

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

THOMAS & THOMAS RODMAKERS, INC., et al., )  
On Their Own Behalf and On Behalf of All Others )  
Similarly Situated, )

*Plaintiffs,* )

*vs.* )

*Defendants.* )

) Case No. CV-99-07796-FMC(RNBx)

) **(Consolidated)**

) **CLASS ACTION**

NEWPORT ADHESIVES AND COMPOSITES, INC., et al., )

NOTICE OF PROPOSED SETTLEMENT OF CLASS ACTION WITH BP AMOCO POLYMERS, INC., HERCULES  
INCORPORATED, MITSUBISHI RAYON CO., LTD., GRAFIL, INC., AND NEWPORT ADHESIVES AND COMPOSITES, INC.

*A FEDERAL COURT AUTHORIZED THIS NOTICE. THIS IS NOT A  
SOLICITATION FROM A LAWYER.*

**IF YOU PURCHASED CARBON FIBER IN THE UNITED STATES  
DIRECTLY FROM ONE OF THE DEFENDANTS NAMED IN THIS CLASS  
ACTION DURING THE PERIOD FROM JANUARY 1, 1993 THROUGH  
JANUARY 31, 1999, YOU MAY BE ELIGIBLE TO RECEIVE  
A PAYMENT FROM SETTLEMENTS IN THIS CASE.**

## 1. Why Did You Receive This Notice?

This Notice has been sent to you because you may have purchased Carbon Fiber *directly* from one or more of the Defendants identified below during the period from January 1, 1993 through January 31, 1999 (the "Class Period").

- "Carbon Fiber" refers to carbon fiber and industrial fabrics, filaments and prepregs made from or with carbon fiber.
- When used herein, Carbon Fiber is intended to encompass all products at issue in the Litigation.
- This Notice is to advise you of your rights with respect to a proposed settlement that has been reached with BP Amoco Polymers, Inc. ("BP Amoco") in the amount of \$7,000,000; with a proposed settlement that has been reached with Hercules Incorporated ("Hercules") in the amount of \$11,250,000; and a proposed settlement that has been reached with Mitsubishi Rayon Co., Ltd. (sued as Mitsubishi Rayon Company, Ltd.), Grafil Inc., and Newport Adhesives and Composites, Inc. (hereinafter collectively the "Mitsubishi Defendants") in the amount of \$16,500,000.
- In addition, Co-Lead Counsel negotiated for receipt of funds from a related litigation. In connection with such litigation, the Class herein may receive up to an additional \$1,500,000. As of the date of this Notice, the sum of \$337,500 has been received for the benefit of the Class.
- This Notice informs you how the settlement proceeds of \$35,087,500 will be distributed and how you may file a claim to share in these proceeds.
- This Notice informs you of your legal rights and options concerning the settlements and of the hearing to determine whether the settlements should be approved.

## 2. Who Are the Defendants in This Lawsuit?

The Defendants that were named in this lawsuit are:

- (1) BP Amoco Polymers, Inc. (the successor to Amoco Polymers, Inc. and Amoco Performance Products, Inc.)
- (2) Cytec Industries Inc.
- (3) Cytec Engineered Materials Inc. (the successor to Cytec Fiberite Inc., Fiberite Inc., and ICI Fiberite)
- (4) Grafil, Inc.

- (5) Hexcel Corporation
- (6) Hercules Incorporated
- (7) Newport Adhesives and Composites, Inc.
- (8) Mitsubishi Rayon Company, Ltd.
- (9) Toho Carbon Fibers, Inc.
- (10) Toho Tenax Company, Ltd. (the successor to Toho Rayon Company, Ltd.)
- (11) Toray Composites (America), Inc.
- (12) Toray Industries, Inc.
- (13) Toray Carbon Fibers America, Inc.

On January 31, 2005, the Court approved the settlements reached with Defendants listed in numbers (2), (3), (5), (9), (10), (11), (12) and (13) above. The current settlements are with the remaining defendants, BP Amoco, Hercules and the Mitsubishi Defendants.

### **3. Who Are the Class Members in This Lawsuit?**

On May 3, 2002, the Court determined that this case could proceed as a class action and certified a Class defined as:

All Persons (excluding governmental entities, Defendants, their subsidiaries and affiliates) who purchased Carbon Fiber in the United States directly from any of the Defendants or any subsidiary or affiliate thereof, at any time during the period from January 1, 1993 to January 31, 1999.

