

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: HYDROGEN PEROXIDE
ANTITRUST LITIGATION

Civil Action No. 05-666

THIS DOCUMENT RELATES TO:
DIRECT PURCHASER ACTION

MDL Docket No. 1682

**PROOF OF CLAIM WITH RESPECT TO
SETTLEMENT WITH DEFENDANT FMC CORPORATION**

PLEASE READ THIS ENTIRE FORM CAREFULLY

PLEASE NOTE THAT IF YOU HAVE PREVIOUSLY SUBMITTED A TIMELY AND VALID PROOF OF CLAIM WITH RESPECT TO SETTLEMENTS THAT HAVE BEEN APPROVED BY THE COURT WITH OTHER DEFENDANTS IN THIS LITIGATION, YOU DO NOT NEED TO SUBMIT THIS PROOF OF CLAIM TO PARTICIPATE IN THE DISTRIBUTION OF THE FMC SETTLEMENT FUND.

This claim form relates to proposed settlements between the FMC Settlement Class described in the accompanying Notice of Proposed settlement with defendant FMC Corporation ("FMC") and defendants Arkema Inc. and Arkema France, Proposed Distribution of Approved Settlement Funds and Application for an Award of Attorneys' Fees and Reimbursement of Expenses ("Notice").

As described more fully in the Notice, if the proposed settlement with FMC is approved by the Court, plaintiffs will seek permission from the Court to distribute the settlement proceeds, less any amounts that may be awarded by the Court for attorneys' fees and expenses as set forth in the Notice, to members of the FMC Settlement Class described in the accompanying Notice who submit a valid and timely proof of claim on or before August 10, 2009, if you have not already done so.

If you are a member of the FMC Settlement Class, you may be entitled to share in the distribution of the FMC Settlement Fund. To receive your share of the FMC Settlement Fund, you must submit a timely and valid Proof of Claim in accordance with these instructions, unless you have already submitted a valid and timely proof of claim form in connection with prior settlements with other defendants in this litigation.

IF YOU HAVE NOT PREVIOUSLY SUBMITTED A TIMELY AND VALID PROOF OF CLAIM WITH RESPECT TO THIS LITIGATION, YOU MUST FILE THE ATTACHED PROOF OF CLAIM WITH THE CLAIMS ADMINISTRATOR ON OR BEFORE AUGUST 10, 2009 TO SHARE IN THE FMC SETTLEMENT. THE PROOF OF CLAIM MUST BE SIGNED BY A DULY AUTHORIZED OFFICER OR OTHER AUTHORIZED AGENT OF THE CLAIMANT AND MUST CLEARLY IDENTIFY THE NAME AND POSITION OF THE PERSON SIGNING.

1. What is included in the Proof of Claim?

The Proof of Claim contains several sections. It includes the Identity of the Claimant, the Contact Person, Trade Names and Years Used, Purchases Made on Behalf of Another Entity, Other Locations (Including Affiliates and Subsidiaries), Schedule of Hydrogen Peroxide Purchases, Proof of Purchases, Claims Based Upon Assignment or Transfer, Exclusions from Settlements, a Certification, and a Substitute Form W-9. All must be completed, if applicable, and returned to the Claims Administrator. Please type or neatly print all requested information.

The Schedule of Hydrogen Peroxide Purchases is for you to complete with the amount of your hydrogen peroxide purchases during the period September 14, 1994 through January 5, 2005. ("Class Period").

The Certification contains statements to be certified as true.

The Substitute Form W-9 requires the submission of a federal taxpayer identification number.

The information in the sections entitled "Identity of Claimant" and "Contact Person," will be used to communicate with you. If you fail to complete that information, including the name, address, telephone number and e-mail address of the person to be contacted, you will make it difficult, if not impossible, for us to send you a check for your share of the settlement.

2. Am I eligible to participate in the Settlement Fund?

You are eligible to submit this Proof of Claim seeking to share in the distribution of the FMC Settlement Fund in this litigation if you have not excluded yourself from the FMC Settlement Class and if you fit the following description:

All persons or entities, including state, local and municipal government entities who purchased hydrogen peroxide, sodium perborate, or sodium percarbonate in the United States, its territories or possessions, or from a facility located in the United States, its territories or possessions, directly from any of the defendants, or any of their parents, predecessors, successors, subsidiaries or affiliates, at any time during the period from September 14, 1994 to January 5, 2005.

However, purchases of sodium perborate and sodium percarbonate will not be recognized in any claim.

