

## NOTICE OF PENDENCY OF CLASS ACTION SETTLEMENT

If you owned and occupied, or rented residential property located within the Class Area (see map herein) at any time since May 25, 2015, or submitted an information sheet to Class Counsel before October 25, 2018, you may be a Settlement Class Member.

**Please read this Notice carefully, as it affects your legal rights.**

(A Court authorized this notice. This is not a solicitation from a lawyer.)

- A proposed settlement has been reached with the owner and operator of the Clairton Coke Plant (United States Steel Corporation, or "U. S. Steel") to resolve claims brought by named plaintiffs Cindy Ross and Cheryl Hurt ("Named Plaintiffs") on behalf of a proposed class relating to the alleged emission of pollutants, air contaminants, and noxious odors from the plant. The proposed settlement has been memorialized in a written agreement between the parties (the "Settlement Agreement").
- If approved by the Court, the Settlement Agreement requires the Settlement Class Members to release the claims concerning the emissions and it requires U. S. Steel to pay \$2,000,000 into a fund (the "Settlement Fund") for the benefit and advantage of the Settlement Class Members, meaning all who participate in and are bound by the proposed settlement, as further defined by the Settlement Agreement. The Settlement Agreement also requires U. S. Steel to spend \$6,500,000 within one year on various environmental improvement measures to help minimize the impact of airborne emissions from the plant.
- This Class Notice explains the proposed settlement, your rights, the available benefits, and how to get them. As a potential Settlement Class Member, you have various options that you may exercise before the Court decides whether to approve the proposed settlement. Unless you properly exclude yourself and opt out of the proposed settlement, you will be bound by its terms if it is approved by the Court.
- The Court in charge of this case still has to decide whether to approve the proposed settlement.
- Your legal rights are affected whether you act or do not act. Please read this Notice carefully.

<b>Your Legal Rights and Options in this Proposed Settlement</b>	
<b>EXCLUDE YOURSELF OR "OPT OUT"</b>	If you exclude yourself and opt out of the proposed settlement, you will <b>no longer</b> be a Settlement Class Member, Class Counsel will not be representing you, your claims will not be released, and you will be responsible for pursuing or not pursuing your individual claims. You will not be eligible to receive any payment from the proposed Settlement Fund, and you will have no standing or ability to object to the proposed settlement. There are statutes of limitations that may bar your individual claims. To exclude yourself and opt out of the proposed settlement, you must strictly follow the procedures outlined below and submit your request no later than <u>January 20, 2020</u> or you will remain part of the Settlement Class and bound by the orders of the Court.
<b>OBJECT</b>	If there is something about the proposed settlement that you do not like and think is legally inappropriate, you may remain part of the Settlement Class and object to all or part of the proposed settlement. You may do so on your own or through a lawyer that you hire to assist you. If you object, you may also submit a claim for payment from the Settlement Fund as you will be part of the Settlement Class. To object to the proposed settlement, you must strictly follow the procedures outlined below and submit your written objection no later than <u>January 20, 2020</u> or you will waive your right to object. If you do properly and timely object, you will be part of the Settlement Class and bound by the Court's decisions like every other Settlement Class Member who does not opt out or exclude themselves.

<p><b>MAKE A CLAIM FOR PAYMENT</b></p>	<p>If you want to participate in the proposed settlement and receive a payment from the Settlement Fund, you must complete the attached Claim Form and submit it with the required information to Class Counsel no later than <u>February 3, 2020</u>. If you do not do so, you will waive your right to any payment from the Settlement Fund. Whether you timely submit a properly completed Claim Form or not, if the Court approves the settlement, you will be part of the Settlement Class and be bound by the terms of the Settlement Agreement, including releasing U. S. Steel from all claims as defined in the Settlement Agreement. After the deduction of expenses, costs, attorneys' fees for Class Counsel and incentive awards for Named Plaintiffs, all Settlement Class Member Households that submit approved Claim Forms will receive a check for an equal prorated share of the Settlement Fund, except that the share for a particular home may be divided if subject to multiple claims. All checks must be cashed within 120 days of the date on the check or you will forfeit your right to receive any payment from the Settlement Fund.</p>
<p><b>DO NOTHING</b></p>	<p>You do not have to do anything to participate in the proposed settlement. However, if you do not do anything and the Court ultimately approves the proposed settlement, you will waive your right to object to any portion of the proposed settlement, you will be bound by the terms of the Settlement Agreement, and will have released U. S. Steel from any and all claims as defined in the Settlement Agreement. You will not obtain any payment from the Settlement Fund, but you still will benefit from the other measures that U. S. Steel will take as part of the proposed settlement to control the emissions.</p>