Excluded from the Class are those Persons who requested exclusion pursuant to the Notice of Pendency of Class Action dated October 4, 2002. "Persons" refers to any individuals, partnerships, corporations, associations or other businesses or legal entities.

### **4. What Is This Lawsuit About?**

This case was brought as a class action alleging that the Defendants entered into a conspiracy, in violation of the federal antitrust laws, to fix the prices of Carbon Fiber sold in the United States during the period from January 1, 1993 to January 31, 1999. Plaintiffs allege that as a result of the conspiracy, they and the other members of the Class have been injured because they paid more for Carbon Fiber than they would have paid in the absence of the alleged conspiracy.

BP Amoco, Hercules, and the Mitsubishi Defendants deny they violated the antitrust laws, but have agreed to enter into settlements in order to put to rest all controversy and to avoid the further cost, expense, burden and uncertainty of ongoing litigation.

### **5. What Is the Current Status of This Lawsuit?**

You were notified of the existence of this class action by the Notice of Pendency of Class Action dated October 4, 2002. You were also notified of settlements that were reached with the Cytec Defendants, Hexcel, the Toray Defendants and the Toho Defendants for a total sum of \$32,750,000 in November 2004.

### **6. When and Where Will the Court Decide Whether to Approve the Settlements?**

The Court will hold a hearing on August 11, 2005, at 2:30 p.m. at the United States Courthouse, 255 East Temple Street, Los Angeles, CA. At this hearing, the Court will decide whether the settlements with BP Amoco and Hercules and the Mitsubishi Defendants are fair, reasonable and adequate, and how much Plaintiffs' Counsel will be paid for their attorneys' fees and expenses, and whether the Representative Plaintiffs should be given service awards.

The Court may decide these issues at the hearing or take them under consideration. The time and date of the hearing may be continued by the Court without further notice to the Class.

### **7. What Happens if the Settlements Are Approved?**

If the proposed settlements are approved, the Court will enter judgments that will dismiss the lawsuit with prejudice against BP Amoco, Hercules and the Mitsubishi Defendants. If you did not exclude yourself from the Class in response to the Notice of Pendency of Class Action dated October 4, 2002, the judgments will bar you from bringing similar lawsuits against these Defendants based on the claims that will be released. Released Claims include claims that arise out of any conspiracy to fix, raise, maintain or stabilize the prices of, or

allocate customers, markets or territories for, Carbon Fiber in the United States between January 1, 1993 and January 31, 1999. The full text of the releases are contained in the settlement agreements. Paragraph 13 explains how you may get this information.

## 8. What Can You Do if You Do Not Like the Settlements?

If you are a Class Member and you do not like some aspect of the settlements, or Plaintiffs' Counsel's application for attorneys' fees and expenses as set forth in paragraph 12 below, you can submit your reasons to the Court for consideration. To submit an objection, you must send a letter stating your objection. You must include your name, address, telephone number, and proof you are a Class Member. Mail your objection to the following seven different places, so that it is received no later than August 9, 2005.

Clerk of the Court  
UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION  
312 North Spring Street  
Los Angeles, CA 90012

LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
JOY ANN BULL  
401 B Street, Suite 1600  
San Diego, CA 92101

BARRACK, RODOS & BACINE  
JEFFREY B. GITTLEMAN  
3300 Two Commerce Square  
2001 Market Street  
Philadelphia, PA 19103  
*Co-Lead Counsel for Plaintiffs*

KIRKLAND & ELLIS LLP  
SCOTT W. FOWKES  
200 East Randolph Drive  
Chicago, IL 60601  
*Counsel for BP Amoco*

BALLARD, SPAHR, ANDREWS & INGERSOLL  
ERIC SITARCHUK  
1735 Market Street  
51st Floor  
Philadelphia, PA 19103-7599  
*Counsel for Hercules*

PILLSBURY WINTHROP SHAW PITTMAN LLP  
TERRENCE A. CALLAN  
50 Fremont Street  
San Francisco, CA 94105-7880  
*Counsel for Mitsubishi Rayon Co., Ltd. and  
Newport Adhesives and Composites, Inc.*

TUCKER, ELLIS & WEST LLP  
LAWRENCE A. CALLAGHAN  
One Market Street  
Steuart Tower, Suite 1300  
San Francisco, CA 94105  
*Counsel for Grafil, Inc.*

## 9. May You Speak at the Hearing?

If you send an objection, you are not required to attend the hearing. However, if you submit an objection, you may ask the Court for permission to speak at the hearing. You cannot speak at the hearing if you have excluded yourself from the Class or are not otherwise a Class Member.