3. What if I received more than one Proof of Claim?

You may receive more than one Proof of Claim, if you used more than one billing address, more than one delivery address or more than one trade name. Whether or not you receive more than one Proof of Claim, you should complete only one Proof of Claim and list all applicable trade names and addresses. If you have previously submitted a Proof of Claim with respect to this litigation, you do not need to submit this Proof of Claim in order to participate in the distribution of the FMC Corporation Settlement Fund.

4. What if I purchased for more than one entity or at more than one location?

Each corporation, trust, or other business entity making a claim must submit its claim on a separate Proof of Claim. If you purchased hydrogen peroxide for more than one entity or at more than one location, you should complete only one Proof of Claim for each corporation, trust or other business entity making a claim. You should list all applicable names and addresses for each entity or location for which you are filing a claim.

5. What do I have to do?

You must complete this Proof of Claim pursuant to these instructions and sign the Certification and Substitute Form W-9. A claim may be submitted on a photocopy of this Proof of Claim form.

You should then return the Proof of Claim to the Claims Administrator. Do not send your Proof of Claim to the Court or to any of the parties or their counsel.

The address for the Claims Administrator is:

Hydrogen Peroxide Antitrust Litigation
P.O. Box 58309
Philadelphia, PA 19102-8309
1-800-252-5745

Website: www.HydrogenPeroxideAntitrustLitigation.com

You should also keep a copy of what you send for your file. You should also retain any records you have concerning purchases of hydrogen peroxide from September 14, 1994 through January 5, 2005.

Your Proof of Claim form must be sent by August 10, 2009.

Failure to complete all applicable parts of this Proof of Claim may result in denial of the claim, may delay processing the claim, or may otherwise adversely affect the claim. However, please note that if you have previously submitted a timely and valid Proof of Claim with respect to settlements that have been approved by the Court with other defendants in this litigation, you do not need to submit this Proof of Claim in order to participate in the distribution of the FMC Settlement Fund.

6. Do I need assistance to fill out my Proof of Claim?

NO. THERE ARE COMPANIES THAT MAY WRITE OR CALL CLASS MEMBERS UPON LEARNING OF A PENDING CLASS ACTION DISTRIBUTION AND OFFER TO HELP CLASS MEMBERS FILE CLAIM FORMS IN EXCHANGE FOR A SHARE OF THE MONEY THAT THE CLASS MEMBERS MAY ULTIMATELY RECOVER. YOU DO NOT NEED TO USE ONE OF THESE COMPANIES. ASSISTANCE IS AVAILABLE FROM THE CLAIMS ADMINISTRATOR AND CLASS COUNSEL (IDENTIFIED BELOW AT 18) AT NO COST TO YOU.

7. Will I receive confirmation of receipt of my Proof of Claim?

The Claims Administrator will confirm the receipt of your claim in writing. Please do NOT assume that your claim has been filed until you receive confirmation, in writing, from the Claims Administrator. If you do not receive confirmation that your Proof of Claim has been filed within 30 days of your mailing the Proof of Claim, please contact the Claims Administrator toll free at 1-800-252-5745.

8. What if my contact information changes?

Until the distributions have been concluded, if your contact information should change, please keep the Claims Administrator advised of any change in your current mailing address by mail at the address above, by e-mail to

9. What information is to be completed on the Schedule of Hydrogen Peroxide Purchases?

The Schedule of Hydrogen Peroxide Purchases has space for you to fill in your purchases of hydrogen peroxide directly from the defendants during the period from September 14, 1994 through January 5, 2005. You should state the total dollars you paid for purchases of hydrogen peroxide from each defendant company from which you directly made the purchases. In providing the dollar amount of purchases, rebates and discounts must be included and sales taxes must be excluded. Purchases from a non-defendant should not be included. If included, these purchases will be stricken from your claim.

10. What proof of purchases are required?

The Proof of Purchases section only requires a detailed explanation of your available documentation—such as invoices, purchase orders, account statements or extracts of books and records—that supports your claimed purchases. The documentation is not required to be submitted with this Proof of Claim.

HOWEVER, AS YOUR CLAIM IS SUBJECT TO AUDIT BY THE CLAIMS ADMINISTRATOR, YOU MAY, AT A LATER TIME, BE REQUIRED TO PROVIDE ALL OR A PORTION OF THE UNDERLYING DOCUMENTATION SUPPORTING YOUR CLAIM. THEREFORE, PLEASE RETAIN THE DOCUMENTATION SUPPORTING YOUR CLAIM UNTIL THE CONCLUSION OF THIS LITIGATION. FAILURE TO PROVIDE SUCH REQUESTED INFORMATION MIGHT DELAY, ADVERSELY AFFECT, OR RESULT IN DENIAL OF YOUR CLAIM.

