

Appendix "D"

WHITE - WESTERN STAR - FREIGHTLINER TRUCKS PENSION CLASS ACTION

TO ALL NON-BARGAINING UNIT PENSIONERS OR FORMER PENSIONERS OF WHITE MOTORS TRUCK DIVISION, WESTERN STAR TRUCKS OR FREIGHTLINER LTD. AND THEIR DEPENDANTS

CLASS ACTION CERTIFIED

The BC Supreme Court has ordered that a class action be certified to encompass pension claims on behalf of:

Class Definition ...

All salaried or hourly non-bargaining unit employees or former employees of the Western Star Division of White Motor Corporation of Canada Limited, the White Trucks Division of White Motor Corporation of Canada Limited, Western Star Trucks Inc. or Freightliner Ltd. who are or were formerly members of any of the following pension plans and all persons claiming entitlement with respect to such pension plans through them:

1. the Cockshutt Farm Equipment 1962 Plan;
2. the Cockshutt Farm Equipment 1966 Plan;
3. the White Trucks 1966 Plan;
4. the White Western Star 1971 Plan;
5. the White Motor 1975 Plan;
6. the Western Star Trucks Inc. 1981, 1985, 1988 and 1998 Plans.

WHAT IS THE CASE ABOUT?

The claims asserted against the defendants include claims for breach of contract, breach of trust, a claim that any surplus in the pension plan belongs to the plaintiffs, a claim for monies improperly used for contribution holidays or the administration of the pension plan, and a claim for monies improperly removed from the plans. The defendants deny these claims. The court has not yet determined whether the claims have merit.

WHAT DO I NEED TO DO?

• If you are not a British Columbia resident:

If you are not a BC resident you are not a member of the class action and will not be entitled to share in any recovery or be bound by any unfavourable result unless you opt in.

• If you are a British Columbia resident:

Class members who reside in BC are automatically included. Any judgment in the class action will decide the common issues, whether favourable or unfavourable, for all members of the class, unless you opt out.

HOW TO OPT IN OR OUT

If you wish to opt in or opt out you must do so in writing delivered before May 19, 2005. Opt In and Opt Out forms are available on www.TevlinGleadle.com.

FURTHER INFORMATION

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