## 10. How Will the Settlement Proceeds Be Distributed?

The settlement proceeds will be deposited in a Court-authorized, interest-bearing account for the benefit of Class Members. It will be distributed among those Class Members who make or have made timely and valid claims, after payment of Court-approved attorneys' fees and expenses and the costs of claims administration, including the cost of printing and mailing this Notice and publishing a newspaper notice and taxes ("net settlement proceeds").

Your share of the net settlement proceeds from the three settlements described above will depend on the amount of your **direct** purchases of Carbon Fiber in the United States from Defendants during the Class Period. Each Class Member who makes a timely and valid claim will receive the same *pro rata* share of the net settlement proceeds of these three settlements. NOTE: You have already submitted a timely claim if you submitted a claim before March 16, 2005 in connection with the earlier settlements. Distribution will take place after review and audit of claims by the Court-appointed Settlement Administrator and any approval required by the Court as to the amounts to be paid to eligible claimants.

## 11. How Do You Make a Claim?

If you fit the description of a Class Member as defined in paragraph 3 above, and have not previously submitted a claim in connection with the earlier settlements, you should complete the Claim Form enclosed with this Notice and mail it to the address below, postmarked on or before September 6, 2005.

Carbon Fiber Antitrust Litigation  
Settlement Administrator  
c/o Heffler, Radetich & Saitta L.L.P.  
P.O. Box 410  
Philadelphia, PA 19105-0410

If you have already submitted a claim, DO NOT SUBMIT ANOTHER CLAIM. Your earlier claim will be automatically considered for these settlements. However, if you have not already submitted a claim, and if you do not complete and timely submit a claim form, you will not be entitled to share in the proceeds of these settlements.

**WARNING: THERE ARE COMPANIES THAT CONTACT CLASS MEMBERS AND OFFER THEIR SERVICES TO FILE CLAIMS OR PROVIDE OTHER INFORMATION ABOUT POTENTIAL RECOVERY OF MONIES IN CLASS ACTIONS IN EXCHANGE FOR A PORTION OF YOUR SETTLEMENT PROCEEDS. PLEASE BE ADVISED THAT YOU DO NOT NEED TO USE THESE COMPANIES TO ASSIST YOU IN FILING A CLAIM.**

## 12. Who Are the Class Representatives and the Lawyers Representing the Class Members and How Will They Be Paid?

The Representative Plaintiffs appointed by the Court to represent the Class in this case are: Thomas & Thomas Rodmakers, Inc., Lamiglas, Inc., Cannondale Corporation, Gold Tip, Inc. and Royal Precision, Inc. Plaintiffs' Counsel will apply to the Court for service awards of \$25,000 for each of the Representative Plaintiffs to compensate them for their efforts on behalf of the Class.

The Court appointed the law firms of Lerach Coughlin Stoia Geller Rudman & Robbins LLP and Barrack Rodos & Bacine to represent the Class Members in this case. These lawyers, together with other firms who have worked with them, are referred to as Plaintiffs' Counsel.

Plaintiffs' Counsel have been paid a portion of their attorneys' fees and expenses from earlier settlements. The amount previously paid to Plaintiffs' Counsel represents a small portion of the total fees and expenses incurred to date. Plaintiffs' Counsel have undertaken this representation on a wholly contingent basis and, in connection with approval of the above three settlements, will apply to the Court for a portion of the attorneys' fees and expenses incurred to date, not to exceed \$14,035,000, and a similar proportion of the amount of any future payments that may be received from the related litigation referred to in paragraph 1 above. This amount is less than the actual fees and expenses incurred and not yet paid in this Litigation.