11. What if I do not have records of my purchases?

When records are **not** available you may submit purchase information based on estimates, but your estimates may be accepted or rejected. If you do submit your purchase information based on estimates, you must provide, on a separate sheet of paper, an adequate explanation as to why documents are not available to you, the steps taken to locate the information, and why the estimation is reasonable. In the explanation of how you calculated the estimated purchases, you must identify the documents you used as a basis for your estimates. Estimations can be based on extrapolation from similar circumstances in the same year (for which you have documentation) or extrapolation from the same or nearly the same circumstances in other years (for which you have documentation). For example, if you have no records allowing you to calculate your purchases in 1998, you may calculate those purchases by using available records, dated as close as possible (e.g., 1997 or 1999). If you are using purchase data and trends to estimate your purchases, you must explain in detail your calculations and retain the documentation used for your calculation until the conclusion of this litigation. It is important that you identify all the records upon which you rely for estimates. The acceptance or rejection of your claim may depend on the type and quality of the information upon which you rely and the methodology you use making your estimates.

12. What happens if there is disagreement about my purchases of hydrogen peroxide?

We may verify or audit all or a portion of your Proof of Claim. We may ask for all or a portion of the backup documentation for your claim. If we disagree with the amounts on your Schedule of Hydrogen Peroxide Purchases, we will send you a writing stating the disagreement. If we cannot resolve the disagreement, then, if necessary, it will be brought before the Court for resolution.

13. What happens after there is agreement on the amount of my purchases of hydrogen peroxide?

IF WE ACCEPT THE INFORMATION ON YOUR SCHEDULE OF HYDROGEN PEROXIDE PURCHASES, THEN THOSE AMOUNTS WILL BE BINDING FOR PURPOSES OF ANY DISTRIBUTION FROM THE FMC SETTLEMENT.

14. What is the Plan of Distribution of the FMC Settlement Fund?

The portion of the FMC Settlement Fund that will be distributed to eligible members of the FMC Settlement Class who submit a valid and timely Proof of Claim form is that portion (the "Net FMC Settlement Fund") that remains after:

(A) Reduction of the FMC Settlement Fund, if any, on account of any settlements that may be reached or judgments that may be paid by FMC to persons and entities who exclude themselves from the FMC Settlement Class, as described more fully in the accompanying Notice.

(B) Deduction of notice and administration costs, including the fees and costs of the Claims Administrator that may be approved by the Court, any attorneys' fees and expenses that the Court may award to Class Counsel, all as described more fully in the accompanying Notice.

The Net FMC Settlement Fund will be distributed, on a *pro rata* basis, to each eligible member of the FMC Settlement Class who submits a valid and timely Proof of Claim in connection with the FMC settlement, or who submitted a valid and timely Proof of Claim in connection with the prior settlements, on the basis of the "Recognized Claims" of those class members. The "Recognized Claim" for purchases of hydrogen peroxide during the period September 14, 1994 through December 31, 2001 shall be equal to the dollar amount of the FMC Settlement Class Member's purchases of hydrogen peroxide from defendants during that period. The "Recognized Claim" for purchases of hydrogen peroxide during the period from January 1, 2002 through January 5, 2005 shall be 10% of the dollar amount

of the FMC Settlement Class Member's purchases of hydrogen peroxide from defendants during that period. For example, if an FMC Settlement Class Member purchased \$20 of hydrogen peroxide from defendants during the period September 14, 1994 through December 31, 2001 and \$10 of hydrogen peroxide from defendants during the period January 1, 2002 through January 5, 2005 its "Recognized Claim" shall be \$21. Purchases of sodium perborate or sodium percarbonate shall not be included in a Recognized Claim. Only direct purchases of hydrogen peroxide from any of the defendants may be claimed. Purchases from any other manufacturer, distributor and/or retailer may not be claimed.

The Net FMC Settlement Fund will be distributed to FMC Settlement Class Members on a *pro rata* basis among all FMC Settlement Class members who submit a valid and timely claim form. In other words, each FMC Settlement Class member shall be paid the percentage of the Net FMC Settlement Fund that each FMC Settlement Class member's Recognized Claim bears to the total of the Recognized Claims of all FMC Settlement Class members who have submitted valid and timely proof of claim forms. It does not matter from which defendant you purchased hydrogen peroxide so long as your purchases were made directly from one or more of the defendants.

