

If mailed, must be
postmarked no later than
February 27, 2017

Urethane Antitrust Litigation
c/o GCG
P.O. Box 10223
Dublin, Ohio 43017-5723
1-877-741-1226
questions@polyetherpolyolsettlement.com



Claim Number:
Reference Number:
Control Number:

IN RE: URETHANE ANTITRUST LITIGATION

United States District Court for the District of Kansas MDL No. 1616 – Civil No. 2:04-md-1616-JWL

PROOF OF CLAIM FORM — SETTLEMENT WITH THE DOW CHEMICAL CO.

PART 1: CLAIMANT PURCHASE DATA

The Direct Purchase Amounts set forth below were obtained directly from Defendants' sales records and summarize your net total payments for qualifying Polyether Polyol Products during the period November 24, 2000 through December 31, 2003.

POLYETHER POLYOL PRODUCT	DIRECT PURCHASE AMOUNT	CUSTOMER-SPECIFIC OVERCHARGE PERCENTAGE
POLYOLS	N/A	N/A
MDI	N/A	N/A
TDI	N/A	N/A
SYSTEMS	N/A	N/A

Submission Deadline: February 27, 2017

If you accept the Direct Purchase Amounts above, you do not need to attach any additional information to submit a claim. Complete the Certification and Claimant Identification information on the next page of this form and your share of the Net Settlement Fund will be calculated based on these amounts.

If you disagree with the Direct Purchase Amounts above, please complete Part 4 and complete the Certification and Claimant Identification information on the next page of this form. You MUST attach documentation in support of any correction.

The Customer-Specific Overcharge Percentage was calculated by Plaintiffs' expert. You may not contest this figure.



PART 2: CERTIFICATION

I certify that I am an owner, officer, or director of the Class Member submitting this Proof of Claim and that I have the authority to submit this claim on its behalf. I also certify that the Class Member/Claimant is the proper recipient of the funds sought. I further declare under the laws of the United States of America that all Corrections to Direct Purchase Amounts that I provided in Part 4 of this Proof of Claim are true and correct.

Name (please print)

Capacity or Title

Company

Signature

Date

PART 3: CLAIMANT IDENTIFICATION

(Please type or neatly print all information – use blue or black ink)

Federal Employer Tax ID Number (FEIN)

Contact Person Last Name

Contact Person First Name

Daytime phone number

____ - ____ - _____

Email Address

If necessary, use the following box to correct your name and address information that appears on page 1.

Business Name

Address Line 1

Address Line 2 (If Applicable)

City

State

Zip Code



PART 4: CLAIMANT'S CORRECTED PURCHASE DATA

(To be completed ONLY if you disagree with, and do not wish to accept, the totals presented in Part 1)

If you disagree with the pre-printed information contained in Part 1, please enter the corrected purchase amounts in the table below and complete the Certification and Claimant Identification information on page 2 of this form. You only need to complete this Part if you disagree with, and do not wish to accept, the amounts presented in Part 1. **You MUST attach documentation in support of any corrected amounts.** Further instructions are provided in Part 5.

Polyether Polyol Product	Corrections to Direct Purchase Amount
POLYOLS	
MDI	
TDI	
SYSTEMS	

