

NOTICE OF HEARING IN RUBBER CHEMICALS AND ETHYLENE PROPYLENE DIENE MONOMER ("EPDM") CLASS ACTION LITIGATION

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

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 proceeding described below.

PLEASE BE ADVISED THAT A SETTLEMENT HAS BEEN REACHED WITH SOME OF THE DEFENDANTS IN THE RUBBER CHEMICALS ACTION AND THERE WILL BE HEARINGS SEEKING APPROVAL OF THE SETTLEMENT AS DESCRIBED IN SECTION (E) 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 weather-stripping 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 III below.

I. THE PROCEEDINGS AND SETTLEMENTS

A. Rubber Chemicals Proceedings and Settlement

Class proceedings 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 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 **Crompton Defendants** have agreed, in exchange for a full release of claims against them relating to the **Rubber Chemicals Proceedings**, to pay \$7,200,000.00 into a Settlement Fund to be held in trust by Class Counsel pending further orders of the Courts as to the distribution of the **Settlement Fund**. The **Crompton Defendants** do not admit liability. The settlement is a compromise of disputed claims. The litigation is continuing against all other defendants named in the Statement of Claim. A copy of the Statement of Claim and all other relevant documents to the proceeding can be found on **Class Counsel's** website at www.classaction.ca or obtained pursuant to section III below.

B. Opting Out of the Rubber Chemicals Proceedings

You will be bound by the terms of the settlement with the **Crompton Defendants**, if approved, unless you "opt out". If you do not opt out, you will not be able to bring or maintain any other claim or legal proceeding alleging acts in violation of the *Competition Act*, such as price-fixing, or other claims relating to the alleged conduct in the market for **Rubber Chemicals**, as against the **Crompton Defendants** or, possibly, as against any of the other defendants in the **Rubber Chemicals Proceedings**. The deadline to opt out and the effect of opting out on your rights as against other defendants in the **Rubber Chemicals Proceedings** who are not participating in the present settlement will be determined by the Court(s) at the Certification and Settlement Approval Hearing.

If you opt out, you will not be able to participate in the settlement with the **Crompton Defendants** and may not be able to participate in any further settlements with, or judgments against, other defendants in the **Rubber Chemicals Proceedings**.

C. EPDM Proceedings and Settlements

As detailed in previous notices, 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 on **Class Counsel's** website 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 on **Class Counsel's** website. The deadline to opt-out of the **EPDM Proceedings** has already passed.

D. Distribution Protocols (method of distributing settlement monies)

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

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. More details with respect to making a claim will be available in a further notice published after the distribution protocols are approved.

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 in Quebec); Habitat for Humanity; Automobile Protection Association; Fonds d'Aide; Centraide (for the benefit of Quebec); and Union Des Consommateurs).

E. Motions to Approve Rubber Chemicals Settlement and Distribution Protocol and EPDM Distribution Protocol and Right to Appear and Object

Motions to approve the **Rubber Chemicals Settlement** with the **Crompton Defendants**, the **Rubber Chemicals** distribution protocol and the **EPDM** distribution protocol will be heard by the Ontario Court in the City of London on May 24, 2006, at 10:00 a.m., and the British Columbia Supreme Court in the City of Vancouver on a date to be determined. The motion to approve the **Rubber Chemicals Settlement** with the **Crompton Defendants** and the **Rubber Chemicals** distribution protocol will be heard by the Quebec Superior Court in Montreal on June 7, 2006 at 2:30 p.m. in room 2.08 and the motion to approve the **EPDM** distribution protocol will be heard by the Quebec Superior Court in Quebec City on May 31, 2006. Please contact British Columbia **Class Counsel** directly via the contact information provided in section II below to obtain the date of the motion in British Columbia.

Settlement Class Members who do not oppose the proposed settlement or distribution protocols need not appear at the hearings or take any other action at this time to indicate their desire to participate in the respective proceedings.

Settlement Class Members are entitled to appear and make submissions at the hearings with respect to the settlement, distribution protocols, and distribution of any balance remaining. If you wish to comment on or make an objection to the settlement or one or both of the distribution protocols, a written submission must be delivered to the appropriate **Class Counsel** at the addresses listed below by May 17, 2006. **Class Counsel** will forward all such submissions to the Court. All filed written submissions will be considered by the Court. If you do not file a written submission by May 17, 2006, you will not be entitled to participate, through oral submissions or otherwise, in the settlement/distribution protocol approval hearings. If the settlement and distribution protocols receive Court approval, further notices will be published to advise of such Court approval.

II. CLASS COUNSEL

The law firm of Siskind, Cromarty, Ivey & Dowler LLP represents class members in Ontario, provinces other than British Columbia and Quebec, and corporate entities in Quebec for both the **Rubber Chemicals** and **EPDM 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 LLP 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 Unterberg, Labelle, & Lebeau represents individuals who are class members in Quebec in the **Rubber Chemicals Proceedings**. Quebec **Rubber Chemicals Class Counsel** can be reached at 514-934-0841 or by mail at 1980 Rue Sherbrooke Ouest, Bureau 700, Montreal, QC H3H 1E8.

The law firm of Siskinds, Desmeules represents individuals who are class members in Quebec in the **EPDM Proceedings**. Quebec **EPDM Class Counsel** can be reached at 418-694-2009 or by mail at Les promenades du Vieux-Quebec, 43 rue Buade, bureau 320, Quebec City, QC G1R 4A2.

Class Counsel legal fees and disbursements must be approved by the Courts. **Class Counsel** will be requesting legal fees of up to 25% of the **Settlement Funds**, plus disbursements and applicable taxes.

III. QUESTIONS ABOUT THE SETTLEMENT OR DISTRIBUTION PROTOCOLS

If you would like a copy of the settlement agreement and/or distribution protocols, or have questions, please call the appropriate **Class Counsel** for your province. This notice contains only a summary of the settlement and distribution protocols and class members are encouraged to review the entire settlement agreement and distribution protocols. A copy of the settlement agreement and distribution protocols can be obtained free of charge at www.classaction.ca or they can be mailed to you at a cost of \$10, which represents the cost of photocopying and mailing. INQUIRIES SHOULD NOT BE DIRECTED TO THE COURT.

IV. INTERPRETATION

This notice contains a summary of some of the terms of the settlement and distribution protocols. If there is a conflict between the provisions of this notice and the settlement agreement and/or distribution protocols, including the appendices of the settlement agreement, the terms of the settlement agreement and/or distribution protocols shall prevail.

THIS NOTICE HAS BEEN AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE, THE SUPREME COURT OF BRITISH COLUMBIA, AND THE QUEBEC SUPERIOR COURT