The distribution set forth above is based on an evaluation and analysis of the evidence by Class Counsel and their experts.

15. When will I be paid?

All Proofs of Claim must be sent to the Claims Administrator by August 10, 2009. The Proofs of Claim must be reviewed and any disputes resolved. When all disputes are resolved, distributions will be made. There is no way at this time to predict with certainty when the distributions will be made.

16. What if I do not return a Proof of Claim?

IF YOU HAVE NOT PREVIOUSLY SUBMITTED A PROOF OF CLAIM, IF WE DO NOT RECEIVE A TIMELY RESPONSE FROM YOU AND IF YOU DO NOT SUBMIT A PROOF OF CLAIM POSTMARKED ON OR BEFORE AUGUST 10, 2009, WE WILL NOT INCLUDE ANY CLAIM ON YOUR BEHALF FROM THE FMC SETTLEMENT FUND AND YOU WILL NOT SHARE IN THE FMC SETTLEMENT FUND. However, you will still be bound by the judgments entered on this case and you will be barred from commencing any action on your own behalf against the defendants for the claims involved in this class action.

17. What if I fail to complete the Certification?

The Certification must be signed by a duly authorized officer or agent of the Claimant. If you fail to sign and return the Certification, we will not include any claim on your behalf from the FMC Settlement Fund.

18. Where can I get additional information?

You may contact the Claims Administrator at:

Hydrogen Peroxide Antitrust Litigation
P.O. Box 58309
Philadelphia, PA 19102-8309
1-800-252-5745

Class Counsel will also be pleased to answer any questions you have. They are:

Anthony J. Bolognese
Joshua H. Grabar
BOLOGNESE & ASSOCIATES, LLC
Two Penn Center
1500 JFK Boulevard, Suite 320
Philadelphia, PA 19102
Telephone: (215) 814-6750
Facsimile: (215) 814-6764

Robert N. Kaplan
Gregory K. Arenson
Jason A. Zweig
KAPLAN FOX & KILSHEIMER, LLP
850 Third Avenue, 14th Floor
New York, NY 10022
Telephone: (212) 687-1980
Facsimile: (212) 687-7114

Michael D. Hausfeld
William P. Butterfield
Reena Gambhir
HAUSFELD LLP
1700 K Street, N.W.
Washington, D.C. 20006
Telephone: (202) 540-7200
Facsimile: (202) 540-7201

Steven A. Kanner
William H. London
Douglas A. Millen
Michael E. Moskovitz
FREED KANNER LONDON & MILLEN, LLC
2201 Waukegan Road, Suite 130
Bannockburn, IL 60015
Telephone: (224) 632-4500
Facsimile: (224) 632-4521

You may also contact your own attorney or other person to assist you at your own expense.

TRADE NAMES AND YEARS USED

Please list the trade names under which you have operated and purchased hydrogen peroxide and the dates the trade names were used. If you need more space, you should attach a separate sheet in the same format as this schedule and list the names and dates under the heading TRADE NAMES AND YEARS USED. Please put your name in the top right-hand corner of all separate sheets.

PURCHASES MADE ON BEHALF OF ANOTHER ENTITY

If you made purchases on behalf of other entities, please list the names and addresses of those entities below. If you need more space, you should attach a separate sheet in the same format as this schedule and list the names and addresses under the heading PURCHASES MADE ON BEHALF OF ANOTHER ENTITY. Please put your name in the top right-hand corner of all separate sheets.

OTHER LOCATIONS (INCLUDING AFFILIATES AND SUBSIDIARIES)

If you bought for locations or used a billing or delivery address other than the location listed in the Identity of Claimant section above, list the name and address of all those locations below. If you need more space, you should attach a separate sheet in the same format as this schedule and list the names and addresses under the heading OTHER LOCATIONS (INCLUDING AFFILIATES AND SUBSIDIARIES). Please put your name in the top right-hand corner of all separate sheets.

SCHEDULE OF HYDROGEN PEROXIDE PURCHASES

In the following table, list the dollar amount (in U.S. dollars) of your purchases of hydrogen peroxide made directly from each defendant during the Class Period. If you did not purchase hydrogen peroxide from a defendant during a particular year, write "none."

