



UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ORIGINAL FILED WITH CLERK

CHAMBERS OF
JEROME B. SIMANDLE
U.S. DISTRICT JUDGE

April 10, 2018

UNITED STATES COURTHOUSE
ONE JOHN F. GERRY PLAZA
P.O. BOX 2797
CAMDEN, NJ 08101
(856) 757-5167

James E. Cecchi, Esq.
CARELLA, BYRNE, CECCHI, OLSTEIN,
BRODY & AGNELLO, P.C.
5 Becker Farm Road
Roseland, NJ 07068

Re: In Re: Caterpillar, Inc., C13 and C15 Engine Products
Liability Litigation
Master Docket No. 14-3722 (JBS-JS)

Dear Mr. Cecchi:

Thank you for your letter of April 6, 2018 [Docket Item 275] informing me of the mistake by the Claims Administrator in the final pro rata distribution process of this class action and the steps being taken to remedy the error.

I write to request more information so that I can be assured that class members' rights are being protected in this and future litigation of this sort.

Kindly obtain from Epiq and supply the following information within seven (7) days:

1. What was the specific error and how did it happen?
2. What is the dollar discrepancy between the erroneous amount and the corrected amount?
3. How many claims were directly involved in the erroneous calculation? How many claims were indirectly affected by the miscalculation and correction of the pro rata payments?
4. What notifications have been sent to class members to inform them of the reasons for the reissuing of corrected disbursements?
5. Has notice of these developments been placed on the class action website?
6. When should class members expect to receive their corrected distribution checks?

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7. What steps has Epiq put into place so that a miscalculation is less likely in future class action distributions?
8. Given the magnitude of this case, should the Court require an independent audit of Epiq's claim processing and distribution processes?
9. Is class counsel satisfied that each class member has received, or will shortly receive, the full and correct distribution that is due?

Counsel for Caterpillar, Inc., may also supply a response to any of the above questions.

Thank you for your cooperation.

Very truly yours,

s/ Jerome B. Simandle

JEROME B. SIMANDLE
U.S. District Judge

JBS/mm

cc: All Counsel of Record