## 13. How Do You Get More Information About the Settlements?

This Notice provides a summary of the settlement agreements. The complete text of the settlement agreements are available at: <http://www.hrsclaimsadministration.com>. There are more details about the settlements in the pleadings that have been filed with the Court in this case. The pleadings and other records in this case may be examined at the Office of the Clerk, Central District of California, 312 North Spring Street, Room G-19, Los Angeles, California 90012. You may also contact Co-Lead Counsel by calling Jeffrey Gittleman at Barrack Rodos & Bacine at 215/963-0600 or Bonny Sweeney at Lerach Coughlin Stoia Geller Rudman & Robbins LLP at 619/231-1058.

**DO NOT TELEPHONE THE COURT REGARDING THIS NOTICE.**

DATED: JUNE 10, 2005

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BY ORDER OF THE COURT  
UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

THOMAS & THOMAS RODMAKERS, INC., et al., )  
On Their Own Behalf and On Behalf of All Others )  
Similarly Situated, )

*Plaintiffs,* )

*vs.* )

*Defendants.* )

) Case No. CV-99-07796-FMC(RNBx)

) **(Consolidated)**

) **CLASS ACTION**

NEWPORT ADHESIVES AND COMPOSITES, INC., et al., )

**CLAIM FORM**

**IMPORTANT NOTICE TO PURCHASERS OF CARBON FIBER  
PLEASE READ THIS ENTIRE DOCUMENT CAREFULLY**

**All Class Members who wish to share in any funds recovered in this lawsuit from BP Amoco, Hercules or the Mitsubishi Defendants or from future settlements must submit a Claim Form, postmarked no later than September 6, 2005. If you previously submitted a claim form in connection with the earlier settlements, you should NOT file this Claim Form.**

**Instructions For Completing Form**

If you are a member of the Class defined below (and did not exclude yourself in response to the Notice of Pendency of Class Action dated October 4, 2002), you may be entitled to share in the distribution of the \$34.75 million in settlements reached in this case with BP Amoco, Hercules and the Mitsubishi Defendants. To receive your share of these settlements, and any other funds recovered in the future via settlement or judgment, you must submit a timely and valid Claim Form in accordance with the instructions set forth herein.

1. **Eligibility:** You are eligible to submit a claim if, during the period from January 1, 1993 to January 31, 1999, you purchased Carbon Fiber in the United States *directly* from any of the Defendants. (See paragraph 2 of the notice that accompanies this claim form for a list of the Defendants.) "Carbon Fiber," as used herein, means carbon fiber and industrial fabrics, filaments and prepregs made from or with carbon fiber.

The Class certified by the Court is defined as follows:

"Class" means all Persons (excluding governmental entities, Defendants, their subsidiaries and affiliates) who purchased Carbon Fiber in the United States directly from any of the Defendants or any subsidiary or affiliate thereof, at any time during the period from January 1, 1993 through January 31, 1999. Excluded from the Class are those Persons who requested exclusion pursuant to the Notice of Pendency of Class Action dated October 4, 2002.

2. **Submission of Claim:** Each Claim Form must be signed and verified by the claimant or a person authorized to act on behalf of the claimant, and must be postmarked no later than September 6, 2005 and addressed to:

Carbon Fiber Antitrust Litigation  
c/o Heffler, Radetich & Saitta L.L.P.  
Settlement Administrator  
P.O. Box 410  
Philadelphia, PA 19105-0410

Do not send your Claim Form to the Court or to any of the parties or their counsel. If you receive multiple copies of the Claim Form, complete only one Claim Form covering all of your qualifying purchases. Do not submit duplicate claims. If you have already submitted a claim in connection with the settlements approved on January 31, 2005, DO NOT SUBMIT ANOTHER CLAIM. Your previous claim will be automatically considered for these settlements.

3. **Confirmation of Receipt of Claim:** The receipt of a claim will not be confirmed or acknowledged automatically by the Settlement Administrator. If you wish to have confirmation that your Claim Form has been received, send it by certified mail, return receipt requested.

4. **Photocopies of Claim:** A claim may be submitted on a photocopy of the Claim Form. Other forms, or altered versions of the Claim Form, will not be accepted. Additional copies of the Claim Form may be obtained on-line at <http://www.hrsclaimsadministration.com>.

