

## If You Bought Sylvania Automotive Lighting, You Could Get Money from a Class Action Settlement

*A federal court authorized this Notice. This is not a solicitation from a lawyer.*

- A proposed \$30 million Settlement has been reached with Osram Sylvania, Inc., formerly Osram Sylvania Products (“Sylvania”), in a class action lawsuit about replacement automotive headlights.
- The lawsuit claims that Sylvania made misrepresentations regarding the performance of certain premium automotive lighting. Sylvania denies these claims and denies that it did anything wrong.
- Individuals or entities that purchased certain Sylvania Automotive Lighting between September 22, 2005 and July 11, 2014 are eligible for a payment expected to be \$10. The Settlement does not include resellers.

**Your legal rights are affected even if you do nothing. Please read this Notice carefully.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
<b>GET AN AUTOMATIC PAYMENT</b>	If you received a postcard in the mail about this Settlement, you do not need to submit a Claim Form to receive an automatic payment.
<b>SUBMIT A CLAIM</b>	If you did not receive a postcard in the mail, you must submit a Claim Form to receive a payment.
<b>ASK TO BE EXCLUDED</b>	You will receive no benefits from the Settlement and will not be bound by it. You will retain any right you may have to sue Sylvania separately about the claims in this case.
<b>OBJECT</b>	Write to the Court in charge of this case explaining why you do not like the proposed Settlement. If you file an objection, you may also speak at the hearing that will be held to determine the fairness of the proposed Settlement.
<b>DO NOTHING</b>	If you did not receive a postcard in the mail and do nothing, you will receive no payment and will give up rights to proceed separately against Sylvania.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Payments will only be made if the Court approves the Settlement and after any appeals are resolved. Please be patient.

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QUESTIONS? CALL 1-866-430-8976 OR VISIT [WWW.AUTOLIGHTCLAIMS.COM](http://WWW.AUTOLIGHTCLAIMS.COM)  
PARA UNA NOTIFICACIÓN IN ESPAÑOL, LLAMAR O VISITAR NUESTRO WEBSITE

## BASIC INFORMATION

### 1. Why is there a Notice?

A Court authorized this Notice because you have a right to know about a proposed Settlement of this class action lawsuit and about options before the Court decides whether to give final approval to the Settlement. This Notice explains the lawsuit, the proposed Settlement, your legal rights and options, what benefits are available, who is eligible for them, and how to receive them.

Judge Madeline Cox Arleo, U.S.M.J., of the United States District Court for the District of New Jersey is overseeing this case. This lawsuit is known as *Chaudhri v. Osram Sylvania, Inc.*, Civil Action No. 2:11-cv-05504-SDW-MCA. The people who sued are called the “Plaintiffs” or “Class Representatives.” The “Defendant,” the party who is being sued, is Sylvania. The Plaintiffs or Class Representatives and Defendants may be referred to collectively as “Parties.”

### 2. What is this lawsuit about?

The lawsuit claims that Sylvania made misrepresentations regarding the performance of certain premium automotive lighting, including claims regarding brightness, road visibility, and life of the bulbs. Sylvania denies these claims and denies that it did anything wrong.

### 3. Why is this a class action?

In a class action, one or more people called “class representatives” sue on behalf of themselves and other people with similar claims. All of these people together are the “class” or “class members.” In this case, the Class Representatives are Imran Chaudhri, Lee Kelly, Derek Hahn, David Christopher, Larry Byrd, Richard Smith and Deidra Ross. In a class action, the Court resolves the legal issues, legal claims, and legal defenses for all class members in one lawsuit, except for individuals or entities who ask to be excluded from the class.

### 4. Why is there a Settlement?

The Parties have reached a proposed Settlement to resolve this lawsuit. The Court has not decided in favor of the Class Representatives or Sylvania, and there has been no trial. If the Court grants final approval of the proposed Settlement, the Class Members (described more specifically in the Section, “Settlement Benefits”) may receive the Settlement benefits described in this Notice. The Class Representatives and their attorneys believe that the proposed Settlement is in the best interests of the Class.

## WHO IS PART OF THE SETTLEMENT?

If you received notice of the Settlement by a postcard addressed to you, then you are a Class Member. But even if you did not receive a notice, you may be a Class Member, as described below.

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## **5. Who is included in the Settlement?**

The Settlement includes any person or entity that bought one or more of the Covered Products, other than for resale or distribution, in the United States (or any territory or possession) from September 22, 2005 to July 11, 2014.

The Covered Products are:

- SilverStar ULTRA<sup>®</sup>, SilverStar<sup>®</sup>, XtraVision<sup>®</sup>, or Cool Blue<sup>®</sup> replacement headlight capsules;
- SilverStar<sup>®</sup>, XtraVision<sup>®</sup>, or Cool Blue<sup>®</sup> sealed beam headlights; and
- SilverStar<sup>®</sup> fog or auxiliary lights.

