

**NOTICE OF PROPOSED SETTLEMENT AND DISTRIBUTION PROTOCOL
IN CANADIAN HYDROGEN PEROXIDE PRICE-FIXING CLASS ACTION**

TO: all persons who, between November 1, 1998 and December 31, 2003 purchased Hydrogen Peroxide in Canada directly from an eligible Manufacturer of Hydrogen Peroxide or through a Distributor of Hydrogen Peroxide.

Settlement May Affect Your Rights. Please Read this Notice Carefully

The Ontario Superior Court of Justice authorized this notice.

NATURE OF THE LAWSUIT AND THIS NOTICE

Hydrogen peroxide is a clear, colourless, inorganic liquid used primarily as a bleach or oxidizer, and sold in aqueous solutions, typically 35%, 50% or 70% by weight, in different grades or formulations specifically tailored for enhanced performance in a particular application of the product ("Hydrogen Peroxide").

This class action is brought on behalf of all persons (excluding the defendants and their subsidiaries, affiliates and predecessors) who, between November 1, 1998 and December 31, 2003 purchased Hydrogen Peroxide in Canada directly from a manufacturer of Hydrogen Peroxide or through a distributor of Hydrogen Peroxide (the "Class" or "Class Members").

This class action alleges that between November 1, 1998 and December 31, 2003, the defendants, FMC Corporation and FMC of Canada, Ltd. (collectively, "FMC"), and co-conspirators conspired to raise, fix, maintain, or stabilize prices for Hydrogen Peroxide and allocate markets and customers for the sale of Hydrogen Peroxide. It is alleged that the defendants and their co-conspirators communicated with each other and made agreements to (i) fix prices and volumes of sales, (ii) coordinate price increases, (iii) allocate volumes of sales, customers and markets, (iv) refrain from bidding for supply contracts, (v) submit intentionally non-competitive bids for supply contracts, (vi) conceal the conspiracy from customers, and (vii) discipline corporations that failed to comply with the conspiracy. It is alleged that this conduct impacted the price of Hydrogen Peroxide and that the defendants profited, at the expense of the class which paid artificially high prices for Hydrogen Peroxide. These allegations have not been proven in court and are denied by FMC.

On January 14, 2010, this action was certified as a class proceeding by order of the Ontario Superior Court of Justice. Irving Paper Limited and Irving Pulp & Paper, Limited are the representative plaintiffs for the class.

A previous distribution (the "First Distribution") in this action occurred in relation to monies obtained as a result of the following settlements (i) Solvay Chemicals Inc. and Solvay S.A. (collectively, "Solvay"), dated

May 1, 2008, (ii) Evonik Degussa Corporation formerly Degussa Corporation, Evonik Degussa GmbH formerly Degussa A.G., and Evonik Degussa Canada Inc. formerly Degussa Canada Inc. (collectively, “Degussa”), dated June 12, 2008, (iii) Eka Chemicals, Inc., Eka Chemicals Canada Inc. and AkzoNobel Chemicals International B.V. (collectively, “Eka”), dated July 24, 2008, and (iv) Kemira OYJ and Kemira Chemicals Canada Inc. (collectively, “Kemira”), dated November 3, 2008.

A settlement with Atofina Chemicals Inc., Arkema Inc., Arkema Canada Inc., and Arkema S.A. (collectively, “Arkema”) was reached on May 31, 2011 and subsequently approved by the court. The court approved the use of the monies obtained as a result of that settlement for expense reimbursement.

SETTLEMENT AND ITS BENEFITS

A settlement (the “Settlement Agreement”) has been reached with FMC. The Settlement Agreement, if approved and its conditions fulfilled, will settle, extinguish and bar all claims relating in any way to or arising out of the proceeding against FMC.

If the Settlement Agreement is approved, FMC has agreed to pay \$3,250,000.00 (the “Settlement Amount”) to settle the class action. The Settlement Amount less court approved legal fees, costs and other expenses, and a Class Proceedings Fund levy will be held in trust for the benefit of the class until it is distributed in accordance with a court approved distribution process.

The settlement is a compromise of disputed claims, and FMC does not admit any wrongdoing or liability. If approved, the settlement will resolve this class action in its entirety.

ARE YOU INCLUDED IN THE LAWSUIT?

You are included in this lawsuit if:

- you are a person who, between November 1, 1998 and December 31, 2003 purchased Hydrogen Peroxide in Canada directly from an eligible manufacturer of Hydrogen Peroxide¹ or through a distributor of Hydrogen Peroxide.

The deadline to opt out of this proceeding has already passed.

PROPOSED DISTRIBUTION OF THE SETTLEMENT FUNDS

At the approval motion, the Ontario court will be asked to approve a protocol for distributing the settlement funds, plus accrued interest, less court approved legal fees, costs and other expenses, and a Class Proceedings Fund levy. A copy of the proposed distribution protocol is available at <http://www.hydrogenperoxideclassaction.ca/>.