5. **Completion and Support of Claim:** Please type or neatly print all requested information. Failure to complete all parts of the Claim Form may result in denial of the claim, may delay processing, or may otherwise adversely affect the claim. Do not send supporting documentation with your Claim Form. However, all information submitted in a Claim Form is subject to further inquiry and verification. The Settlement Administrator may ask you to provide supporting information. Failure to provide such requested information also might adversely affect, or result in denial of, the claim.

The Claim Form asks for certain information relating to your qualified purchases of Carbon Fiber, as well as an explanation of the available documentation (such as account statements, invoices, and extracts of books and records) that supports your claimed purchases. **REMEMBER: ONLY INCLUDE IN YOUR CLAIM FORM PURCHASES OF CARBON FIBER THAT YOU MADE DIRECTLY FROM ONE OR MORE OF THE DEFENDANTS DURING THE PERIOD FROM JANUARY 1, 1993 TO JANUARY 31, 1999.**

6. **Claims of Separate Entities:** Each corporation, trust, or other business entity making a claim must submit its claim on a separate Claim Form.

7. **Taxpayer Identification Number:** A Claim Form is not complete without the federal taxpayer identification number of the claimant.

8. **Identity of Contact Person:** Provide the name, telephone number and e-mail address of the person to be contacted about the information in your Claim Form.

9. **Assistance:** If you have any questions about your claim, you may contact the Settlement Administrator at the above address. You may also contact your own attorney or other person to assist you at your own expense.

10. **Keep a copy:** You should keep a photocopy of your completed Claim Form for your records. You should also retain all of your documents and records relating to direct purchases of Carbon Fiber in the United States from any of the defendants during the period from January 1, 1993 to January 31, 1999.

**WARNING: THERE ARE COMPANIES THAT WRITE OR CALL CLASS MEMBERS AND OFFER THEIR SERVICES IN FILING CLAIM FORMS OR PROVIDING OTHER INFORMATION ABOUT POTENTIAL RECOVERY OF MONIES IN CLASS ACTIONS IN EXCHANGE FOR A PORTION OF ANY SETTLEMENT FUNDS THAT THE CLASS MEMBER MAY ULTIMATELY RECOVER. PLEASE BE ADVISED THAT YOU DO NOT NEED TO USE ONE OF THOSE COMPANIES TO ASSIST YOU OR HELP YOU IN FILING A CLAIM.**

**I. IDENTITY OF CLAIMANT**

Indicate below the claimant's name and mailing address. Please note: Correspondence concerning your claim will be directed to you at your mailing address. **You should notify the Settlement Administrator promptly if your address changes after you have submitted this Claim Form.**

Name:

Street Address:

City:  State:  Zip Code:  -

Country:

E-Mail Address:

Claimant is a (Check one):

- Corporation       Estate       Individual       Partnership
- Other (specify, and provide the name and address of the person or entity on whose behalf you are acting)

Name:

Street Address:

City:  State:  Zip Code:  -

Country:

E-Mail Address:

**II. CONTACT PERSON**

Indicate below the person to be contacted regarding this claim and the person's telephone numbers.

Name: \_\_\_\_\_

\_\_\_\_\_  
Telephone Number (day)

\_\_\_\_\_  
Telephone Number (Evening)

\_\_\_\_\_  
Fax Number

E-Mail Address: \_\_\_\_\_

If it is different from the claimant's address stated above, provide the contact person's address:

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**PLEASE PROMPTLY NOTIFY THE SETTLEMENT ADMINISTRATOR OF ANY CHANGE IN THE ADDRESSES AND TELEPHONE NUMBERS SET FORTH ABOVE.**

**III. TRADE NAMES AND YEARS USED**

Please list the trade names under which you have operated and the dates the trade names were used. (If additional space is needed, please attach a sheet with your name and taxpayer identification number on it.)