PART 5: INSTRUCTIONS

- To receive your share of the Dow Settlement Fund, you must complete and sign the Proof of Claim and return it to the Settlement Administrator, postmarked on or before February 27, 2017, to the following address: Urethane Antitrust Litigation, c/o GCG, P.O. Box 10223, Dublin, Ohio 43017-5723.
- This Proof of Claim, even if prepared by a third party, must be completed and signed by the Class Member.** You must submit the Proof of Claim Form to obtain your share of the Dow Settlement Fund even if you submitted a claim in connection with the earlier settlements with Bayer, BASF and/or Huntsman. If you have any questions concerning the Proof of Claim, or if you change your address, please contact the Settlement Administrator at the above address.
- You are only entitled to a distribution if you are a Class member and purchased Polyether Polyol Products (Products) directly from a Defendant (defined below) at any time from November 24, 2000 through December 31, 2003 (the Claims Period) in the United States and its territories. Excluded from the Class are Defendants, their employees, and their respective parents, subsidiaries and affiliates; all who timely elected to exclude themselves from the Class; and all governmental entities. **Polyether Polyol Products are:** propylene oxide-based polyether polyols; monomeric or polymeric diphenylmethane diisocyanates (MMDI or PMDI – collectively, MDI); toluene diisocyanates (TDI); MDI-TDI blends; and propylene oxide-based polyether polyol systems (except those that also contain polyester polyols). **Defendants are:** Bayer AG, Bayer Corporation, Bayer MaterialScience LLC (f/k/a Bayer Polymers, LLC), BASF SE (f/k/a BASF AG), BASF Corporation, The Dow Chemical Company, Huntsman International LLC and Lyondell Chemical Company.
- As stated in the Plan of Allocation, the Net Dow Settlement Fund will be distributed in proportion to the dollar amount of Claimant's estimated customer-specific damages, as determined by Plaintiffs' expert, for the period November 24, 2000 through December 31, 2003. The customer-specific damage amounts were estimated from each Claimant's purchases of the relevant Products from all of the Defendants during the Claims Period. A list of the trade names of the eligible Products is available online at www.PolyetherPolyolSettlement.com.
- The Direct Purchase Amounts set forth in the chart on page 1 of this form were taken from Defendants' sales records and summarize your net payments for relevant Products during the Claims Period. **If you accept the Direct Purchase Amounts pre-printed on page 1, you can submit a claim without collecting any documentation from your files.** The stated amounts may differ from the purchase amounts that appeared on your claim forms for earlier settlements because the Claims Period for the Dow settlement (November 24, 2000 through December 31, 2003) is different than the Claims Period for earlier settlements.
- If you believe that any of the pre-printed Direct Purchase Amounts on page 1 are incorrect, you may provide corrected purchase information in the space provided in Part 4 ("Corrections"). You **must** provide proof to support the corrected amount and identify the Defendant-supplier, product name and type, date of purchase, and net purchase amounts (in U.S. dollars). Electronic transaction summaries or similar records are preferred. You must have purchased directly from one of the Defendants and not through an intermediary such as a wholesaler or distributor. Provide net purchase amounts: total purchases net of freight charges, discounts, returns, rebates, chargebacks, and other debits, credits, or price



adjustments. If you received multiple Proof of Claim forms, please provide supporting documentation and specify the Claim Number for each corrected form. Each form contains a discrete Claim Number in the address block on the first page. You should include that Claim Number in all correspondence and submissions to the Settlement Administrator. You may only submit Corrections to the total purchases for a particular Product category. Corrections must reflect a good-faith belief as to the accuracy of the purchase information; blank or "\$0" claim forms and/or placeholder claim forms will not be accepted. You may not rely on submissions made in connection with earlier settlements because: (i) the Claims Period is different for this settlement; and (ii) you must designate the amounts purchased by Product category (e.g., polyols, MDI, TDI and/or systems).

7. The Customer-Specific Overcharge Percentage was calculated by Plaintiffs' expert. You may not contest this figure.

8. If you appeared in Defendants' records under other names or at different locations, you and related entities and locations may receive multiple but non-duplicative Proof of Claim Forms, each with a unique Reference Number. In those circumstances, you are encouraged to combine all of your claims into one Proof of Claim. To do so, you must mail all the Proof of Claim forms to the Settlement Administrator with a written request specifying which Claim Numbers to combine and designating one of them as the master claim. The Claim Number is on page 1, near the address.

9. The Settlement Administrator is authorized to request from persons or entities submitting proofs of claim any documentation necessary to verify all information appearing in the Proof of Claim and to prevent claim duplication. Failure to provide requested information may constitute grounds for rejection of the Claim.

10. The completed Proof of Claim and the information it contains will be treated as confidential and will be used solely for purposes of administering the settlement.

11. If you would like further information or have any questions, you may go to www.PolyetherPolyolSettlement.com. You may also contact the Settlement Administrator at 1-877-741-1226 or at questions@polyetherpolyolsettlement.com. You may also contact Don Perelman or Jerry Dever of Fine Kaplan and Black at 215-567-6565. Please do not contact the Court or the Judge.

12. By signing above and/or submitting a Proof of Claim, you are submitting to the jurisdiction of the United States District Court for the District of Kansas with respect to the claim you are making as a Class Member.

13. If you are a Class Member, whether or not you submit a Proof of Claim form, you already have released the specific claims against Dow and its affiliates as described in Paragraph 26 of the Settlement Agreement.