1. **WHAT IS THIS NOTICE ABOUT?** This Class Notice, given by Order of the Honorable Judge Robert J. Colville, is to inform you of the proposed settlement of a class action lawsuit against United States Steel Corporation, pending in the Court of Common Pleas of Allegheny County, Pennsylvania. It summarizes your rights as set forth in the Settlement Agreement.
2. **WHAT IS THE LAWSUIT ABOUT?** The lawsuit (*Ross v. USX Company, f/k/a and d/b/a as U.S. Steel Corporation* Allegheny County, Pennsylvania Case No: G.D. 17-008663) was filed in 2017, and concerns the alleged airborne emission of pollutants, air contaminants, and noxious odors from the Clairton Coke Plant. The lawsuit alleges that at least certain emissions in the area surrounding the Clairton Coke Plant occurred because of U. S. Steel's conduct. The Named Plaintiffs who filed the lawsuit allege that these emissions have interfered with their ability to use and enjoy their homes. U. S. Steel has vigorously denied and continues to deny all claims of wrongdoing or liability arising out of the allegations and claims asserted in the lawsuit.
3. **WHY IS THE CLASS ACTION BEING SETTLED?** The Court did not decide in favor of the Named Plaintiffs or U. S. Steel. Instead, all sides agreed to settle the claims asserted in the lawsuit to avoid the cost and risk of trial. The proposed settlement does not mean that any law was broken or that U. S. Steel did anything wrong. U. S. Steel denies all legal claims in this case. The Named Plaintiffs and their attorneys, the Class Counsel, believe that the proposed settlement is in the best interest of all Settlement Class Members.
4. **HOW DO I KNOW IF I'M PART OF THE PROPOSED SETTLEMENT?** The Court has decided that the Settlement Class will include all owner/occupants and renters of residential property within the Class Area at any point in time from May 25, 2015 to the present (the "Class Period"), together with certain additional persons who submitted information sheets to Class Counsel before October 25, 2018. If the Court approves the settlement, the Class Period will continue until the date the Court's approval of the proposed settlement becomes final and non-appealable. The Class Area is illustrated in detail in Exhibit A to the Settlement Agreement, included with this Notice.
5. **SUMMARY OF THE PROPOSED SETTLEMENT:** If the Settlement Agreement is approved by the Court, U. S. Steel will pay the total amount of \$2,000,000 into the Settlement Fund for the benefit and advantage of all Settlement Class Members, each of whom will release his or her claims as set forth in Paragraph 8 below. After the deduction of any court-approved payments (a) to Class Counsel for attorneys' fees and the costs and expenses incurred in the case (which will not exceed \$925,000) and (b) to each of the Named Plaintiffs for bringing the lawsuit on behalf of the Settlement Class (which is expected to be no more than \$5,000), the Settlement Fund will be evenly distributed to the households of all Settlement Class Members

who submit a Claim Form approved by Class Counsel. U. S. Steel also will spend at least \$6,500,000 on environmental improvement measures within one year to address plant emissions and reduce the potential for odor.

