

1
LEGAL NOTICE

1st or 2nd Notice (if need be)

In the matter of: Donato Scarola v. Shell Canada Limited (Court File # No. 500-06-000162-020 ; Superior Court of Quebec)

Notice of approval of a class action settlement involving Shell Canada Limited for the benefit of all individuals resident in the Province of Quebec who purchased Shell-branded gasoline between March 1, 2001, and October 31, 2002, for use in their vehicle.

A settlement was reached in a class action in which consumers of Shell-branded gasoline made allegations that Shell had distributed gasoline that was defective and caused or may cause fuel system problems. Shell introduced a new additive into its gasoline in March 2001. In February 2002, Shell suspected that the additive might be a cause of fuel system problems and withdrew the additive from circulation. Before the class action began, Shell started to implement a voluntary plan for compensating consumers. Shell has already compensated many consumers pursuant to this voluntary compensation plan (Voluntary Compensation).

In the interest of maintaining its good relationship with its customers and to provide a final resolution to this class action, Shell has agreed to the terms of the settlement, which are summarized below.

The Superior Court of Quebec authorized the lawsuit to proceed as a class action on July 7, 2003, and has now approved the settlement agreement. The Court held that the settlement is fair, reasonable, adequate and in the best interests of the class. The Court decision approving the settlement was rendered on ●, 2004. If this settlement includes you, you should read this Notice in full as it explains your options.

SUMMARY OF THE SETTLEMENT:

Category 1

On satisfactory proof that you:

- i) owned or leased a Dodge, Plymouth or Chrysler (except Jeeps) with a model year 1996-2003 inclusive;
- ii) purchased a minimum of \$100 of Shell-branded gasoline between March 1, 2001, and October 31, 2002; and
- iii) incurred out-of-pocket costs relating to the repair of a fuel pump between March 1, 2001, and October 31, 2002, or of a fuel sensor for problems that began between March 1, 2001, and October 31, 2002, and continued until the repair was done or to be done (N.B. the repair must be done at the latest 90 days after the 2nd publication of the Notice);

you will be fully reimbursed for eligible fuel pump and fuel sensor repairs and out-of-pocket costs (Expenses) and will receive \$100 in Shell vouchers redeemable for products and services at Shell-branded retail outlets (Vouchers).

Alternatively, if you do not claim for Expenses and have not received Voluntary Compensation for such Expenses, and if you do provide satisfactory proof that you purchased a minimum of \$200 of Shell- branded gasoline between March 1, 2001, and October 31, 2002 , you may elect to receive reimbursement of up to a maximum of \$300 of

the costs incurred for inspecting the fuel system of your vehicle and, if required, for removing a sticky brown residue from fuel system parts (Inspection Costs).

If you do not claim for Expenses or for Inspection Costs and have not received Voluntary Compensation for such Expenses, and you do provide satisfactory proof that you purchased a minimum of \$1,500 of Shell- branded gasoline between March 1, 2001, and October 31, 2002, you may elect to receive \$70 in Vouchers.

Category 2

On satisfactory proof that you:

- i) owned or leased a vehicle not in paragraph 1, with a model year 1996-2003 inclusive;
- ii) purchased a minimum of \$100 of Shell-branded gasoline between March 1, 2001, and October 31, 2002;
- iii) incurred out-of-pocket costs in relation to the repair of a fuel pump between March 1, 2001, and October 31, 2002, or of a fuel sensor for problems that began between March 1, 2001, and October 31, 2002, and continued until the repair was done or to be done (N.B. the repair must be done at the latest 90 days after the 2nd publication of the Notice); and
- iv) that the fuel pump or fuel sensor had a sticky brown residue on it;

you will be reimbursed for 75% of eligible fuel pump and fuel sensor repairs

- a) up to a maximum of \$500 for a fuel pump, or fuel pump and fuel sensor problem;
- b) up to a maximum of \$250 for a fuel sensor problem only,

and in both cases you will receive \$50 in Vouchers.

Alternatively, if you do not claim for Expenses and have not received Voluntary Compensation for such Expenses, and you do provide satisfactory proof that you purchased a minimum of \$200 of Shell-branded gasoline between March 1, 2001, and October 31, 2002, you may elect to receive reimbursement of up to a maximum of \$200 in Vouchers of the costs incurred for inspecting the fuel system of your vehicle and, if required, for removing a sticky brown residue from fuel system parts (Inspection Costs).

If you do not claim for Expenses or for Inspection Costs and have not received Voluntary Compensation for such Expenses, and if you do provide satisfactory proof that you purchased a minimum of \$1,500 of Shell-branded gasoline between March 1, 2001, and October 31, 2002, you may elect to receive \$20 in Vouchers.

Category 3

On satisfactory proof that you:

- i) owned or leased any vehicle with a model year prior to 1996;
- ii) purchased a minimum of \$100 Shell-branded gasoline between March 1, 2001, and October 31, 2002;
- iii) incurred out-of-pocket costs in relation to the repair of a fuel pump between March 1, 2001, and October 31, 2002, or of a fuel sensor for problems that began between March 1, 2001, and October 31, 2002, and continued until the repair done or to be done (N.B. the repair must be done at the latest 90 days after the 2nd publication of the Notice); and
- iv) that the fuel pump or fuel sensor had a sticky brown residue on it;

you will be reimbursed for 50% of eligible fuel pump and fuel sensor repairs:

- a) up to a maximum of \$500 for a fuel pump, or fuel pump and fuel sensor problem;
- b) up to a maximum of \$250 for a fuel sensor problem only, and

in both cases you will receive \$50 in Vouchers.