	AKZO ¹	ARKEMA ²	DEGUSSA ³	FMC ⁴	KEMIRA ⁵	SOLVAY ⁶	TOTALS
9/14/1994–12/31/1994	\$	\$	\$	\$	\$	\$	\$
1995	\$	\$	\$	\$	\$	\$	\$
1996	\$	\$	\$	\$	\$	\$	\$
1997	\$	\$	\$	\$	\$	\$	\$
1998	\$	\$	\$	\$	\$	\$	\$
1999	\$	\$	\$	\$	\$	\$	\$
2000	\$	\$	\$	\$	\$	\$	\$
2001	\$	\$	\$	\$	\$	\$	\$
2002	\$	\$	\$	\$	\$	\$	\$
2003	\$	\$	\$	\$	\$	\$	\$
2004	\$	\$	\$	\$	\$	\$	\$
1/1/2005–1/5/2005	\$	\$	\$	\$	\$	\$	\$
TOTALS	\$	\$	\$	\$	\$	\$	\$

¹ Akzo means defendants Akzo Nobel Chemicals International B.V., Akzo Nobel Inc., and Eka Chemicals, Inc.

² Arkema means defendants Arkema France and Arkema, Inc. (f/k/a Atofina Chemicals, Inc. and Elf Atochem North America, Inc.)

³ Degussa means Evonik Degussa GmbH (f/k/a Degussa AG and Degussa Hüls AG) and Evonik Degussa Corporation and Degussa Hüls Corporation).

⁴ FMC means defendant FMC Corporation.

⁵ Kemira means defendants Kemira Chemicals Canada, Inc. and Kemira Oyj.

⁶ Solvay means Solvay America, Inc., Solvay Chemicals, Inc., Solvay Interox, Inc. and Solvay S.A.

SUBSTITUTE I.R.S. FORM W-9
REQUEST FOR TAXPAYER IDENTIFICATION AND CERTIFICATION

Name: _____

A sole proprietor must write his/her individual name, but can also write the business or "doing business as" name.

Check appropriate box: Individual/Sole Proprietor Corporation
 Partnership Other _____

Enter your Taxpayer Identification Number ("TIN") below. For individuals, this is your Social Security number ("SSN"). If you are a sole proprietor, you may enter either your SSN or your Employer Identification Number ("EIN"). For other types of entities, enter your EIN.

____ - ____ - _____ or ____ - _____
Social Security Number Employer Identification Number

If you are exempt from backup withholding, enter your TIN above and write "exempt" on the following line:

THIS PROOF OF CLAIM MUST BE SUBMITTED OR POSTMARKED NOT LATER THAN AUGUST 10, 2009 AND MUST BE MAILED TO:

Hydrogen Peroxide Antitrust Litigation
Claims Administrator
c/o Heffler, Radetich & Saitta LLP
P.O. Box 58309
Philadelphia, PA 19102-8309
1-800-252-5745

A Proof of Claim received by the Claims Administrator shall be deemed to have been submitted when posted if mailed by August 10, 2009, if a postmark is indicated on the envelope and it is mailed first-class and addressed in accordance with the above instructions. In all other cases, the Proof of Claim shall be deemed to have been submitted when actually received by the Claims Administrator.

You should be aware that it will take a significant amount of time to process fully all the Proofs of Claim and to administer the settlement. This work will be completed as promptly as time permits given the need to investigate and tabulate each Proof of Claim.

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

Reminder Checklist:

1. Please sign the Proof of Claim on page 14 and the Substitute Form W-9 on page 15.
2. Please be sure that **all** required information has been provided.
3. Keep a copy of the completed Proof of Claim, any attachments and all supporting documentation for your records.
4. The Claims Administrator will confirm the receipt of your claim in writing. Please do NOT assume that your claim has been filed until you receive confirmation, in writing, from the Claims Administrator. If you do not receive confirmation that your Proof of Claim has been filed, within thirty (30) days of your mailing the Proof of Claim, please contact the Claims Administrator toll free at 1-800-252-5745.
5. If you move after submitting your Proof of Claim, please send the Claims Administrator your new address.
6. If you have any questions concerning this Proof of Claim or need additional copies, contact the Claims Administrator at:

Hydrogen Peroxide Antitrust Litigation
Claims Administrator
c/o Heffler, Radetich & Saitta LLP
P.O. Box 58309
Philadelphia, PA 19102-8309
1-800-252-5745

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FIRST CLASS MAIL

PLEASE FORWARD—IMPORTANT LEGAL NOTICE