

Consumer Corner

Consumers To Benefit From Nationwide Class Action Settlement [®]

(NAPSA)—A Court ordered notification campaign and claims process has been launched for individuals who purchased and applied to an exterior wood surface either Super Liquid Raw-Hide or Natural Seal Plus wood sealant products manufactured by Behr Process Corporation. These consumers may be eligible to receive cash compensation or other benefits according to a settlement pending in the Superior Court of California in and for the County of San Joaquin in a coordinated class action proceeding.

Plaintiffs allege that Defendants falsely advertised and marketed certain Behr wood sealant products as protecting the wood surfaces to which they were applied from mildew and other damage, and plead causes of action for violations of consumer protection statutes, breach of express and implied warranties, and/or fraudulent concealment/non-disclosure. The Defendants deny any liability, deny that the products were falsely advertised and marketed, and believe that the products perform as advertised. The Court has not ruled on the merits of the Plaintiffs' claims, or on the defenses asserted by Defendants.

Under the settlement, which the Court preliminarily approved on October 29, 2002, Behr has agreed to pay up to \$107.5 million in cash payments and merchandise certificates for claims associated with the purchase or use of Behr Super Liquid Raw-Hide or Natural Seal Plus sealant products. The type and amount of relief for each claimant depends upon whether a Cash Payment or a Merchandise Certificate is selected by the claimant, the

square footage of the affected property, proof of purchase of the Behr Products and the extent of alleged mildew-related damage to exterior wood surfaces, among other factors. Class Counsel's attorneys' fees will be paid in addition to, and not out of, the \$107.5 million settlement.

Settlement Class Members affected by the settlement are those who purchased and applied to an exterior wood surface either Super Liquid Raw-Hide (product numbers 12, 13, 31-12, and 31-13) or Natural Seal Plus (product numbers 79, 80, 81, 82, 83, 84, 92, 31-79, 31-80, 31-81, 31-82, 31-83, 31-84, 31-92) since January 1, 1991. These Behr Products are wood sealants sold throughout the United States, primarily at major home improvement centers and hardware stores. To determine whether you purchased these Behr Products, check the can label or the invoice or receipt.

Eligible individuals can learn steps necessary to pursue their rights as Settlement Class Members by calling 1-877-637-5997 or visiting www.behrsettlement.com to obtain a Notice of Proposed Class Action Settlement and a Claim Form. Individuals may also request these documents by writing to: Behr Claims, P.O. Box 232, Minneapolis, MN 55440.

A Fairness Hearing will be held on March 6, 2003. At that time, the Court will consider whether to grant final approval to the proposed settlement and Class Counsel's request for attorney's fees and costs. Class Members have the right to appear at the hearing if they choose. Class Members may comment on, or object to, the terms of the proposed Settlement by February 7, 2003.