- 6. WHO ARE THE LAWYERS FOR THE SETTLEMENT CLASS AND HOW WILL THEY BE PAID?** The Court has appointed the following attorneys to represent you and the other Settlement Class Members: Steven D. Liddle and Nicholas A. Coulson of Liddle & Dubin, P.C., 975 E. Jefferson Ave., Detroit, MI 48207 and James E. DePasquale, 1302 Grant St. Building 310, Pittsburgh, PA 15219 ("Class Counsel"). You may contact Class Counsel at (800) 536-0045 or [info@ldclassaction.com](mailto:info@ldclassaction.com). You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you may hire one at your own expense.

Class Counsel has prosecuted this case on a contingency basis. At the Settlement Fairness Hearing, Class Counsel will be seeking the approval of the Settlement Agreement and requesting the Court for an award of attorneys' fees, costs and expenses up to, but not to exceed \$925,000 from the Settlement Fund. Class Counsel and each Named Plaintiffs also will seek approval of a \$5,000 payment from the Settlement Fund to each Named Plaintiff for their efforts in representing the Settlement Class.

- 7. CAN I GET PAID AND, IF SO, HOW MUCH?** Each Settlement Class Member who participates in the settlement may submit an attached Claim Form which, if approved by Class Counsel, will permit the Class Member's household to share, pro rata, in the Settlement Fund. The actual amount of each payment to each household will be the amount of the Settlement Fund remaining after the court-approved payments to Class Counsel and Named Plaintiffs divided by the number of households of the Settlement Class that submit Claim Forms approved by Class Counsel.
- 8. WHAT AM I GIVING UP TO STAY IN THE CLASS?** If the proposed settlement is ultimately approved by the Court, in exchange for everything U. S. Steel is doing, each Settlement Class Member will release certain claims he or she may have against each U. S. Steel and all related people and entities, as set forth more fully in the Settlement Agreement. This means that you will no longer be able to sue U. S. Steel or any related people or entities regarding any claims described in the Settlement Agreement. It also means that all of the Court's orders will apply to you and legally bind you. In addition, you and the other Settlement Class Members will be prohibited from bringing any such claims that arose before December 24, 2018.
- 9. HOW DO I REQUEST TO BE EXCLUDED FROM THIS PROPOSED SETTLEMENT?** If you are a Settlement Class Member and if the Settlement Agreement is approved by the Court, then you will be bound by the terms of the Settlement Agreement unless you submit a request to be excluded. To exclude yourself from the proposed settlement, you must mail a written request for exclusion to Class Counsel at the following address:

Class Counsel
Liddle & Dubin, P.C. Attn: U.S. Steel Clairton Works Opt-Outs 975 E. Jefferson Ave. Detroit, MI 48207

This request for exclusion must be postmarked no later than January 20, 2020. The request for exclusion must be in writing and contain the following: (a) the caption or other identification of the lawsuit at the top of the first page with the phrase "Request for Exclusion" underneath it; (b) the potential Settlement Class Member's full name, street address, email address, and telephone number; (c) the following statement requesting exclusion:

"I do not want to be a member of the Settlement Class in the U.S. Steel Clairton Works Lawsuit. I understand that I will not participate in or receive any monetary benefit of the proposed settlement. I also understand that, if I want to pursue any right or claim I may have, it will be my responsibility to do so at my own expense."

and (d) be signed by the potential Settlement Class Member seeking to be excluded from the proposed settlement. Any

potential Settlement Class Member's request for exclusion that does not meet these requirements is deemed invalid and ineffective and the potential Settlement Class Member will be considered included as part of the Settlement Class for purposes of the proposed settlement.

- 10. HOW DO I TELL THE COURT THAT I LIKE OR DISLIKE THE PROPOSED SETTLEMENT?** If you are a potential Settlement Class Member and you do not properly request to be excluded, you can tell the Court you like the proposed settlement and that it should be approved, or that you object to the proposed settlement or any particular part of it, including Class Counsel's requests for fees and expenses.