Alternatively, if you do not claim for Expenses and have not received Voluntary Compensation for such Expenses, and you do provide satisfactory proof that you purchased a minimum of \$200 of Shell-branded gasoline between March 1, 2001 and October 31, 2002, you may elect to receive reimbursement of up to a maximum of \$200 in Vouchers of the costs incurred for inspecting the fuel system of your vehicle and, if required, for removing a sticky brown residue from fuel system parts (Inspection Costs).

If you do not claim for Expenses or for Inspection Costs and have not received Voluntary Compensation for such Expenses, and if you do provide satisfactory proof that you purchased a minimum of \$1,500 of Shell-branded gasoline between March 1, 2001, and October 31, 2002, you may elect to receive \$20 in Vouchers.

If you have received a payment from Shell as Voluntary Compensation addressing the same head of compensation as provided by the settlement, that payment will be deducted from any compensation to which you may be entitled under the terms of this settlement.

MAKING A CLAIM

To make a claim under this settlement, you must request the appropriate claim form from Shell by calling 1 (866) 691-2697 or contacting Shell through its claims website at www.shell.ca. You can also contact the lawyers for the class as indicated below or through their website www.kugler-kandestin.com.

You must decide if you want to make a claim for Expenses, Inspection Costs or Vouchers only and ask for the appropriate claim form. The claim forms will advise you how to make a particular claim, including the documentation you must submit. If you decide to make a claim for Inspection Costs, you must register your intention to do so by sending the Registration form below, duly completed, to:

Shell Canada Limited
P.O. Box 40, Station Anjou,
Montréal, Québec
H1K 4G5
Attn: Claims Adjudication Department

For your Inspection Costs claim to be valid, the Registration form must be postmarked or delivered on or before [30 days from the 2nd publication of the Notice].

Shell may designate the location of your inspection. If you do not agree, you can submit your own quote from an authorized dealer for your vehicle. If Shell disagrees with your choice, you can elect to make another type of claim if you qualify or you can contest the decision before the Small Claims Court, in which case the judgment will be binding on you and Shell.

If you do not submit a claim or if you opt out of the settlement by ● [90 days of the 2nd publication of the Notice], you will lose your right to make a claim against Shell Canada Limited or any of its affiliates.

The lawyers for the class, Kugler Kandestin, will provide you with information about the settlement. They may be contacted as follows:

Kugler Kandestin
1 Place Ville-Marie
Suite 2101
Montreal, Quebec
H3B 2C6
Att: Mtre Pierre Boivin

Fax: 1 (514) 875-8424

Email : pboivin@kugler-kandestin.com

OPTING OUT

Class members will be bound by the terms of the settlement unless they opt out of the class action. If you opt out, you will not be entitled to make a claim or to receive any payment from the settlement. If you opt out of the class action, you should be aware that there are strictly enforced time limits within which you must take formal legal action to pursue your claim. By opting out, you will take full responsibility for taking all necessary legal steps to protect your claim.

If you wish to opt out, you must postmark or deliver the *Opt Out Form* (below), duly completed, to:

Shell Canada Limited
P.O. Box 40, Station Anjou,
Montréal, Québec
H1K 4G5
Attn: Claims Adjudication Department.

To be valid, Shell must receive this form on or before ● [90 days from the 2nd publication of the Notice].

Publication of this notice has been authorized by the Superior Court of Quebec.

REGISTRATION FORM

TO: Shell Canada Limited, P.O. Box 40, Station Anjou, Montréal, Québec H1K 4G5, Attn: Claims Adjudication Department.

PLEASE PRINT CLEARLY

I, _____, residing and domiciled _____ at _____

_____ in the City of _____, district of _____ postal code _____, solemnly declare that:

A) Intention to have the fuel system inspected:

I wish to register my intention to have the fuel system of my vehicle inspected because I am concerned about the presence of sticky brown residue in it.

My vehicle is a model: _____ year: _____

I intend to have the inspection carried out at an authorized dealer for my vehicle, namely:

Name: _____

Address: _____

Phone: _____

B) Proof of gas purchase:

N.B. To be eligible for partial reimbursement of the costs of the inspection specified in Section II, you must have purchased at least \$200 of Shell-branded gasoline between March 1, 2001, and October 31, 2002, for use in the vehicle that you have identified in Section V as having had an inspection. You can prove your gas purchases in one of two ways:

- 1. Attach receipts or AIR MILES® statements showing purchases of Shell- branded gasoline between March 1, 2001 and October 31, 2002, which total at least \$200.*

OR

- 2. If you do not have receipts or AIR MILES® statements, you must have purchased at least \$200 of Shell-branded gasoline between March 1, 2001, and October 31, 2002, from retail outlets within Canada, for use in the above-mentioned vehicle.*

Please complete one of the following, as applicable:

You will find enclosed receipts or AIR MILES® statements. Attach receipts and please check here: _____

OR

I have purchased at least \$200 of Shell-branded gasoline, between March 1, 2001 and October 31, 2002, from retail outlets within Canada, for use in the above-mentioned vehicle. Please check here: _____

The facts alleged above are true.

Signature: _____

SWORN TO BEFORE ME AT _____

This _____ day of _____, 2004

Commissioner of Oaths for the
City and District of _____

OPT OUT FORM

TO: Shell Canada Limited, P.O. Box 40, station Anjou, Montréal, Québec H1K 4G5, Attn: Claims Adjudication Department

I wish to opt out of the Shell Canada Limited class action settlement that has been approved by the Superior Court of Quebec:

Date: _____ Signature: _____

Name: _____

Address: _____

Telephone: _____
