

If you ever owned or leased a truck, bus or other vehicle with certain Caterpillar engines, you may be entitled to a payment from a class action settlement.

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

- A \$60 million Settlement has been reached in a class action lawsuit about whether Caterpillar Inc. (“CAT” or “Defendant”) brand engines with exhaust emission control systems, known as the CAT Regeneration System (“CRS”), failed to work reliably, causing its C13 and C15 on-highway diesel engines to lose horsepower and shut down, requiring CAT-authorized dealer technicians to repair the Engines, which they allegedly could not effectively do. The Defendants deny the allegations in the lawsuit, and the Court has not decided who is right.
- The Settlement offers payments to current and former owners and lessees of vehicles with EPA 2007 Compliant Caterpillar On Highway C13 and C15 engines (manufactured in 2006, 2007, 2008 and 2009) (“Subject Engines”). If you are a Class member, you must file a claim in order to receive a payment.
- Your legal rights are affected whether you act or do not act. Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM	Submit a Claim Form seeking cash payment.
EXCLUDE YOURSELF	Request to be excluded and get no benefits from the Settlement. This is the only option that allows you to start or continue your own lawsuit against CAT for the claims at issue in the Settlement.
OBJECT	Write to the Court about why you do not like the Settlement.
GO TO A HEARING	Ask to speak in Court about the fairness of the Settlement.
DO NOTHING	Get no benefits. Give up any rights you might have to sue CAT about the claims resolved by the Settlement.

- These rights and options—**and the deadlines to exercise them**—are explained in this notice.
- The Court in charge of this lawsuit still has to decide whether to approve the Settlement. If it does, and after any appeals are resolved, benefits will be distributed to those who submit a qualifying claim form. Please be patient.

QUESTIONS? CALL 1-888-593-5379 OR VISIT www.EngineSettlement.com
Si desea recibir esta notificación en español, llámenos o visite nuestra página web.

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BASIC INFORMATION

1. Why is there a notice?

A Court authorized this notice because you have a right to know about the proposed Settlement of a class action lawsuit known as *In re Caterpillar, Inc. C13 and C15 Engine Products Liability Litigation*, United States District Court District of New Jersey, MDL No. 2540, Master Docket No. 14-3722(JBS)(JS) and about all of your options before the Court decides whether to give final approval to the Settlement. This notice explains the lawsuit, the Settlement, and your legal rights.

Judge Jerome B. Simandle of the United States District Court District of New Jersey is overseeing this case. The people who sued are called the “Plaintiffs.” Caterpillar Inc. (CAT) is the “Defendant.”

2. What is this litigation about?

The lawsuit alleges that CAT’s exhaust emission control system, known as the CAT Regeneration System (“CRS”), failed to work reliably, causing its EPA 2007 Compliant Caterpillar On Highway C13 and C15 engines (manufactured in 2006, 2007, 2008 and 2009), including the CRS components incorporated therewith (“Subject Engines”) to derate (lose horsepower) and shut down, requiring CAT-authorized, dealer technicians, to repair the Subject Engines, which they allegedly could not effectively do. The complaint in the lawsuit alleges that the CRS failed to operate under all conditions and all applications on a consistent and reliable basis even after repeated CRS warranty repairs and replacements. Allegedly, these repeated warranty repairs and replacements failed to correct the CRS issues, resulting in damages to the owners and lessees of vehicles with the Subject Engines. The alleged damages included diminished value of the vehicles powered by the Subject Engines, out-of-pocket costs such as repair invoices, towing costs, vehicle rental costs and related hotel/taxi charges. Among other claims, the complaint alleges causes of action for breach of express warranty.

CAT has filed answers denying the claims of Plaintiffs, and strongly denies all of Plaintiffs’ claims, denies all allegations of wrongdoing, fault, liability or damage of any kind to Plaintiffs or the Class/Settlement Class, denies that it acted improperly or wrongfully in any way, and believes that this litigation is without merit.

