

Legal Notice

Notice of Proposed Settlement of Class Action

Mary Louise Fairey, et al. v. The Exxon Corporation, et al.

YOU ARE HEREBY NOTIFIED OF A PROPOSED SETTLEMENT OF THIS CLASS ACTION, OF HEARINGS TO BE HELD BY THE COURT TO DETERMINE WHETHER IT SHOULD BE APPROVED AND TO DETERMINE THE REASONABLENESS OF CLASS COUNSEL'S FEES AND REQUEST FOR REIMBURSEMENT OF COSTS.

This class action was filed on September 18, 1992 by Mary Louise Fairey and others for themselves and for all others similarly situated with respect to the actions of Exxon Corporation, its predecessors and successors, arising out of contamination of real property in South Carolina due to Exxon's service station operations which caused damage to that real property. Exxon denied any liability or wrongdoing in response to the claims that were made against it.

The class, on whose behalf these claims were asserted and on whose behalf the proposed settlement would benefit, consists of:

THOSE PERSONS WHO POSSESS AN INTEREST IN REAL PROPERTY WITHIN THE STATE OF SOUTH CAROLINA THAT HAVE BEEN POTENTIALLY CONTAMINATED BY PETROLEUM PRODUCTS, OR CHEMICALS ASSOCIATED WITH PETROLEUM PRODUCTS THAT HAVE LEAKED, SPILLED, OR BEEN RELEASED INTO THE ENVIRONMENT EITHER FROM EQUIPMENT OWNED, OPERATED OR CONTROLLED BY EXXON, ITS AGENTS OR ITS PREDECESSORS, OR FOR SERVICE STATION OPERATIONS CONDUCTED BY EXXON, ITS AGENTS OR PREDECESSORS, OR UNDER THE CONTROL OF EXXON OR ITS PREDECESSORS.

This Court previously certified this case as a class action on March 13, 1998 and gave notice concerning the existence of this Class on March 4, 1999, which afforded all of those who wished to be excluded an opportunity to exclude themselves from this case. **IF YOU FIT THE DESCRIPTION SET FORTH ABOVE AND DID NOT REQUEST TO BE EXCLUDED BY JULY 30, 1999, YOU ARE A MEMBER OF THIS CLASS AND THE PROPOSED SETTLEMENT MAY AFFECT YOUR LEGAL RIGHTS.**

The attorneys for the Class and the Class Representatives and the attorneys for Exxon placed a Settlement Agreement on the record on July 18, 2003. The Court has considered its terms that day and preliminarily approved those terms, subject to final approval or disapproval after a Fairness Hearing to be held as described below. On August 18, 2003, pursuant to the Settlement Agreement, Exxon paid funds into a South Carolina interest-earning account. If the Court finally approves the settlement, this Fund will be utilized under

the supervision of the Court for the payment of Class members' claims, Class counsels' attorneys fees and costs, and such other costs as the Court may determine are appropriate. Copies of the transcript of this Settlement Agreement may be obtained by a Class member or their counsel by making written request of Class counsel sent to the address for Class counsel set forth at the end of this Notice.

The Settlement Agreement resolving this matter will not be effective unless and until the Court makes a final determination as to its fairness and that the settlement is a fair, reasonable, and adequate compromise of the aggregate claims of the plaintiff class as a whole. In order to assist the Court in making this decision, the Court will hold a Fairness Hearing on October 7, 2003, commencing at 9:30 a.m. in Orangeburg, South Carolina. The Court will also consider at this hearing an award of attorneys fees to Class counsel and the final payment of the reasonable costs advanced by Class counsel during the pendency of this action. Class counsel shall file on or before September 4, 2003 in the Clerk's Office, Court of Common Pleas, Orangeburg County, documentation supporting its request for attorneys fees, the final payment of reasonable costs, and such other documentation as it deems appropriate in support of the reasonableness of the proposed settlement. Any Class member may appear and raise any objection he or she may have to the proposed settlement at this hearing, provided he or she has filed written objection in the Clerk's Office, Court of Common Pleas, Orangeburg County, to the amount of the settlement, or to Class counsels' proposed fee or to the reasonableness of Class counsels' costs not later than September 24, 2003. Written objections to the settlement, fees or costs must also be served on Class counsel by sending such objections to the address for Class counsel set forth at the end of this Notice at the same time and by the same means as they are filed with the Clerk of Court

If the Court approves the proposed settlement, it will, subsequent to the Fairness Hearing set forth above, set forth a claims process to be utilized in order for qualifying Class members to prove the validity and amount of their claims in order to secure payment from the Settlement Fund. Class members will be given reasonable notice concerning the filing of claims and the procedures to be followed for such claims.

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