A. Calculation of Notional Entitlement

For purposes of the distribution, a Notional Entitlement will be attributed to Class Members’ Hydrogen Peroxide purchases during the Class Period for purposes of calculating their entitlement to the Net

¹ Eligible manufacturers include FMC, Arkema, Kemira, Eka, Degussa and Solvay.

Settlement Amount². The Notional Entitlement for particular Hydrogen Peroxide purchases will depend on the vendor and the purpose for which the products were purchased. The categories are as follows:

- **Direct Purchaser:** means a person or entity in Canada, other than a Distributor, who purchased Hydrogen Peroxide directly from FMC, Arkema, Solvay, Degussa, Eka, or Kemira.
- **Distributor:** means a person or entity in Canada who purchased Hydrogen Peroxide from FMC, Arkema, Solvay, Degussa, Eka, or Kemira and resold the Hydrogen Peroxide without further processing or including it in any other product.
- **Fabricator:** means a person or entity in Canada who purchased Hydrogen Peroxide directly from a Distributor, and manufactured products that contain Hydrogen Peroxide and/or products the production of which involved the use of Hydrogen Peroxide.

Class Members can fall within multiple purchase groups depending on the types of purchases they made during the Class Period.

The following values will apply to Hydrogen Peroxide purchases depending on purchase category:

- Hydrogen Peroxide Purchases made in a Direct Purchaser capacity during the Class Period will be valued at 100%.
- Hydrogen Peroxide Purchases made in a Distributor capacity during the Class Period will be valued at 10%.
- Hydrogen Peroxide Purchases made in a Fabricator capacity during the Class Period will be valued at 90%.

B. How Settlement Funds will be Distributed

The Net Settlement Amount will be distributed to eligible Claimants proportionately based on the value of the Claimant's Notional Entitlement, as compared to the value of all qualifying Claimants' Notional Entitlement. Because settlement benefits are being distributed *pro rata*, the amount payable to individual claimants will not be known until after the claims process is complete.

C. Method for Claiming

The Claims Administrator will use reasonable efforts to verify Previous Claimants'³ contact information and willingness to accept payment of their share of the Net Settlement Amount. If the information is

² Net Settlement Amount means the amount paid by FMC pursuant to the terms of the settlement for the benefit of class members minus approved class counsel fees, settlement monies for the payment of costs, Class Counsel's disbursements, the Class Proceedings Fund's levy, administrative expenses, taxes, and any other deductions approved by the Ontario Court.

³ Previous Claimants means individuals who made a successful claim for compensation in the first distribution of settlement funds.

verified, the claims procedure in the Previous Claimants' section applies. If the information is not verified, the claims procedure for New Claimants applies.

I. Previous Claimants

Previous Claimants will be sent a claim form stating their eligible Hydrogen Peroxide purchases based on the data collected in connection with the first settlement distribution in 2010 and data previously obtained from FMC's discovery productions. If the Previous Claimant agrees with the eligible Hydrogen Peroxide purchases set out in the claim form, they are not required to take any steps to make a claim. If a Previous Claimant disagrees with the FMC Hydrogen Peroxide purchases set out in the claim form and wants to make a claim for additional FMC Hydrogen Peroxide purchases, they can submit proof of their Hydrogen Peroxide purchases within 90 days of the first publication of notice advising Class Members of the claims process. Previous Claimants cannot supplement their non-FMC Hydrogen Peroxide purchases.

II. New Claimants

If applicable, New Claimants will be sent a claim form stating their eligible Hydrogen Peroxide purchases based on the data collected in connection with the first settlement distribution and data previously obtained from FMC's discovery productions. If the New Claimant agrees with the eligible Hydrogen Peroxide purchases set out in the claim form, they can rely on the eligible Hydrogen Peroxide purchases stated in the claim form **but must** complete the claim form and submit it to the claims administrator to be eligible for compensation. Instructions on filling out the claim form and submitting it to the claims administrator will be contained in the claim form.

If a New Claimant disagrees with the eligible Hydrogen Peroxide purchases set out in the claim form and wants to make a claim for additional eligible Hydrogen Peroxide purchases, they can submit a claim form along with proof of their additional Hydrogen Peroxide purchases within 90 days of the first publication of notice advising Class Members of the claims process.

New Claimants who did not receive a claim form setting out their eligible Hydrogen Peroxide purchases may submit a claim by obtaining a claim form from www.hydrogenperoxideclassaction.ca, filling the claim form out and submitting it to the claims administrator, along with proof of their eligible Hydrogen Peroxide purchases, within 90 days of the first publication of notice advising Class Members of the claims process.

D. Excluded Purchases and Duty to Declare

Claimants are required to declare any Hydrogen Peroxide purchases for which compensation was received in the related U.S. Hydrogen Peroxide class action litigation. Claimants are further required to declare compensation that was received or a release given through a private settlement with FMC, Arkema, Solvay, Degussa, Eka or Kemira. Claimants will not be eligible to receive compensation for Hydrogen Peroxide purchases for which they previously obtained compensation or provided a release.