The Plaintiffs’ Second Amended Complaint, the Settlement Agreement, and other case-related documents are posted on the website, www.EngineSettlement.com. The Settlement resolves the lawsuit. The Court has not decided who is right.

3. Why is this a class action?

In a class action, one or more people called “Class Representatives” sue on behalf of themselves and other people with similar claims. Together, all the people with similar claims (except those who exclude themselves) are members of a “Settlement Class.”

The Class Representatives here are Ronald Bagley; Bailey Coach, Inc.; BK Trucking Co.; Leroy Bolton Trucking Co.; David Brewer; Brian Brown; Bryant’s Transport, Inc.; C&F Movers, Inc.; Columbia Petroleum Transportation, LLC; DeCamp Bus Lines; Eagle Valley South, Inc.; Easton Coach Company; Eclipse Charter & Tours, LLC; First Priority Tours, Inc.; G&G Specialized Carriers; Gentry Coach d/b/a Gentry Trailways; Harmon Bros. Charter Services, Inc.; John Lamanteer; K Double D, Inc.; Kelton Tours Unlimited Limited Liability Company; Edward Charles McLean; MNS Enterprises, Inc.; NW Navigator Luxury Coaches LLC; Roadrunner Charters, Inc.; Salud Services, Inc. d/b/a Endeavor Bus Lines; S&M Mercado, Inc.; German Saravia; Scenic

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Boundaries Trans. Inc.; Tri-City Charter of Bossier Inc.; U.S. Transport; Vandalia Bus Lines, Inc.; Ricky A. Williams; and Windy City Limousine LLC.

4. Why is there a Settlement?

The Court has not decided in favor of the Plaintiffs or Defendant. Instead, both sides have agreed to the Settlement. By agreeing to the Settlement, the Parties avoid the costs and uncertainty of a trial, and if the Settlement is approved by the Court, Settlement Class members will receive the benefits described in this notice. The proposed Settlement does not mean that any law was broken or that CAT did anything wrong. CAT denies all legal claims in this case. Plaintiffs and their lawyers think the proposed Settlement is best for everyone who is affected.

WHO IS PART OF THE SETTLEMENT

5. Who is included in the Settlement?

The Settlement includes all persons or entities in the United States who are original purchasers or original lessees, subsequent purchasers or subsequent lessees, (including but not limited to those having purchased via a TRAC option or some rights to residual purchase of vehicles at lease end) of a vehicle powered by a Subject Engine. The Parties agree to certification of the national Settlement Class for purposes of the Settlement Agreement only.

Excluded from the Class are Defendant, all present or former affiliates and/or directors of Defendant, the Judge of this Court, the Judge's family and staff, and all persons who have already made a timely and valid election to be excluded from the Class in accordance with the provisions of the Notice of Pendency, all persons who have already released claims against Defendant for the relief provided herein, and all persons who will make a timely and valid election to be excluded from the Class in accordance with the provisions of the Notice. Settlement Class does not include persons or entities that have previously executed settlement releases concerning the Subject Engines. Such persons or entities that have previously executed settlement releases are specifically excluded from the Class.

6. What is a "Subject Engine," a "CRS" and a "CRS Related Repair?"

A "Subject Engine" is defined as all EPA 2007 Compliant Caterpillar On Highway C13 and C15 engines (manufactured in 2006, 2007, 2008 and 2009) at issue in the lawsuit, including the CRS components of the engines.

"CRS" stands for "Caterpillar Regeneration System" and describes the components of the Subject Engines. The parts that make up the CRS are described at www.EngineSettlement.com and also are listed in Attachment A to the Settlement Agreement.

A "CRS Related Repair" means a repair or replacement of any Caterpillar Regeneration System related part or component (an ARD Head for example) as indicated by the 45 DT and F code combinations reflected in Attachment A. Repairs or replacements made due to a Caterpillar Service Letter performed pro-actively shall not be considered as a CRS Related Repair. The CRS Related Repair can have occurred at any time during your ownership of a vehicle with the Subject Engine. If you have any questions about how to determine the number of CRS Related Repairs, visit the Settlement Website at www.EngineSettlement.com or call the toll-free number, 1-888-593-5379.