Name: \_\_\_\_\_ Dates: \_\_\_\_\_

Name: \_\_\_\_\_ Dates: \_\_\_\_\_

**IV. SCHEDULE OF PURCHASES**

List below the total amount of **direct** purchases of Carbon Fiber from each Defendant for each year during the period from January 1, 1993 through January 31, 1999. **The purchase amounts must be the net amounts paid after deducting any discounts, rebates, taxes, delivery and freight charges. Purchases from distributors that are not Defendants should not be included.**

**Purchased From:**

**1993**

**Purchases:**

Amoco Performance Products, Inc.	\$ _____
Cytec Engineered Materials Inc.	\$ _____
Cytec Industries Inc.	\$ _____
Fiberite, Inc./ICI Fiberite	\$ _____
Grafil, Inc.	\$ _____
Hercules Incorporated	\$ _____
Hexcel Corporation	\$ _____
Newport Adhesives and Composites, Inc.	\$ _____
Mitsubishi Rayon Co., Ltd.	\$ _____
Toho Carbon Fibers, Inc.	\$ _____
Toho Rayon Company, Ltd.	\$ _____
Toray Composites (America), Inc.	\$ _____
Toray Industries, Inc.	\$ _____
Toray Carbon Fibers America, Inc.	\$ _____
Toray Marketing & Sales (America), Inc. (TOMAC)	\$ _____
<b>TOTAL 1993 PURCHASES</b>	\$ _____

**1994**

**Purchases:**

Amoco Performance Products, Inc.	\$ _____
Cytec Engineered Materials Inc.	\$ _____
Cytec Industries Inc.	\$ _____
Fiberite, Inc./ICI Fiberite	\$ _____
Grafil, Inc.	\$ _____
Hercules Incorporated	\$ _____
Hexcel Corporation	\$ _____
Newport Adhesives and Composites, Inc.	\$ _____
Mitsubishi Rayon Co., Ltd.	\$ _____
Toho Carbon Fibers, Inc.	\$ _____
Toho Rayon Company, Ltd.	\$ _____
Toray Composites (America), Inc.	\$ _____
Toray Industries, Inc.	\$ _____
Toray Carbon Fibers America, Inc.	\$ _____
Toray Marketing & Sales (America), Inc. (TOMAC)	\$ _____
<b>TOTAL 1994 PURCHASES</b>	\$ _____

**1995**

	<b>Purchases:</b>
Amoco Polymers, Inc.	\$ _____
Cytec Engineered Materials Inc.	\$ _____
Cytec Industries Inc.	\$ _____
Fiberite, Inc./ICI Fiberite	\$ _____
Grafil, Inc.	\$ _____
Hercules Incorporated	\$ _____
Hexcel Corporation	\$ _____
Newport Adhesives and Composites, Inc.	\$ _____
Mitsubishi Rayon Co., Ltd.	\$ _____
Toho Carbon Fibers, Inc.	\$ _____
Toho Rayon Company, Ltd.	\$ _____
Toray Composites (America), Inc.	\$ _____
Toray Industries, Inc.	\$ _____
Toray Carbon Fibers America, Inc.	\$ _____
Toray Marketing & Sales (America), Inc. (TOMAC)	\$ _____
<b>TOTAL 1995 PURCHASES</b>	<b>\$ _____</b>

**1996**

	<b>Purchases:</b>
Amoco Polymers, Inc.	\$ _____
Cytec Engineered Materials Inc.	\$ _____
Cytec Industries Inc.	\$ _____
Fiberite, Inc./ICI Fiberite	\$ _____
Grafil, Inc.	\$ _____
Hercules Incorporated	\$ _____
Hexcel Corporation	\$ _____
Newport Adhesives and Composites, Inc.	\$ _____
Mitsubishi Rayon Co., Ltd.	\$ _____
Toho Carbon Fibers, Inc.	\$ _____
Toho Rayon Company, Ltd.	\$ _____
Toray Composites (America), Inc.	\$ _____
Toray Industries, Inc.	\$ _____
Toray Carbon Fibers America, Inc.	\$ _____
Toray Marketing & Sales (America), Inc. (TOMAC)	\$ _____
<b>TOTAL 1996 PURCHASES</b>	<b>\$ _____</b>

