

CANADIAN BEHR WOOD SEALANT CLASS ACTIONS

Notice of National Settlement

THIS NOTICE MAY AFFECT YOUR RIGHTS.

PLEASE READ CAREFULLY

WHO SHOULD READ THIS NOTICE

You should read this notice if you purchased and applied or caused to be applied Behr Super Liquid Raw-Hide or Natural Seal Plus (the "Products") to an exterior wood surface in Canada on or after January 1, 1991, or if you own an exterior wood surface in Canada to which any of the Products was applied on or after January 1, 1991. You may be a class member, and if so, you will be bound by the terms of the Settlement Agreement (summarized below) unless you opt out.

PURPOSE OF THIS NOTICE

Lawsuits have been filed in British Columbia and Ontario against Behr Process Corporation and Behr Process Canada Ltd. ("Behr") concerning the Products. These lawsuits are:

- Olsen v. Behr Process Corporation and another, Vancouver Registry No. S006106, Supreme Court of British Columbia; and
- Piercy and another v. Behr Process Corporation and another, No. 01-CV-204493-CP, Ontario Superior Court of Justice.

In these lawsuits, the plaintiffs allege that the Products caused damage to exterior wood surfaces by causing mildew growth, discolouration and degradation of the wood fibre. Behr denies any liability and further denies that any plaintiff or any class member is entitled to damages or any other relief. The Courts have not ruled on the merits of the plaintiffs' claims or Behr's defences. You can learn more about the lawsuits by inspecting the pleadings at www.behrsettlement.ca or by contacting one of the lawyers for the class ("Class Counsel") at the addresses below.

CLASS CERTIFICATION AND SETTLEMENT APPROVAL

At hearings in British Columbia and Ontario, the Courts certified the lawsuits against Behr as class proceedings solely for purposes of settlement and approved the settlement (the "Settlement") set out in the Settlement Agreement. The Courts also approved the definition of the Settlement Class. The Settlement Agreement can be viewed on-line at www.behrsettlement.ca or a copy obtained from the Independent Claims Administrator at the address below.

SETTLEMENT CLASS

Subject to certain exclusions set out in the Settlement Agreement, you are a member of the Settlement Class if you purchased and applied or caused to be applied any of the Products to an exterior wood surface in Canada on or after January 1, 1991, or if you own an exterior wood surface in Canada to which any of the Products was applied on or after January 1, 1991.

If you are a member of the Settlement Class, you are bound by the terms of the Settlement Agreement unless you opt out.

SETTLEMENT TERMS

This is a summary only. A complete description of the protocol for distribution of the Settlement funds, including claim forms and dollar amounts per square foot, is set out in the Settlement Agreement, a copy of which can be viewed at www.behrsettlement.ca or a copy obtained from the Independent Claims Administrator at the address below.

Subject to the terms, conditions and limitations in the Settlement Agreement, Behr will provide up to \$2.73 million (the "Settlement Amount"), including notice and administration costs, to compensate eligible Settlement Class members, in full and final settlement of all claims against Behr connected with the Products. The Settlement Class does not include persons or entities who submit a timely request to opt out.

Two types of compensation are available to members of the Settlement Class: cash payments and merchandise rebates. Claimants will have until July 15, 2006 to submit a claim form. The type and amount of compensation is dependent, among other matters, upon whether a cash payment or merchandise rebate 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. Class members who purchased and applied Products, or caused Products to be applied, before January 1, 1995 will be eligible to receive merchandise rebates only.

In exchange for these settlement benefits, members of the Settlement Class will release and discharge all claims against Behr.

In making the Settlement, Behr does not admit any wrongdoing or liability on its part. Rather, the Settlement is a compromise of hotly disputed claims.

LEGAL COSTS AND FEES

As part of the Settlement, the court has approved the payment to Class Counsel of \$620,000 for all legal fees and expenses (including taxes). This amount will be paid by Behr and will not come out of or reduce in any way the Settlement Amount available to the Settlement Class.

MAKING A CLAIM

To make a claim, a Settlement Class member must submit a claim form postmarked not later than July 15, 2006, or, if not legibly postmarked, received by the Independent Claims Administrator by 11:59 p.m. Eastern Time on July 15, 2006. A complete description of the deadlines and the procedures for making, processing and paying claims are set out in the Settlement Agreement. You can obtain a copy of the claim forms on-line at www.behrsettlement.ca or by contacting the Independent Claims Administrator at the address below.

OPTING OUT OF THE SETTLEMENT

If you are a member of the Class, but do not wish to take part in the Settlement or to be bound by the terms of the Settlement Agreement, you may opt out by completing and returning a Request for Exclusion (Opt-Out) Form, postmarked on or before December 13, 2005. You may obtain the Request for Exclusion (Opt-Out) Form on-line at www.behrsettlement.ca or by contacting the Independent Claims Administrator at the address below.

Whether they submit a Claim Form or not, class members who do not opt out will be conclusively deemed to be members of the Settlement Class and to have released Behr from any and all claims relating to the Products, and they will be barred from asserting any further claims against Behr in connection with the Products.

Note: no person may opt out minors or mentally incapable persons without permission of the Court after notice to the children's lawyer and/or the Public Guardian or Trustee.

ADDITIONAL INFORMATION AND QUESTIONS

DO NOT CONTACT THE COURT ABOUT THIS NOTICE OR THE LAWSUITS. Additional information concerning the Lawsuits and the Settlement, including copies of the pleadings, the Settlement Agreement, the claims forms and other forms related to the Settlement can be obtained on-line at www.behrsettlement.ca or by contacting the Independent Claims Administrator as follows:

Canadian Behr Wood Sealant Claims Administrator
Suite 3 – 505
133 Weber St. North
Waterloo, Ontario N2J 3G9
Phone: 1-800-305-2942
E-mail: www.behrsettlement.ca

Reference: Canadian Behr Wood Sealant Class Actions

Should you have remaining questions after contacting the Independent Claims Administrator, the lawyers for the Class may be contacted at:

Joseph M. Prodor
Franklin Place, 15260 Thrift Avenue
White Rock, B.C., V4B 2L2;
Phone: 1-877-577-6367 or 604-536-4676
Fax: 604-535-8981;
E-mail: jprodor@axionet.com;

OR

Donald B. Lebens
Branch MacMaster
1210-777 Hornby Street
Vancouver, B.C., V6Z 1S4;
Phone: 604-654-2999;
Fax: 604-684-3429;
E-mail: dlebens@brnmac.com

This notice is approved by the British Columbia Supreme Court and the Superior Court of Justice for Ontario.