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7. What if I am not sure whether I am included in the Settlement?

If you are not sure whether you are in the Settlement Class or have any other questions about the Settlement, visit the Settlement Website at www.EngineSettlement.com or call the toll-free number, 1-888-593-5379. You also may send questions to the Settlement Administrator at CAT Engine Settlement Administrator, P.O. Box 4153, Portland, OR 97208-4153.

THE SETTLEMENT BENEFITS

8. What does the Settlement provide?

The Settlement establishes a \$60 million Settlement Fund for the benefit of the Class. All Class members who submit an Approved Claim (one deemed by the Settlement Administrator to be on time, accurate and complete) will be eligible to receive a pro rata share of the Net Settlement Fund according to the following guidelines:

- A. Class members who experienced no CRS Related Repairs are eligible to receive (but not guaranteed) \$500 for each Subject Engine.
- B. Class members who experienced one to five qualified CRS Related Repairs are eligible to receive (but not guaranteed) \$5,000 per Subject Engine.
- C. Class members who experienced six or more qualified CRS Related Repairs are eligible to receive (but not guaranteed) \$10,000.00 per Subject Engine (the amount ultimately distributed under this option will be twice the amount distributed under option B).

Instead of seeking a payment as set forth in B or C above, each eligible Class member that experienced at least one CRS Related Repair has the option to seek to claim losses (proofs could include receipts, invoices, bills, etc.) up to a maximum of \$15,000, experienced as a consequence of qualified CRS Related Repairs. These losses can include but not be limited to towing charges, rental charges, and hotel charges. In the event the Class member seeks payment pursuant to this optional prove up process, the Class member shall not be eligible to seek payment under B. or C. above.

Payments to eligible claimants may be adjusted pro rata (up or down) depending on the number of eligible claims filed and the total amount of the Settlement Fund available to pay claims. Payments to Class members will exhaust the Net Settlement Fund. No money will be returned to CAT.

9. How do I file a claim?

In order to receive a cash payment you must complete and submit a valid Claim Form. If you received this Notice in the mail, a Claim Form was included. You may also download a Claim Form from the website.

Claim Forms must be postmarked on or before **March 20, 2017** to:

CAT Engine Settlement Administrator
P.O. Box 4153
Portland, OR 97208-4153

Please read the Claim Form carefully, follow all of the instructions and provide all the information required. **You may file a Claim for each Subject Engine in vehicles you owned or leased.** If you

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have questions about how to file your claim that cannot be answered by this notice or by reviewing the information at the Settlement Website, you may call the Settlement Administrator at 1-888-593-5379.

10. When will I receive my payment?

Payments to Class members who file eligible claims will be made only after the Court grants “final approval” to the Settlement and after any appeals are resolved (*see* “The Court’s Fairness Hearing” below). If there are appeals, resolving them can take time. Please be patient.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want benefits from the Settlement, and you want to keep any right you might have to sue CAT about the issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself or “opting out” of the Settlement Class.

11. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a letter or other written document by mail to:

CAT Engine Settlement Administrator
P.O. Box 4153
Portland, OR 97208-4153

Your request for exclusion must include the following:

- Your name, mailing address, e-mail address and your signature (or, only in the case of a Class member who is deceased or incapacitated, the signature of the legally authorized representative of that Class member);
- The Engine serial number of your Subject Engine;
- The make, model and VIN number of the vehicle containing the Subject Engine;
- The original purchase date or lease period, or date of subsequent sale (if applicable); and
- Substantially the following statement, “I want to opt out of the Class certified in the *In re Caterpillar, Inc., C13 and C15 Engine Products Liability Litigation.*”

Your exclusion request must be postmarked no later than **August 6, 2016**. You cannot ask to be excluded on the phone, by email, or at the website.

