

**LEGAL NOTICE AUTHORIZED BY THE SUPREME COURT OF BRITISH COLUMBIA**

**NAVISTAR MAXXFORCE ENGINE SETTLEMENT – CLAIMS PROCESS NOW OPEN**

**TO: All persons and entities in Canada, excluding Québec, who on or before February 24, 2022, purchased or leased for more than 30 days, one or more 2011-2014 model year Navistar vehicle(s) equipped with a MaxxForce 11-, 13-, or 15-litre engine.**

**This notice is only a summary. For more information, you can view the Long-Form Notice by visiting [www.navistarsettlement.ca](http://www.navistarsettlement.ca) or contact the Settlement Administrator at 1-866-573-2710 and [navistarsettlement@ricepoint.com](mailto:navistarsettlement@ricepoint.com).**

**How do I make a claim?**

All Class Members who wish to make a claim for compensation under the Settlement must submit a claim **no later than August 19, 2024**.

Claims that are not made by the deadline are not eligible for compensation.

Claims are to be submitted online through the Settlement Website, [www.navistarsettlement.ca](http://www.navistarsettlement.ca). If you are unable to make an online claim, a paper claim form can be requested from the Settlement Administrator at 1-866-573-2710 and [navistarsettlement@ricepoint.com](mailto:navistarsettlement@ricepoint.com).

**What can I get?**

For each eligible Class Vehicle, you may elect one of three options:

1. The cash option provides a payment up to \$2,500 per vehicle based on months of ownership/lease;
2. The rebate option provides a rebate worth up to \$10,000 towards the purchase of a new Navistar Class 8 heavy-duty truck, based on months of ownership or lease of a Class Vehicle (to a maximum of 10 rebates); or
3. The individual prove-up option will reimburse a class member for up to \$15,000 of proven covered costs per Class Vehicle.

This is just a summary. For more information, review the Long-Form Notice at [www.navistarsettlement.ca](http://www.navistarsettlement.ca) or call 1-866-573-2710.

**What is the Lawsuit About?**

A class action lawsuit was commenced in British Columbia (the “Action”) against Navistar Canada ULC, Navistar, Inc., Navistar International Corporation, and Harbour International Trucks Ltd. (the “Defendants”) on behalf of all persons in Canada (excluding Québec) who owned or leased a 2011-2014 model year Navistar vehicle equipped with a MaxxForce 11-, 13-, or 15-litre engine (the “Class Vehicles”). The Action claims that the Defendants sold or leased Class Vehicles equipped with a defective EGR emissions system. The Defendants deny these allegations but have agreed to a settlement with the Plaintiffs (the “Settlement”).

### **What are the Details of the Settlement?**

The court-approved Settlement provides payment of \$13,775,000 cash (the “Cash Amount”), and up to \$725,000 towards rebates (the “Rebate Amount”), to a collective total of \$14,500,000 for the benefit of the Class (the “Settlement Amount”). The Settlement was approved by the Supreme Court of British Columbia (the “Court”) on November 30, 2023.

The Cash Amount, less Court-approved fees, disbursements, plaintiffs’ honoraria, notice costs, and applicable taxes are being held in an interest-bearing trust account for the benefit of all Class Members (the “Cash Funds”, and together with the Rebate Amount, the “Settlement Funds”).

The Settlement resolves all outstanding class litigation against the Defendants on a national basis including similar cases previously brought by lawyers in Ontario, Alberta and Manitoba. The Settlement provides benefits to Class Members who have not excluded themselves, including payments to Class Members who submit valid claims.

### **Who is Included in the Settlement?**

The Class is defined as follows:

All natural persons or entities resident in Canada, but not resident in Québec, who on or before February 24, 2022, purchased or leased for more than 30 days, one or more Class Vehicles EXCLUDING: (1) all Persons that have litigated claims involving Class Vehicles’ allegedly defective EGR emissions system against one or more Defendants to final, non-appealable judgment (with respect to those vehicles only); (2) all Persons who, via a settlement or otherwise, delivered to one or more Defendants releases of their claims involving Class Vehicles’ allegedly defective EGR emissions system (with respect to those vehicles only) including, for greater certainty, through a settlement of *4037308 Canada Inc. v. Navistar Canada Inc.*, Superior Court of Québec File No. 500-06-000720-140, District of Montréal; (3) the Defendants’ employees, officers, directors, agents, and representatives, and their family members; (4) any Authorized Navistar Dealer of new or used vehicles; (5) any Person that purchased a Class Vehicle solely for the purposes of resale or to provide financing for a sale or leasing agreement (with respect to those vehicles only); (6) Idealease and Navistar Leasing Co.; and (7) any person or entity that was a lessee of a Class Vehicle for 30 days or less

The Class Vehicles are 2011-2014 model year vehicles. This includes the following Navistar truck brands: “PAYSTAR”, “WORKSTAR”, “TRANSTAR”, “9900i”, “LONESTAR”, and “PROSTAR”.

Class Members who have excluded themselves are not eligible to make a claim.

### **Who Represents Me?**

Class Members are represented by class counsel - Farris <sup>LLP</sup>, Foreman & Company Professional Corporation, and Rochon Genova <sup>LLP</sup>. You may contact Class Counsel at:

**Farris <sup>LLP</sup> (Canada, excluding Québec Class Members):** 1-604-661-9372 or e-mail: [randerson@farris.com](mailto:randerson@farris.com) or [nhooge@farris.com](mailto:nhooge@farris.com) or [mkshergill@farris.com](mailto:mkshergill@farris.com) (English and Punjabi)

**Foreman & Company (Ontario Class Members):** Toll free at 1-855-814-4575 ext. 106 or e-mail: [classactions@foremancompany.com](mailto:classactions@foremancompany.com)

**Rochon Genova <sup>LLP</sup> (Ontario Class Members):** Toll-free at 1-800-462-3864 or e-mail: [contact@rochongenova.com](mailto:contact@rochongenova.com)

You do not need your own lawyer to make a claim. If you want to be represented by your own lawyer, you may hire one at your own expense.

### **Who is Administering the Settlement?**

RicePoint Administration Inc. (the "Settlement Administrator") has been retained and approved by the Court to administer the settlement. The Settlement Administrator should be the first point of contact for Class Members who have questions about the claims process, including about how to make a claim. The Settlement Administrator's full contact particulars are set out below. If Class Members still have questions after speaking with the Settlement Administrator, please contact Class Counsel.

Navistar MaxxForce Engine Class Action  
c/o RicePoint Administration Inc.  
P.O. Box 3355  
London, ON N6A 4K3  
Toll-Free Number: 1-866-573-2710  
Email: [navistarsettlement@ricepoint.com](mailto:navistarsettlement@ricepoint.com)

### **How do I get more information?**

Please visit [www.navistarsettlement.ca](http://www.navistarsettlement.ca) or call 1-866-573-2710.

**There will be no further notice in relation to this settlement.**