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June 11, 2018

VIA ECF

Honorable Jerome B. Simandle
United States District Court
Mitchell H. Cohen U.S. Courthouse
1 John F. Gerry Plaza
Camden, New Jersey 08101

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

Dear Judge Simandle:

As the Court is aware from recent correspondence Class Counsel has been conferring with the settlement administrator ("Epiq") to, *inter alia*, (1) understand the nature of and reason for the claim processing error; (2) determine the steps taken by Epiq to ensure that all claims are processed correctly; (3) confirm that Epiq is committed to taking all necessary actions to ensure that all settlement class members receive the amount to which they are entitled under the terms of the settlement; and (4) determine whether the partial distribution proposed by Epiq is appropriate under the circumstances.

Additionally, Class Counsel has been conferring with counsel for Class Action Capital ("CAC"), which previously objected to Epiq's proposed partial distribution. As set forth in the Declaration of Michael R. O'Connor, which is being filed herewith (as well as Mr. O'Connor's previously filed April 16, 2018 Declaration), Epiq has diligently worked to correct the claims processing error and has explained to Class Counsel and the Court all of the steps (financial and otherwise) that it has taken and will take to ensure that all settlement class members receive the full amount to which they are entitled under the settlement. As set forth in the O'Connor Declaration, Epiq is nearing completion of the claims processing necessitated by its prior mistake and believes that, following the review of the multiple engine claimants by the Special Master, it should be in a position to mail all remaining checks by mid-July. In light of this timeframe, neither Epiq nor Class Counsel believe that it makes sense to do a partial distribution at this time. Class Counsel has made CAC's counsel aware of this position.

Honorable Jerome B. Simandle

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Thank you for your continued attention to this matter. Please do not hesitate to contact me should you have any questions.

Respectfully submitted,

CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO

/s/James E. Cecchi

JAMES E. CECCHI

cc: All Counsel (via ECF)