12. If I do not exclude myself, can I sue the Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right you might have to sue CAT for legal claims that the Settlement resolves. You must exclude yourself from the Settlement Class in order to try to maintain your own lawsuit. If you start your own lawsuit, you will have to hire your own lawyer, and you will have to prove your claims.

13. What am I giving up to stay in the Settlement Class?

QUESTIONS? CALL 1-888-593-5379 OR VISIT www.EngineSettlement.com

Unless you exclude yourself from the Settlement, you cannot sue or be part of any other lawsuit against CAT about the issues in this case, including any existing litigation, arbitration, or proceeding. Unless you exclude yourself, all of the decisions and judgments by the Court will bind you. If you file a Claim Form for benefits or do nothing at all, you will be releasing CAT from all of the claims described and identified in Section 12 of the Settlement Agreement.

The Settlement Agreement is available at www.EngineSettlement.com. The Settlement Agreement provides more detail regarding the release and describes the released claims with specific descriptions in necessary, accurate legal terminology, so read it carefully. You can talk to the law firms representing the Class listed below in Question 17 for free, or you can, at your own expense, talk to your own lawyer if you have any questions about the released claims or what they mean.

14. If I exclude myself, can I still get a payment?

No. You will not get a payment from the Settlement Fund if you exclude yourself from the Settlement.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in the case?

The Court has appointed the following lawyers as “Lead Class Counsel” to represent all members of the Settlement Class: Cohen Milstein Sellers & Toll PLLC; Shepherd Finkelman Miller & Shah, LLP; Quantum Legal, LLC and Carella Byrne Cecchi Olstein Brody & Agnello, P.C. Other firms include Seeger Weiss, LLP, Kohn, Swift & Graf, and Farmer, Jaffe, Weissing, Edwards, Fistos & Lehrman.

You will not be charged for these lawyers. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

16. How will the lawyers be paid?

Class Counsel intend to request up to thirty-three and 1/3 percent (33⅓%) of the value of the Settlement Fund for attorneys’ fees plus reimbursement of reasonable expenses. The Court will decide the amount of fees and expenses to award.

Class Counsel also will request that Service Awards of \$20,000 be paid from the Settlement Fund to each of the Class Representatives for their service as representatives on behalf of the whole Settlement Class.

OBJECTING TO THE SETTLEMENT

17. How do I tell the Court if I do not like the Settlement?

If you are a Settlement Class member (and do not exclude yourself from the Settlement Class), you can object to any part of the Settlement. To object, you must submit a letter or other written document that includes the following:

- A caption that includes the name of the Action and the case number as follows: *In re Caterpillar Inc., C13 and C15 Engine Products Liability Litigation*, Master Docket No. 14-3722 (JBS)(JS);

QUESTIONS? CALL 1-888-593-5379 OR VISIT www.EngineSettlement.com

- Your name, address, telephone number and signature;
- The approximate date(s) of your, purchase, or lease (having purchased via a TRAC option or some rights to residual purchase of vehicles at lease end) of a vehicle powered by a Subject Engine and the serial number for the Subject Engine(s);
- The name, address, bar number and telephone number of your attorney, if represented by an attorney;
- The number of class action settlements you have objected to in the last three years;
- A Statement whether you intend to appear at the Final Approval Hearing, either in person or through counsel;
- A detailed statement of the specific legal and factual basis for each and every objection; and
- A detailed description of any and all evidence you may offer at the Final Approval Hearing, including copies of any and all exhibits that you may introduce at the Final Approval Hearing.

You must file your objection with the Court (using the Court’s electronic filing system or in any manner in which the Court accepts filings) by **August 21, 2016**. You must also serve your objection on Class Counsel and counsel for Defendant and mail a copy to the Settlement Administrator so that it is received no later than **August 21, 2016**. The addresses are listed below.

