

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

IN RE: ELECTRICAL CARBON PRODUCTS
ANTITRUST LITIGATION

MDL NO. 1514
MASTER CIVIL NO. 03-2182 (JBS)

**SUMMARY NOTICE OF PENDENCY AND PROPOSED SETTLEMENT OF CLASS ACTION
AND HEARING FOR FINAL APPROVAL OF PROPOSED SETTLEMENT**

To: All Persons (excluding federal government entities, Defendants and their respective parents, subsidiaries and affiliates) who purchased Electrical Carbon Products in the United States, or from a facility located in the United States, directly from any of the following entities during the period January 1, 1990, through December 31, 1999 (the "Class Period"): (1) Defendants The Morgan Crucible Company plc; Morganite Industries, Inc.; Morganite, Inc.; Morgan Advanced Materials and Technologies, Inc.; Morganite Electrical Carbon Ltd.; National Electrical Carbon Products, Inc.; (collectively the "Morgan Defendants"); (2) Defendants Le Carbone Lorraine, S.A.; Carbone Lorraine North America Corporation and Carbone of America Industries Corporation (collectively the "Carbone Defendants"); (3) Defendants Ludwig Schunk Stiftung E.V.; Schunk GmbH; Schunk Kohlenstoff-Technik GmbH; Schunk of North America, Inc.; Schunk Graphite Technology LLC; Hoffmann and Co. Elektrokohle AG and Hoffmann Carbon, Inc. (collectively the "Schunk Defendants"); and (4) Defendant SGL Carbon, LLC (the "SGL Defendant") (the Morgan Defendants, Carbone Defendants, Schunk Defendants and SGL Defendant are referred to collectively as "Settling Defendants").

YOU ARE HEREBY NOTIFIED, pursuant to an Order of the United States District Court for the District of New Jersey (the "Court"), that a proposed settlement has been reached with the Settling Defendants in the amount of twenty four million, two hundred thousand dollars (\$24,200,000) (the "Settlement Fund").

The Court will hold a hearing on **November 10, 2005 at 10:00 a.m.** at the Mitchell H. Cohen U.S. Courthouse, Fourth and Cooper Streets, Camden, N.J. 08101, to determine: (1) whether the proposed settlement of the Litigation between the Settlement Class and the Settling Defendants should be approved; (2) whether the plan of allocation should be approved; (3) whether Class Counsels' request for an award of attorneys' fees and expenses should be approved; and (4) whether the requests for incentive awards for named plaintiffs should be approved. The hearing may be continued without further notice to the Class.

If you purchased Electrical Carbon Products in the United States or from a facility located in the United States directly from any of the manufacturers listed above (or their alleged co-conspirators and/or predecessors, subsidiaries, or affiliates) during the Class Period, you may be a member of the proposed Settlement Class and entitled to participate in the Settlement. The Settlement Fund, with accrued interest, less any amounts approved by the court for payment of attorneys' fees and expenses and incentive awards to class representatives, will be distributed *pro rata* to all claimants based upon the verified amount of their direct purchases of Electrical Carbon Products in the United States, or from a facility located in the United States, during the Class Period.

Counsel for the Settlement Class ("Class Counsel"), in compensation for their time and risk in prosecuting the litigation on a wholly-contingent fee basis, will apply to the Court for an award of attorneys' fees in an amount not to exceed 33.3% (inclusive of litigation costs and expenses) of the Settlement Fund, with accrued interest. Class Counsel intend to apply to the Court for payment of incentive awards to the six named plaintiffs in amounts ranging from \$7,500 to \$15,000 depending upon the extent of their participation.

A printed Notice of Pendency and Proposed Settlement of Class Action and Hearing for Final Approval of Proposed Settlements ("Notice") and Proof of Claim form was mailed to potential Settlement Class Members on **June 27, 2005**. If you have not received the Notice or Proof of Claim in the mail, you may obtain one referring to the following internet website, www.ElectricalCarbonProductsLitigation.com, or by writing to any of Class Counsel identified below.

The Notice explains the litigation in detail and describes the options available to Settlement Class Members.

If you have questions concerning this litigation, you may contact Plaintiffs' Counsel identified below in writing. **Do not contact the Court.**

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**BY ORDER OF: Clerk of the United States District Court
For the District of New Jersey**

Wall Street Journal
(Legal Notices)
(9 point)

6/30/05