Only Hydrogen Peroxide purchases from FMC, Arkema, Solvay, Degussa, Eka, Kemira or a Hydrogen Peroxide distributor in Canada will be eligible for compensation.

Only Hydrogen Peroxide purchases made during the class period (outlined above) will be compensable.

E. Sample Calculation

If a New Claimant purchases \$100,000 of Hydrogen Peroxide in 2001 as a Distributor, \$50,000 in 2000 as a Direct Purchaser and \$100,000 in 2004 as a Fabricator, their Notional Entitlement would be as follows:

\$100,000 (representing the value of the Hydrogen Peroxide purchase) x .10 (representing the categorization of the purchases as a Distributor purchases) = \$10,000

\$50,000 (representing the value of the Hydrogen Peroxide purchases) x 1.0 (representing the categorization of the purchases as Direct purchases) = \$50,000

There would be no notional entitlement for the Fabricator Hydrogen Peroxide purchases in 2004 because the class period ends on December 31, 2003.

For a total Notional Entitlement of: \$60,000

The Notional Entitlement does not reflect the actual amount to be paid to Settlement Class Members, but rather the value of their claim for the purpose of determining their proportional share of the Net Settlement Amount (subject to the order of payment rules discussed above).

HEARING TO APPROVE SETTLEMENT AGREEMENT, CLASS COUNSEL FEES AND COSTS, CLAIMS AND DISTRIBUTION PROCESS, AND HONORARIUM

A hearing will be held during which Class Counsel will seek the court's approval of (i) the Settlement Agreement, (ii) the fees, costs and expense reimbursement of Class Counsel, (iii) the claims and distribution process, and (iv) the honorarium for the representative plaintiffs (the "Approval Hearing"). The Approval Hearing before the Ontario Superior Court of Justice will be held on January 18, 2019 at 10:00AM (ET) at 80 Dundas Street, London, Ontario. At the Approval Hearing, the court will determine whether the Settlement Agreement is fair, reasonable and in the best interest of the class.

Class Counsel will also seek court approval of its request for fees equal to the \$325,000.00 allocated for costs, plus 15% of the remaining Settlement Amount, plus reimbursement of disbursements Class Counsel incurred prosecuting the litigation to be deducted directly from the Settlement Amount.

Class Counsel will also seek court approval of the claims and distribution process. The proposed distribution protocol can be viewed at www.hydrogenperoxideclassaction.ca. It will provide detailed information about the proposed claims and distribution process that is summarized above

Class Counsel will also seek court approval of an honorarium equal to \$50,000.00 to be deducted directly from the Settlement Amount and paid to the representative plaintiffs.

Any member of the class may attend the Approval Hearing and may ask to make submissions regarding the proposed settlement, the fees, costs and expense reimbursement request, the claims and distribution process, and the honorarium. **Persons intending to object to the Settlement Agreement, Class Counsel's fees, costs and expenses, the claims and distribution process, or the honorarium should provide their objection in writing to Class Counsel c/o Siskinds LLP at the address below by January 4, 2019.**

YOUR OPTIONS

Do Nothing: You will be bound by any order obtained in this proceeding. If settlement funds become available for distribution to the class, there will be notice of the claims process. If the court approves the proposed claims and distribution process, class members who received monies as part of the First Distribution will be contacted by the claims administrator at the address provided for the First Distribution. Class members who did not apply to or receive monies as part of the First Distribution will need to take action in order to receive benefits.

Object to the Settlement Agreement, Class Counsel's Fees, Costs and Expenses, the Claims and Distribution Process, or the Honorarium: If you want to object to the proposed Settlement Agreement with FMC, the payment of Class Counsel's fees, costs and expenses, the claims and distribution process, or the payment of the honorarium, you should do so by setting out your objection in writing addressed to Class Counsel c/o Siskinds LLP at the address below.

THE LAWYERS REPRESENTING YOU

The law firms of Siskinds LLP, Strosberg Sasso Sutts LLP, and Camp Fiorante Matthews Mogergerman represent you and other class members as Class Counsel. You will not have to directly pay any of the fees, costs and expenses of Class Counsel. Such fees, costs and expenses as the court may approve for Class Counsel will be deducted directly from the Settlement Amount.

A TRIAL

If this Settlement Agreement is not approved by the court, the plaintiffs will have to prove their claims and the claims of the other class members against FMC at a trial. The trial would be in London, Ontario. During the trial, the court will hear all of the evidence, so that decisions can be reached about whether the plaintiffs or FMC are right about the claims in the lawsuit. There is no guarantee that the plaintiffs will win any money or benefits for the class at trial.

GETTING MORE INFORMATION

Additional information is available on the website www.hydrogenperoxideclassaction.ca. For further information, please contact:

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Interpretation

If there is a conflict between the provisions of this notice and the Settlement Agreement with FMC or Distribution Protocol, the terms of the Settlement Agreement and Distribution Protocol will prevail.

DISTRIBUTION OF THIS NOTICE HAS BEEN AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE

This Notice is a Summary. For more information about these class actions, please visit www.hydrogenperoxideclassaction.ca or contact Class Counsel.