CLERK OF THE COURT	ADMINISTRATOR	DEFENDANTS’ COUNSEL
Clerk of the Court Mitchell H. Cohen Building & U.S. Courthouse 4 th & Cooper Streets Room 1050 Camden, NJ 08101	CAT Engine Settlement Administrator P.O. Box 4153 Portland, OR 97208-4153	James H. Keale Sedgwick LLP One Newark Center 1085 Raymond Blvd, 16 th Floor Newark, NJ 07102

CLASS COUNSEL	
James C. Shah Shepherd, Finkelman, Miller & Shah, LLP 475 White Horse Pike Collingswood, NJ 08107	James E. Cecchi, Esq. Carella, Byrne, Cecchi, Olstein, Brody & Agnello P.C. 5 Becker Farm Road Roseland, NJ 07068
Richard J. Burke Quantum Legal LLC 513 Central Avenue, Suite 300 Highland Park, Illinois 60035	Theodore J. Leopold Cohen Milstein Sellers & Toll PLLC 2925 PGA Boulevard, Suite 200 Palm Beach Gardens, FL 33410

18. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you do not like something about the Settlement. You can object to the Settlement only if you do not exclude yourself. Excluding yourself is telling the Court that you do not want to be part of the Settlement. If you exclude yourself, you have no basis to object to the Settlement because it no longer affects you.

QUESTIONS? CALL 1-888-593-5379 OR VISIT www.EngineSettlement.com

THE COURT'S FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Settlement and any requests for fees and expenses ("Fairness Hearing").

19. When and where will the Court decide whether to approve the Settlement?

The Court has scheduled a Fairness Hearing on **September 20, 2016 at 10:00 a.m.**, at the United States District Court District of New Jersey, Mitchell H. Cohen Building & U.S. Courthouse 4th & Cooper Streets Room 1050, Camden, NJ 08101. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check www.EngineSettlement.com for updates. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will also consider the requests by Class Counsel for attorneys' fees and expenses and for Service Awards to the Class Representatives. If there are objections, the Court will consider them at that time. After the hearing, the Court will decide whether to approve the Settlement. It is unknown how long these decisions will take.

20. Do I have to attend the hearing?

No. Class Counsel will answer any questions the Court may have. But, you are welcome to attend the hearing at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you submitted your written objection on time, to the proper addresses, and it complies with the other requirements set forth above, the Court will consider it. You also may pay your own lawyer to attend the hearing, but it is not necessary.

21. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. Any Class member who wishes to appear at the Final Approval Hearing must file with the Clerk of the Court a "Notice of Intention to Appear," which must be received by **August 21, 2016**. The Notice of Intention to Appear must include copies of any papers, exhibits or other evidence that the objecting Class member or counsel for the objecting Class member will present to the Court at the Final Approval Hearing. Only a Class member who files a Notice of Intention to Appear, may appear in person or by counsel, and be heard to the extent permitted under applicable law and allowed by the Court, in opposition to the fairness, reasonableness and adequacy of the Settlement, and on Plaintiffs' Counsel's application for an award of attorneys' fees and costs. The address for the Clerk of the Court is listed in Question 17 above.

You cannot ask to speak at the hearing if you exclude yourself from the Settlement.

IF YOU DO NOTHING

22. What happens if I do nothing at all?

If you are a Class member and do nothing, you will not get benefits from the Settlement. And, unless you exclude yourself, you will be bound by the judgment entered by the Court. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit or proceeding against CAT about the statements and claims at issue in this case.

QUESTIONS? CALL 1-888-593-5379 OR VISIT www.EngineSettlement.com

GETTING MORE INFORMATION

23. How do I get more information?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement. For a complete, definitive statement of the Settlement terms, refer to the Settlement Agreement at www.EngineSettlement.com. You may also write with questions to the Settlement Administrator at CAT Engine Settlement Administrator, P.O. Box 4153, Portland, OR 97208-4153, or call the toll-free number, 1-888-593-5379.

QUESTIONS? CALL 1-888-593-5379 OR VISIT www.EngineSettlement.com