Class Members desiring to object must submit a written Notice of Objection to Class Counsel at the following address:

<b>Class Counsel</b>
Liddle & Dubin, P.C. Attn: U.S. Steel Clairton Works Objections 975 E. Jefferson Ave. Detroit, MI 48207

This objection must be postmarked no later than January 20, 2020. You can submit this objection by yourself or, if you like, you can hire a lawyer to assist you. Objections must be in writing and contain the following: (a) the caption of the lawsuit at the top of the first page with the phrase "Notice of Objection" underneath it; (b) the Settlement Class Member's full name, address, and telephone number; (c) the name and address of each lawyer or other person assisting you in filing the objection, if any; (d) the reason, grounds, and basis for the objection, including any legal authority supporting the objection the Settlement Class Member would like the Court and other parties to consider; (e) the signature of the Settlement Class Member who is objecting; and (f) copies of all documents the Settlement Class Member intends to present to the Court in support of the objection, if any. If an objection is submitted by someone purporting to represent a Settlement Class Member, in addition to the Settlement Class Member's signature the objection must attach sufficient documentation to support the representative's legal authority to represent the Settlement Class Member.

Objections that do not meet the requirements set forth above will be deemed invalid and the Court will not consider them. Class Counsel and U. S. Steel reserve the right to challenge the validity and grounds of any objection. If you do not submit a written objection to the proposed settlement or the application of Class Counsel for attorney fees and expenses in accordance with the deadline and procedure set forth above, you will waive your rights to be heard at the Settlement Fairness Hearing and to appeal from any order or judgment of the Court concerning the matter.

- 11. WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE PROPOSED SETTLEMENT?** The Court will hold a Settlement Fairness Hearing on February 24<sup>th</sup>, 2020, at 10:00 a.m. at the Court of Common Pleas of Allegheny County, Courtroom 820, City-County Building, 414 Grant Street, Pittsburgh, Pennsylvania 15219. At this hearing the Court will consider whether the Settlement Agreement and proposed settlement is a fair, reasonable, and adequate resolution of the lawsuit. If there are timely and properly submitted objections, the Court will consider them and any response the Parties may have. The Court may listen to people who have asked to speak at the hearing. At or after the hearing, the Court will decide whether to approve the Settlement Agreement and proposed settlement. The Court also will decide how much to award Class Counsel and Named Plaintiffs.

You do not have to attend the Settlement Fairness Hearing. Class Counsel will answer questions the Court may have. But, you are welcome to attend at your own expense provided you have not excluded yourself from the proposed settlement. If you timely and properly send an objection, you may attend the Settlement Fairness Hearing and talk about your objection, or you may have your own lawyer do so. However, you do not have to attend even if you send an objection. As long as you timely and properly sent your written objection, the Court will consider it even if you do not attend.

12. **WHAT HAPPENS IF I DO NOTHING AT ALL?** If you do nothing at all, and you are a Settlement Class Member, you will be bound by the proposed settlement if the Court approves it. You will release your claims and receive the benefit of the improvement measures U. S. Steel will implement, but you will not receive any payment from the Settlement Fund.
13. **WHAT HAPPENS IF THE COURT DOES NOT APPROVE THE PROPOSED SETTLEMENT?** If the Court ultimately does not approve the Settlement Agreement and the proposed settlement, or if the Court's approval is reversed on appeal or the Settlement Agreement is terminated, then the settlement shall become null and void. If the settlement becomes null and void, the case will proceed as though the Settlement Agreement was never entered into.
14. **ARE MORE DETAILS ABOUT THE PROPOSED SETTLEMENT AND MY RIGHTS UNDER THE PROPOSED SETTLEMENT AVAILABLE?** This Class Notice is a summary and does not describe all details of the Settlement Agreement or the proposed settlement. More details are in the Settlement Agreement. For a complete, definitive statement of the terms of the Proposed Settlement, refer to the Settlement Agreement at [www.ldclassaction.com/Clairton](http://www.ldclassaction.com/Clairton). You may also contact Class Counsel at (800) 536-0045 or [info@ldclassaction.com](mailto:info@ldclassaction.com) for more details of the lawsuit.

**PLEASE DO NOT CONTACT THE COURT WITH QUESTIONS ABOUT THIS NOTICE.**

Exhibit A: Geographic Boundary of "Class Area"

