objections, if any, through the March 1, 2025 deadline and will update the Court.

24. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 13, 2025

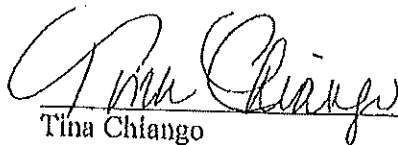

Tina Chiango

EXHIBIT A

**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 www.303tractorhydraulicfluidsettlement.com 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 info@rg2claims.com**

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 you 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.
8. Under the Manufacturer Class Settlement Agreement, in addition to a monetary award based upon your Smitty's/CAM2 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 www.303tractorhydraulicfluidsettlement.com 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).

IF YOU ARE A MEMBER OF THE SETTLEMENT CLASS:

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 www.303tractorhydraulicfluidsettlement.com or request a form via email to 303tractorhydraulicfluidsettlement@rg2claims.com or call 1-877-979-7115	<i>By March 1, 2025</i>
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 www.303tractorhydraulicfluidsettlement.com or request a form via email to 303tractorhydraulicfluidsettlement@rg2claims.com or call 1-877-979-7115.	<i>By March 1, 2025</i>
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.	<i>By March 1, 2025</i>
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 <u>do not</u> exclude yourself by the date listed immediately above.	<i>By March 1, 2025</i>

SUMMARY OF APPROVED CLAIM IN RETAILERS 303 THF CLASS SETTLEMENT

You were previously assigned a claim and issued payment in the Retailers 303 THF Class Settlement based on either a claim you submitted or an automatic bucket payment. The claim number is <<claim number>>. The following is a summary of the buckets and Repairs/Damages that were approved for that claim.

<<# of 1 Gal buckets>> ____ 1 gallon buckets
<<# of 2 Gal buckets>> ____ 2 gallon buckets
<<# of 5 Gal buckets>> ____ 5 gallon buckets
<<# of drums>> ____ 55 gallon drums
<<amounts>> Approved Repairs/Damages

To be part of the Proposed Manufacturer Settlement and receive a payment, you MUST submit a Claim Form. To submit a Claim Form, please go to the website, www.303tractorhydraulicfluidsettlement.com and click on the "File a Claim" Option to use the Claims Portal. When filing your Claim Form, you will be requested to enter your Retailer 303 THF Class Settlement Claim Number of <<claim number>>. You will then have the option to either use this data or supplement your claim.

If you do not wish to file through the Claims Portal, you may print a Claim Form and either mail, email or fax the form to the Settlement Administrator. The Claim Form will provide these options. If you do not have access to a computer or printer, you may also email the Settlement Administrator at 303tractorhydraulicfluidsettlement@rg2claims.com or call 1-877-979-7115 to request that a form be mailed to you.

Note that all claims will be re-reviewed and re-evaluated in this Proposed Manufacturer Settlement. Note also that 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. If you did not previously submit such proof, you will need 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 the above purchases and repairs/damages information relates to determination of your claim value and that any monetary award will be whatever pro rata percentage of the total claim value that the settlement funds can provide.

If you have any questions about this mailing or the Manufacturer Class Settlement, please contact Class Counsel Dirk Hubbard at (816) 595-7721 (phone), (816) 421-0899 (fax), or dhubbard@hab-law.com (email).

Please do not contact Defendants, the Court, or the Court Clerk's Office about the Settlement.

EXHIBIT B

**SUMMARY CLASS NOTICE
MANUFACTURER SETTLEMENT**

If you 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 between December 1, 2013, and the present,
a Class Action Lawsuit and Settlement with the Manufacturer Defendants Could Affect Your Rights

**READ THIS NOTICE CAREFULLY. YOUR LEGAL RIGHTS MAY BE AFFECTED
WHETHER YOU ACT OR DO NOT ACT.**

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

The purpose of this notice is to inform you that a \$31,900,000.00 class-action settlement (the "Proposed Manufacturer Settlement") has been reached with the two Manufacturer Defendants in a lawsuit regarding the sale and use of 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 ("303 THF Products"). The Proposed Manufacturer Settlement settles claims against Manufacturer Defendants Smitty's Supply, Inc. and CAM2 International, LLC (collectively referred to as "Manufacturer Defendants") that were or could have been asserted in a Multi-District Litigation ("MDL") lawsuit.

The Proposed Manufacturer Settlement may affect your rights. For comprehensive information about the lawsuit and settlement, including the longer notice of settlement ("Long Form Notice") and the Manufacturer Settlement Agreement, please visit www.303tractorhydraulicfluidsettlement.com or call 877-979-7115. You may also access the Court docket in this case through the Court's Public Access to Court Electronic Records (PACER) system at www.mow.uscourts.gov/ or by visiting the Office of the Clerk of Court, United States District Court for the Western District of Missouri, 400 E. 9th Street, Kansas City, Missouri, 64106 between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays. The MDL lawsuit is titled *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, pending before the Honorable Judge Stephen R. Bough in the United States District Court for the Western District of Missouri. Please do not telephone the Court or the Court Clerk's Office to inquire about the Proposed Settlement or the claim process.