The Settlement does not include: (1) Sylvania, (2) Sylvania's current or former employees, officers, and directors, (3) Defense Counsel, and (4) the judge in the case (or any related case), and their immediate family members.

## **6. What if I am not sure whether I am included in the Settlement?**

If you are not sure whether you are included in the Settlement, you may call 1-866-430-8976 with questions or visit [www.AutoLightClaims.com](http://www.AutoLightClaims.com). You may also write with questions to Sylvania Automotive Lighting Settlement, P.O. Box 1939, Faribault, MN 55021-7194.

# **THE SETTLEMENT BENEFITS**

## **7. What does the Settlement provide?**

The Settlement will create a \$30 million Settlement Fund to pay eligible Class Members who were sent a postcard notice in the mail or submitted valid claims. The cost to administer the Settlement, attorney fees and expenses and incentive awards to the Class Representatives will come out of this fund (*see* Question 16). And while Sylvania denies the claims in this case, it also has changed the packaging for the Covered Products to address the issues in this lawsuit, partly in response to and for the Settlement of the claims made in this litigation.

More details are in a document called the Settlement Agreement, which is available at [www.AutoLightClaims.com](http://www.AutoLightClaims.com).

## **8. How much will my payment be?**

Eligible individuals are expected to get a minimum \$10 payment and perhaps more. All claims are limited to a single purchase only. Payment will be based on the number of eligible Claims. It is possible that Class Members may receive more than \$10 depending on the amount of claimants.

If claims exceed the amount available for benefits, the cash payments will be reduced on a proportional basis so that all valid claims can be paid. However, if there is any money remaining in the Settlement Fund (after paying all claims, attorneys' fees and expenses, notice and administration costs, and incentive awards to Class Representatives) it may be used to make additional payments to Class Members who cashed and accepted their initial payments.

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The actual amount each eligible Class Member will receive will not be determined until after November 14, 2014 and may not be determined until after the Settlement is final.

#### **9. When will I receive my payment?**

Class Members who are entitled to payments will receive their payments after the Court grants final approval of the Settlement and after any appeals are resolved (*see* “The Fairness Hearing” below). If there are appeals, resolving them can take time. Please be patient.

#### **10. What am I giving up to stay in the Settlement Class?**

If the Settlement becomes final, you will give up your right to sue Sylvania for the claims being resolved by this proposed Settlement. The specific claims you are giving up against Sylvania are described in Section XIII of the Settlement Agreement. You will be “releasing” Sylvania and all related people as described in Section XIII of the Settlement Agreement. The Settlement Agreement is available at [www.AutoLightClaims.com](http://www.AutoLightClaims.com).

The Settlement Agreement describes the released claims with specific descriptions, so read it carefully. If you have any questions you can contact the law firms listed in Question 15 for free or you can, of course, talk to your own lawyer if you have questions about what this means.

### **HOW TO RECEIVE A PAYMENT**

#### **11. How can I receive a payment?**

If you received a postcard notice in the mail, you do not need to submit a Claim Form. You will get a payment automatically if the Settlement becomes final. If you did not receive a postcard, to ask for a payment, simply complete and submit a Claim Form online at [www.AutoLightClaims.com](http://www.AutoLightClaims.com) or by mail. You either need to provide proof of purchase (such as a receipt, credit card record, document, or product packaging) swear under oath that you purchased one of the Covered Products, for other than resale or distribution to others. Claim Forms are available at the website or by calling 1-866-430-8976. Please read the instructions carefully, fill out the Claim Form and submit it online or mail it postmarked no later than **November 14, 2014** to:

Sylvania Automotive Lighting Settlement  
P.O. Box 1939  
Faribault, MN 55021-7194

### **EXCLUDING YOURSELF FROM THE SETTLEMENT**

If you do not want to participate in the proposed Settlement or receive the benefits provided by it, but you want to maintain your right to sue Sylvania, concerning the legal and factual issues involved in this lawsuit, then you must take steps to exclude yourself or “opt out” of the Settlement.

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**12. How do I get out of – or exclude myself from – the Settlement?**

To exclude yourself, send a letter that says you want to be excluded from the Settlement in *Chaudhri v. Osram Sylvania, Inc.*, Civil Action No. 2:11-cv-05504-SDW-MCA. Include your name, address, and signature. You must mail your Exclusion Request, received no later than **November 14, 2014**, to:

Sylvania Automotive Lighting Settlement  
P.O. Box 1939  
Faribault, MN 55021-7194

**13. If I do not exclude myself, can I sue Sylvania for the same thing later?**

No. Unless you exclude yourself, you give up the right to sue Sylvania for the claims that this Settlement resolves.

**14. If I exclude myself, can I still get a payment?**

No. You will not get a payment if you exclude yourself from the Settlement. Also, if you choose to pursue a lawsuit on your own, you will be responsible for any fees and costs that your individual attorney charges you.

