

Mercedes Mars Red Settlement **Instructions for Seeking Qualified Future Repairs**

To submit a Qualified Future Repair Claim Form to request a Qualified Future Repair, please carefully review and follow the below instructions. Please take note that this Qualified Future Repair Claim Form **must** be accompanied by certain required items of proof described below. Please only fill out and submit a Qualified Future Repair Claim Form if you meet the requirements described below.

If you are a Class Member and your Subject Vehicle has 150,000 miles or more or is 15 years or more from the original in-service date as of May 28, 2021, you will only be eligible for a Qualified Future Repair if you were denied warranty or goodwill coverage for a qualifying repair when your Subject Vehicle had fewer than 15 years and fewer than 150,000 miles. To request a Qualified Future Repair in such circumstance, you must submit a Qualified Future Repair Claim Form.

If you are a Class Member and your Subject Vehicle needs a Qualified Future Repair after the Effective Date of the Settlement and both is fewer than 15 years from the original in-service date and has fewer than 150,000 miles at the time such repair is needed, you do not need to submit a Qualified Future Repair Claim Form. You can bring your Subject Vehicle to an Authorized Service Center to request a Qualified Future Repair. (See <https://www.mbusa.com/en/owners/service-maintenance/schedule-service> for a list.)

The deadline to file a claim is July 27, 2021.

If you are a Class Member and your Subject Vehicle needs a qualifying repair after May 28, 2021 but prior to the Effective Date and both is fewer than 15 years from the original in-service date and has fewer than 150,000 miles at the time a qualifying repair is made, please take your Subject Vehicle to be repaired, retain your payment receipts, and make a claim for reimbursement as a Qualified Past Repair. The deadline to file such a claim is 60 days from the date of repair.

WHO:

You may only file a claim if you are a Class Member. You are a Class Member if you fit the following description and do not opt out of the Settlement: *You are a current owner, former owner, current lessee, or former lessee of a Mercedes-Benz vehicle purchased or leased in the United States originally painted Mars Red or Fire Opal (collectively, "590 Mars Red").*

Excluded from the Class are: (a) persons who have settled with, released, or otherwise had claims adjudicated on the merits against Defendants that are substantially similar to the Litigation Claims (*i.e.*, alleging that 590 Mars Red paint is inadequate, of poor or insufficient quality or design, or defective, due to peeling, flaking, bubbling, fading, discoloration, or poor adhesion of the paint or clearcoat); (b) Defendants and their officers, directors and employees, as well as their corporate affiliates and the corporate affiliates' officers, directors and employees; (c) counsel to any of the parties; and (d) the Honorable Mark H. Cohen, the Honorable James Holderman, and members of their respective immediate families.

WHAT:

Only Qualified Future Repairs are covered by the extended warranty: A Qualified Future Repair is a repair that will occur after the Effective Date of the Settlement related to repainting any non-plastic exterior surface of a Subject Vehicle because of peeling, flaking, or bubbling of the exterior clearcoat

not caused by external influences such as automobile accidents, scratches, or road debris. Qualified Future Repairs are limited to refinishing of affected areas only, in accordance with Defendants' Technical Service Bulletin, LI98.00-P-058914 (viewable at www.MarsRedPaintSettlement.com and attached to the Settlement Agreement as Exhibit A).

Qualified Future Repair Claim Form and Documentation Required: If your Subject Vehicle needs a Qualified Future Repair but, as of May 28, 2021, is more than 15 years (180 months) after the Subject Vehicle's original in-service date or has more than 150,000 miles, whichever occurs first, you may submit a claim in order to seek a Qualified Future Repair. To do so, you must submit a completed Qualified Future Repair Claim Form accompanied by documentary evidence showing that (i) you presented the Subject Vehicle to an authorized Mercedes-Benz dealer or body repair facility for a qualifying repair or provided notice to Defendants Mercedes-Benz USA, LLC or Daimler AG ("Defendants") of the need for such a repair at a time when the vehicle had less than 15 years (180 months) and 150,000 or fewer miles, and (ii) you were denied warranty or goodwill coverage for such repair at the time.¹

If your Subject Vehicle needs a qualifying repair after May 28, 2021 but prior to the Effective Date, please take your Subject Vehicle to be repaired, retain your payment receipts for any qualifying repair performed, and make a claim for reimbursement as a Qualified Past Repair within 60 days of the repair

No Qualified Future Repair Claim Form or Documentation Required: If your vehicle needs a Qualified Future Repair after the Effective Date of the Settlement and both is fewer than 15 years from the original in-service date and has fewer than 150,000 miles at the time such repair is needed, you do not need to submit a Qualified Future Repair Claim Form. You can bring your Subject Vehicle to an Authorized Service Center to request a Qualified Future Repair. (See <https://www.mbusa.com/en/owners/service-maintenance/schedule-service> for a list.)

The Effective Date is 75 days after the date of the Court's final approval of the Settlement, or, if there are appeals of the Settlement approval, 14 days after the date on which any appeals of the approval of the Settlement have been resolved in favor of the Settlement.