In the MDL lawsuit, Plaintiffs alleged (1) that the Manufacturing Defendants' 303 THF Products did not meet the equipment manufacturers' specifications or provide the performance benefits listed on the product labels, (2) that the 303 THF Products were made with inappropriate ingredients, and (3) that use of the 303 THF Products in equipment caused damage to various parts of the equipment. Because of the ingredients contained in the 303 THF Products, Plaintiffs alleged that those 303 THF Products should not be used as tractor hydraulic fluid and that the fluid should be flushed from equipment systems if one can afford the cost of doing so.

The Manufacturer Defendants have denied the allegations and claims of wrongdoing. The Court has not decided who is right or made a final ruling on Plaintiffs' claims. Plaintiffs and the Manufacturer Defendants have agreed to the Proposed Manufacturer Settlement to avoid the risk and expense of further litigation.

You may be a member of the Manufacturer Settlement Class if you purchased the above-listed 303 THF Products from December 1, 2013, to the present. If you are a member of the Manufacturer Settlement Class, you will need to submit a Manufacturer Settlement Claim Form. Please visit

www.303tractorhydraulicfluidsettlement.com for a copy of the Claim Form or call 877-979-7115 to request that a Claim Form be mailed to you. The deadline to file your claim is March 1, 2025.

If you do not want to be legally bound by the Proposed Manufacturer Settlement, you must exclude yourself by March 1, 2025. If you do not exclude yourself, you will release any claims you may have against the Manufacturer Defendants, as more fully described in the Manufacturer Settlement Agreement. You may object to the Proposed Manufacturer Settlement by March 1, 2025. The Long Form Notice, available at www.303tractorhydraulicfluidsettlement.com or upon request, explains how to exclude yourself or object.

The Court will decide whether to approve the Proposed Manufacturer Settlement at the Final Fairness Hearing on March 26, 2025, at 10:00 a.m. Class Counsel will ask the Court to approve payment of attorneys' fees of no more than 40% of the Manufacturer Settlement Class Fund minus case expenses sought to be reimbursed, as well as Settlement expenses. Class Counsel will also ask the Court to award an incentive payment between \$3,000 and \$4,500 for each of the class representatives. The amounts awarded for attorneys' fees, expenses, and incentive awards come out of the Manufacturer Settlement Class Fund. This date for the hearing may change; see www.303tractorhydraulicfluidsettlement.com.

BY ORDER OF U.S. DISTRICT COURT

EXHIBIT C

Requests For Exclusion

Name	State Of Residence
John Kochy	OH

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

IN RE: SMITTY'S/CAM2 303 TRACTOR
HYDRAULIC FLUID MARKETING, SALES
PRACTICES, AND PRODUCTS LIABILITY
LITIGATION

MDL No. 2936

Master Case No. 4:20-MD-02936-SRB

This document relates to:
All Class Actions

SUPPLEMENTAL DECLARATION OF SETTLEMENT ADMINISTRATOR

I, Tina Chiango, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am the Director of Claims Administration, Securities, and Antitrust for RG/2 Claims Administration LLC ("RG/2"), the Settlement Administrator retained in this Class Settlement with Manufacturers Smitty's and CAM2 ("Manufacturer Settlement"). I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto.

2. This Supplemental Declaration is a supplement to my prior Declaration dated February 13, 2025 ("2/13/25 Declaration") and provides updated settlement administration information through and beyond the Bar Date of March 1, 2025.

3. The Facebook digital notice to potential Class Members, discussed in paragraph 13 of my 2/13/25 Declaration, was continued in late February and resulted in an additional 4,694,528 impressions, bringing the total digital notice impressions to more than 40 million.

4. The deadline to submit a Request for Exclusion to the Manufacturer Settlement was March 1, 2025. As of March 10, 2025, RG/2 has received one Request for Exclusion prior to (or postmarked prior to) the March 1, 2025 Bar Date. The identification of this opt-out was

previously provided as Exhibit C to my 2/13/25 Declaration. After the Bar Date, RG/2 has not received or been made aware of any additional Requests for Exclusion beyond this one.

5. The deadline to submit an Objection to the Manufacturer Settlement also was March 1, 2025. RG/2 did not receive and was not made aware of any Objections to the Manufacturer Settlement prior to (or postmarked prior to) this March 1, 2025 Bar Date. Even after the Bar Date, RG/2 has not received or been made aware of any Objections to the Manufacturer Settlement.

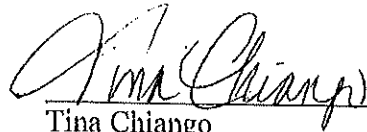
6. Potential Class Members submitted a total of 6,137 Claim Forms prior to (or postmarked prior to) the Bar Date of March 1, 2025. Of these, 4,219 were submitted through the online claims portal and 1,918 were submitted via mail, fax or email. These numbers exclude claims submitted on the portal that are suspected as fraudulent based on similar filings, emails and IP addresses. An additional 30 claims have been received after and/or postmarked after the Bar Date.

7. RG/2 and Class Counsel continue the process of reviewing and evaluating the claims submitted on Claim Forms. Claim denial emails and/or letters will be sent to claimants whose claims are denied, with an opportunity to respond. RG/2 will update the Court regarding this process every 30-60 days, or whenever the Court requests.

8. At this time, it is anticipated that RG/2 will complete the settlement administration process, including claim evaluations, claimant communications, and distributions to Class Members, within the budgeted amount of \$992,790.00.

9. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 11, 2025


Tina Chiango