**THE LAWYERS REPRESENTING YOU**

**15. Do I have a lawyer in the case?**

The Court has appointed a number of lawyers to represent all Class Members as “Class Counsel.” They include:

<p>John E. Keefe, Jr., Esq. KEEFE BARTELS 170 Monmouth Street Red Bank, NJ 07701 SylvaniaClassAction@KeefeBartels.com</p>	<p>Barry R. Eichen, Esq. EICHEN CRUTCHLOW ZASLOW &amp; McELROY, LLP 40 Ethel Road Edison, NJ 08817 SylvaniaClassAction@NJAdvocates.com</p>
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You will not be charged for contacting these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

**16. How will the lawyers be paid?**

Class Counsel has not received any fees or reimbursement for the expenses associated with litigating this case. If the Court grants final approval of the proposed Settlement, Class Counsel will ask the Court to award them reasonable attorneys’ fees, costs and expenses. Class Counsel’s request for attorneys’ fees, costs and expenses will not exceed one-third (33 1/3%) of the \$30 million Settlement Fund. The Court will decide the amount of fees to award. Class Counsel will also request that total incentive awards up to \$25,000 be awarded to the Class Representatives for their services on behalf of the whole Class. The fees, costs and expenses, and incentive awards that are approved by the Court will be paid out of the Settlement Fund.

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## OBJECTING TO THE SETTLEMENT

### 17. How do I tell the Court if I do not like the Settlement?

If you are a member of the Class, you can object to any part of the Settlement, the Settlement as a whole, Class Counsel’s requests for fees, costs and expenses, and/or the incentive awards to the Class Representatives. To object, you must submit a letter that includes the following:

- Your name, address, and telephone number;
- A statement identifying as an “Objection to Class Settlement in *Chaudhri v. Osram Sylvania, Inc.*, Civil Action No. 2:11-cv-05504-SDW-MCA;”
- The reasons you object to the Settlement, along with the legal grounds;
- Documentation such as Proof of Purchase or verification under oath that you are a Class Member (*see* Question 11);
- The name and contact information for the attorney representing you (if applicable); and
- Your signature.

You must mail your objection to each of the following addresses, and your objection must be postmarked by **February 9, 2015**:

COURT	CLASS COUNSEL	DEFENSE COUNSEL
Clerk of the Court United States District Court District of New Jersey M.L. King, Jr. Federal Bldg. & U.S. Courthouse, 50 Walnut Street Newark, NJ 07101	John E. Keefe, Jr., Esq. KEEFE BARTELS 170 Monmouth Street Red Bank, NJ 07701  Barry R. Eichen, Esq. EICHEN CRUTCHLOW ZASLOW & McELROY, LLP 40 Ethel Road Edison, NJ 08817	Brant W. Bishop, P.C. Eunnice H. Eun KIRKLAND & ELLIS LLP 655 15 <sup>th</sup> Street, NW Washington, DC 20005  Stephen M. Orlofsky David C. Kistler BLANK ROME LLP 301 Carnegie Center, 3 <sup>rd</sup> Floor Princeton, NJ 08540

### 18. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you do not exclude yourself from the Class. Excluding yourself is telling the Court that you do not want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

## THE FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Settlement and any requests for fees and expenses. You may attend and you may ask to speak, but you do not have to.

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**19. When and where will the Court decide whether to approve the Settlement?**

The Court will hold a Fairness Hearing at 3:00 p.m. on **March 20, 2015**, at the M.L. King, Jr. Federal Bldg. & Courthouse, 50 Walnut Street, Newark, New Jersey 07101. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check [www.AutoLightClaims.com](http://www.AutoLightClaims.com) or call 1-866-430-8976. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them and listen to people who have asked to speak at the hearing. The Court may also decide how much to award Class Counsel and the Class Representatives. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

**20. Do I have to attend the hearing?**

No. Class Counsel will answer questions the Court may have, but, you and/or your lawyer is welcome to attend at your expense. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also have your own lawyer attend, but it is not necessary.

**21. May I speak at the hearing?**

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter stating that it is your “Notice of Intention to Appear in *Chaudhri v. Osram Sylvania, Inc.*, Civil Action No. 2:11-cv-05504-SDW-MCA.” Be sure to include whether you will be appearing through an attorney and your name, address, telephone number, your signature, and the name and contact information for your attorney (if applicable). Your Notice of Intention to Appear must be postmarked no later than **February 9, 2015**, and must be sent to the addresses listed in Question 17.

**GETTING MORE INFORMATION**

**22. How do I get more information?**

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at [www.AutoLightClaims.com](http://www.AutoLightClaims.com). You also may write with questions to Sylvania Automotive Lighting Settlement, P.O. Box 1939, Faribault, MN 55021-7194 or call the toll-free number, 1-866-430-8976. You can also get a Claim Form at the website or by calling the toll free number, 1-866-430-8976.

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