

**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’ STATUS REPORT
REGARDING MANUFACTURER SETTLEMENT
AND MOTION TO APPROVE SECOND DISTRIBUTION

COME NOW Plaintiffs, by and through Class Counsel, and provide the Court the following Status Report Regarding Manufacturer Settlement and Motion to Approve Second Distribution.

Updated Accounting of Settlement Proceeds

1. The Court granted final approval for this nationwide class settlement on March 27, 2025. (Dkt. #1221). There were no objectors and no appeals. The Net Settlement Fund, after payment of Court-Ordered attorneys’ fees, litigation expenses, incentive awards, and anticipated settlement administration expenses, was \$16,664,479.47. Exhibit 1, Settlement Administrator Declaration, ¶ 4.

2. Pursuant to this Court’s July 7, 2026 Order (Dkt. #1230), the Settlement Administrator distributed \$16,182,532.98 (plus \$25,000.00 in pre-distribution claim corrections) to 5,241 claimants on July 29, 2025. Distribution checks to 5,177 of those claimants have now been cashed. There are 64 original distribution checks that remain uncashed for a total of \$4,268.80. Exhibit 1, Settlement Administrator Declaration, ¶¶ 5-7.

3. By phone and/or email, Class Counsel attempted to reach each of the claimants whose original distribution checks remained uncashed. The Settlement Administrator also mailed letters to each of the claimants who had uncashed original distribution checks. Many checks were reissued and re-mailed to claimants. Exhibit 1, Settlement Administrator Declaration, ¶ 8.

4. All uncashed original and reissued checks are now stale, and attempts to reach claimants with uncashed checks have been exhausted. Exhibit 1, Settlement Administrator Declaration, ¶ 9.

5. Also pursuant to the Court's July 7, 2026 Order (Dkt. #1230), a contingency fund of \$481,946.49 was initially established for the payment of any late claim and any claim corrections. There were 65 late claims and/or claim corrections paid for a total of \$485,625.62. Exhibit 1, Settlement Administrator Declaration, ¶ 10.

6. The Court's Preliminary Approval Order (Dkt. #1230) approved RG/2 as Settlement Administrator with a budget of \$992,790.00 for notice and settlement administration. RG/2 will be completing all notice and settlement administration for less than the budgeted amount approved by Court. RG/2 has now been paid \$917,158.94 for notice and settlement administration expenses and fees, and those payments include handling/paying late claims, further settlement administration, final accounting and shutdown. Exhibit 1, Settlement Administrator Declaration, ¶ 11.

7. During settlement administration, interest totaling \$69,710.07 has been earned on the Settlement Fund. Exhibit 1, Settlement Administrator Declaration, ¶ 12.

8. As of September 23, 2026, the balance of the Manufacturer Settlement Fund, including the interest earned and uncashed stale checks, is \$161,912.42. Exhibit 1, Settlement Administrator Declaration, ¶ 13.

9. With all original and reissued checks cashed and/or stale, Plaintiffs also now move the Court to approve a second distribution with the remainder funds.

Motion to Approve Second Distribution

10. As noted, \$161,912.42 remains in the settlement fund after payment of all original and late claims. If a second distribution were to be made, the additional costs for settlement administration are estimated to be \$17,000. Exhibit 1, Settlement Administrator Declaration, ¶ 14. This would leave \$144,912.42 for any potential second distribution. That amount represents less than 1% of the net settlement amount distributed to Class Members. While such amount is too small for an economically viable second distribution to some Class Members, it is sufficient for a second distribution of \$5 or more for 2,171 of the Class Member claimants. Exhibit 1, Settlement Administrator Declaration, ¶ 15. For all of the other Class Member claimants who received original distribution checks, a *pro rata* second distribution would result in payment of less than \$5, in some instances as low as 5 cents. Exhibit 1, Settlement Administrator Declaration, ¶ 16. Class Counsel thus request this Court approve a *pro rata* second distribution to those Class Members who would receive \$5 or more. The remaining funds are sufficient for this second distribution to provide an additional 0.866% to each of these 2,171 Class Member claimants.

11. Class Counsel has conferred with Manufacturer Defendants' counsel, and the Manufacturer Defendants do not object to the second distribution as sought herein.

12. The Settlement Administrator will post a copy of this pleading to the settlement website.

WHEREFORE, as set forth above, Class Counsel submits to the Court this Status Report Regarding the Manufacturer Settlement and requests the Court grant the Motion to Approve Second Distribution.

Date: September 30, 2026

Respectfully submitted,

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**LEAD CLASS COUNSEL FOR PLAINTIFFS
AND CLASS MEMBERS**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document was filed electronically with the United States District Court for the Western District of Missouri, with notice of case activity to be generated and sent electronically by the Clerk of the Court to all designated persons this 30th day of September 2026.

/s/ Dirk Hubbard

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
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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, Securities, 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 was retained by the parties and approved by the Court to serve as Settlement Administrator, which includes amongst 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 Class Member inquiries; processing Claim Forms and evaluating Claims; calculating, preparing and mailing Settlement Award checks to all Eligible Settlement Class Members; and any additional tasks as the parties mutually agree upon or the Court orders RG/2 to perform.

3. RG/2 has provided prior Declarations regarding claims and settlement administration. RG/2 provides a final accounting of all settlement funds in this Declaration.

4. The Net Settlement Fund, after payment of Court-Ordered attorneys' fees, litigation expenses, incentive awards, and anticipated settlement administration expenses, was \$16,664,479.47.

5. Pursuant to this Court's July 7, 2025 Order (Dkt. #1230), RG/2 distributed \$16,182,532.98 (plus \$25,000.00 in pre-distribution claim corrections) to 5,241 claimants on July 29, 2025.

6. Distribution checks to 5,177 of those claimants have now been cashed.

7. There are 64 claimants whose original and/or reissued checks were not cashed for a total of \$4,268.80.

8. RG/s mailed letters to each of the claimants who had uncashed original distribution checks. By phone and/or email, Class Counsel also attempted to reach each of the claimants who had uncashed original distribution checks.

9. All uncashed original and reissued checks are now stale, and attempts to reach these claimants have been exhausted.

10. Pursuant to the Court's July 7, 2026 Order (Dkt. #1230), a contingency fund of \$481,946.49 was initially established for the payment of any late claim and any claim corrections. There were 65 late claims and/or claim corrections paid for a total of \$485,625.62.

11. The Court's Preliminary Approval Order (Dkt. #1230) approved RG/2 as Settlement Administrator with a budget of \$992,790.00 for notice and settlement administration. RG/2 will be completing all notice and settlement administration for less than the budgeted amount

approved by Court. To date, RG/2 has been paid \$917,158.94 for notice and settlement administration expenses and fees.

12. During settlement administration, interest totaling \$69,710.07 has been earned on the Settlement Fund.

13. As of September 30, 2026, the balance of the Manufacturer Settlement Fund, including the interest earned and the amount from uncashed checks, is \$161,912.42.

14. The estimated processing, mailing, and administration costs for a second distribution to claimants would be \$17,000.

15. The net remaining settlement funds, less administration costs for a second distribution, are sufficient for a *pro rata* second distribution of \$5 or more to 2,171 of the Class Member claimants who received first distribution checks. The *pro rata* distribution percentage would be 0.866%. For all other Class Member claimants, a *pro rata* second distribution would result in a payment of less than \$5.

Dated: September 30, 2026



Tina Chiango