**1997**

**Purchases:**

Amoco Polymers, Inc.	\$ _____
Cytec Engineered Materials Inc.	\$ _____
Cytec Fiberite Inc.	\$ _____
Cytec Industries Inc.	\$ _____
Fiberite, Inc./ICI Fiberite	\$ _____
Grafil, Inc.	\$ _____
Hexcel Corporation	\$ _____
Newport Adhesives and Composites, Inc.	\$ _____
Mitsubishi Rayon Co., Ltd.	\$ _____
Toho Carbon Fibers, Inc.	\$ _____
Toho Rayon Company, Ltd.	\$ _____
Toray Composites (America), Inc.	\$ _____
Toray Industries, Inc.	\$ _____
Toray Carbon Fibers America, Inc.	\$ _____
Toray Marketing & Sales (America), Inc. (TOMAC)	\$ _____
<b>TOTAL 1997 PURCHASES</b>	\$ _____

**1998**

**Purchases:**

Amoco Polymers, Inc.	\$ _____
Cytec Fiberite Inc.	\$ _____
Cytec Industries Inc.	\$ _____
Grafil, Inc.	\$ _____
Hexcel Corporation	\$ _____
Newport Adhesives and Composites, Inc.	\$ _____
Mitsubishi Rayon Co., Ltd.	\$ _____
Toho Carbon Fibers, Inc.	\$ _____
Toho Rayon Company, Ltd.	\$ _____
Toray Composites (America), Inc.	\$ _____
Toray Industries, Inc.	\$ _____
Toray Carbon Fibers America, Inc.	\$ _____
Toray Marketing & Sales (America), Inc. (TOMAC)	\$ _____
<b>TOTAL 1998 PURCHASES</b>	\$ _____

**1999 (January Only)**

**Purchases:**

Amoco Polymers, Inc.	\$ _____
BP Amoco Polymers, Inc.	\$ _____
Cytec Fiberite Inc.	\$ _____
Cytec Industries Inc.	\$ _____
Grafil, Inc.	\$ _____
Hexcel Corporation	\$ _____
Newport Adhesives and Composites, Inc.	\$ _____
Mitsubishi Rayon Co., Ltd.	\$ _____
Toho Carbon Fibers, Inc.	\$ _____
Toho Rayon Company, Ltd.	\$ _____
Toray Composites (America), Inc.	\$ _____
Toray Industries, Inc.	\$ _____
Toray Carbon Fibers America, Inc.	\$ _____
Toray Marketing & Sales (America), Inc. (TOMAC)	\$ _____
<b>TOTAL JANUARY 1999 PURCHASES</b>	\$ _____
<b>TOTAL JANUARY 1993 — JANUARY 1999 PURCHASES</b>	\$ _____

You must base your purchase information on the available records. You must identify those records (e.g., invoices, purchase journals, accounts payable journals, etc.) in the Section entitled "Proof of Purchases."

**V. PROOF OF PURCHASES**

List and identify below those records (e.g., invoices, purchase journals, accounts payable journals, etc.) you used to calculate your claimed purchases.

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Your claim is subject to review and verification by the Settlement Administrator and you may, at a later time, be required to provide copies of some or all of the underlying documentation supporting your claim. Therefore, please retain your documentation until the conclusion of this Litigation.

**VI. CLAIMS BASED UPON ASSIGNMENT OR TRANSFER**

If the claimant on whose behalf this claim is being submitted acquired the rights that are the basis of the claim asserted herein from some other person or entity (as assignee, transferee, successor or otherwise), please check the box below and attach copies of legal documents that support the acquisition of your claim.

Yes – This claim is based upon an assignment or transfer and I have attached copies of supporting legal documents.

**VII. SUBSTITUTE FORM W-9**

Each claimant must provide the information requested in the following boxes. If the correct information is not provided, a portion of any payment that the claimant may be entitled to receive from the Settlement Funds may be withheld.

**Request for Federal Taxpayer Identification Number and Certification**

Claimant's federal taxpayer identification number is:

Social Security Number:     -   -

(for individuals)

OR Employer Identification Number:   -

(for estates, trusts, corporations, etc.)

Name of taxpayer whose identification number is written above:

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I certify that the above taxpayer is **NOT** subject to backup withholding under the provisions of Section 3406(a)(1)(C) of the Internal Revenue Code.

**NOTE:** If you have been notified by the I.R.S. that you are subject to backup withholding, please strike out the word "**NOT**" in the previous sentence.

Under the penalty of perjury, I certify that the foregoing information is true and correct.

Dated: \_\_\_\_\_  
\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed name)

Instructions regarding IRS Form W-9 are available at the Internal Revenue Service website at [www.irs.gov](http://www.irs.gov).

**VIII. CERTIFICATION**

By signing below, I do hereby fully, finally and forever release, relinquish and discharge all Released Claims (as defined in the Stipulations of Settlement and the settlements contained therein) against BP Amoco, Hercules and the Mitsubishi Defendants. Released Claims include claims that arise out of any conspiracy to fix, raise, maintain or stabilize the prices of, or allocate customers, markets or territories for, Carbon Fiber in the United States between January 1, 1993 and January 31, 1999. The full text of the releases are contained in the Stipulations of Settlement and the settlements contained therein, which are on file with the Court and are posted on the Settlement Administrator's website.

I, \_\_\_\_\_, swear or affirm under penalty of perjury that the information contained in this Claim Form is true and correct to the best of my knowledge and belief, that I am authorized to sign and submit this claim on behalf of the claimant, that the specific purchases of Carbon Fiber listed were made by the claimant **directly** from the Defendant(s) listed, that the claimant is a member of the Class and has not requested to be excluded from the Class, that this claim is the only claim being submitted by the claimant, that the claimant does not know of any other claim being submitted for the same purchases, that the claimant has not transferred or assigned its claims, and that I have read the accompanying Instructions and the Notice of Proposed Settlement of Class Action with BP Amoco Polymers, Inc., Hercules Incorporated, Mitsubishi Rayon Co., Ltd., Grafil, Inc., and Newport Adhesives and Composites, Inc. Claimant submits to the exclusive jurisdiction of the United States District Court for the Central District of California for the purpose of investigation or discovery (if necessary) with respect to this claim and any proceeding or dispute arising out of or relating to this claim. The filing of a false claim is a violation of the criminal laws of the United States and may subject the violator to appropriate criminal penalties.

Dated: \_\_\_\_\_  
\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed name)

\_\_\_\_\_  
(Title or position (if claimant is not an individual))

**THIS CLAIM FORM MUST BE SENT TO THE FOLLOWING ADDRESS BY FIRST-CLASS MAIL, POSTMARKED NO LATER THAN SEPTEMBER 6, 2005:**

Carbon Fiber Antitrust Litigation  
c/o Heffler, Radetich & Saitta L.L.P.  
Settlement Administrator  
P.O. Box 410  
Philadelphia, PA 19105-0410

A Claim Form received by the Settlement Administrator shall be deemed to have been submitted when posted if it is mailed by September 6, 2005, a postmark is indicated on the envelope, and it is mailed and addressed in accordance with the above instructions. In all other cases, the Claim Form shall be deemed to have been submitted when actually received by the Settlement Administrator.

You should be aware that it will take a significant amount of time to process all of the Claim Forms. This work will be completed as promptly as time permits, given the need to review each Claim Form.

In re Carbon Fiber Antitrust Litigation,  
c/o Heffler, Radetich & Saitta L.L.P.  
Settlement Administrator  
P.O. Box 410  
Philadelphia, PA 19105-0410

## FIRST-CLASS MAIL

### PLEASE FORWARD—IMPORTANT LEGAL NOTICE

**ACCURATE CLAIMS PROCESSING TAKES A SIGNIFICANT AMOUNT OF TIME.  
THANK YOU FOR YOUR PATIENCE.**

Reminder Checklist:

1. Please sign the Claim Form on page 11.
2. Please be sure that **all** required information has been provided.
3. Your claim may be subject to review and verification by the Settlement Administrator. Accordingly you should maintain all of the documentation supporting your claim while claims are being processed.
4. Keep a copy of the completed Claim Form for your records.
5. If you desire an acknowledgement of receipt of your claim, please send it by certified mail, return receipt requested.
6. If you move after submitting your Claim Form, please promptly send the Settlement Administrator your new address.
7. If you have any questions concerning this Claim Form or need additional copies, contact the Settlement Administrator at:

Carbon Fiber Antitrust Litigation  
c/o Heffler, Radetich & Saitta L.L.P.  
Settlement Administrator  
P.O. Box 410  
Philadelphia, PA 19105-0410

Additional copies of the Claim Form also may be obtained on-line at <http://www.hrsclaimsadministration.com>.