WHEN:

The Qualified Future Repair Claim Form and requisite documentation must be submitted to the Settlement Administrator postmarked by July 27, 2021 or submitted online at www.MarsRedPaintSettlement.com by completing the electronic Qualified Future Repair Claim Form by July 27, 2021.

If your claim is approved, you must arrange for a Qualified Future Repair to be performed at an Authorized Service Provider within 90 days of notice of said approval.

HOW:

To submit a claim for a Qualified Future Repair, you must either submit your claim using the electronic Qualified Future Repair Claim Form at www.MarsRedPaintSettlement.com or mail a completed and signed Qualified Future Repair Claim Form and accompanying documentation to the Settlement Administrator at the address printed below:

¹ If the vehicle had more than 150,000 miles or was more than fifteen years past its original in-service date when first presented to an authorized Mercedes-Benz dealer or body repair facility for a qualifying repair or when Defendants were first notified of the need for such a repair, the vehicle does not qualify for a future repair.

Mercedes Mars Red Settlement
c/o JND Legal Administration
PO BOX 91223
Seattle, WA 98111

Your claim for a Qualified Future Repair must include a completed and hand-written or electronically signed Qualified Future Repair Claim Form and the following items of proof:

- (a) Documentary evidence showing that you presented the Subject Vehicle to an authorized Mercedes-Benz dealer or body repair facility for a qualifying repair or provided notice to Defendants at a time when the vehicle had less than 15 years (180 months) and 150,000 or fewer miles; and
- (b) Documentary evidence showing that you were denied warranty or goodwill coverage for such repair at the time.

If you wish to make a claim for more than one vehicle, please use a separate Qualified Future Repair Claim Form for each vehicle.

HOW MUCH:

If your claim is approved, the percentage of coverage you may receive for your Qualified Future Repair will be based on the age and mileage of the Subject Vehicle on the date you were originally denied warranty or goodwill coverage for the repair, as shown below.

Period One is defined as the time period during which the Subject Vehicle has or had fewer than seven years (84 months) or 105,000 miles from the Subject Vehicle's original in-service date, whichever occurred first. If you presented your Subject Vehicle for the qualifying repair or provided Defendants notice of the need for such repair during Period One, the Qualifying Future Repair will be covered at 100% of the cost of the repair defined in the Settlement Agreement.

Period Two is defined as the time period from the end of Period One until the Subject Vehicle has or had fewer than ten years (120 months) or 150,000 miles from the Subject Vehicle's original in-service date, whichever occurred first. If you presented your Subject Vehicle for the qualifying repair or provided Defendants notice of the need for such repair during Period Two, the Qualifying Future Repair will be covered at 50% of the cost of the repair defined in the Settlement Agreement.

Period Three is defined as the time period from the end of Period Two until the Subject Vehicle has or had fewer than fifteen years (180 months) or 150,000 miles from the Subject Vehicle's original in-service date, whichever occurred first. If you presented your Subject Vehicle for the qualifying repair or provided Defendants notice of the need for such repair during Period Three, the Qualifying Future Repair will be covered at 25% of the cost of the repair defined in the Settlement Agreement.

* * *

If you are required to submit a Qualified Future Repair Claim Form to qualify for a Qualifying Future Repair as described above and you believe your claim is wrongfully denied by the Settlement Administrator, you may notify the Settlement Administrator that you believe your claim was wrongfully denied.

If you bring your Subject Vehicle to an Authorized Service Center to request coverage for a future repair after the Effective Date of the Settlement and are, in your opinion, wrongfully denied

coverage by the Authorized Service Center, you can contact Class Counsel or Defendants for further assistance concerning your dispute.

Class Counsel, Defense Counsel, and Defendants shall work in good faith and make best efforts to resolve any such dispute. If they cannot resolve the dispute, the dispute may be submitted to a Third-Party Neutral for a decision, who will independently determine the validity of the claim. If the Third-Party Neutral approves your repair request, the Authorized Service Center will make the repair. The decision of the Third-Party Neutral is final and non-appealable.

If you have questions about how to complete your claim, contact the Settlement Administrator at info@MarsRedPaintSettlement.com.

You may be asked for additional information. Follow all instructions on the Qualified Future Repair Claim Form and make sure to inform the Settlement Administrator of any changes in your address after you submit your Qualified Future Repair Claim Form.

Mercedes Mars Red Settlement:
Qualified Future Repair Claim Form for
Seeking Qualified Future Repairs²

I. CONTACT INFORMATION

Full Name

Mailing Address – Line 1

Mailing Address – Line 2 (If Applicable)

City

State

Zip Code

Telephone Number

Email Address

II. VEHICLE INFORMATION

Vehicle Identification Number (VIN)

Vehicle Model

Vehicle Model Year

Date you purchased or leased the Vehicle

² If you are a Class Member and your Subject Vehicle needs a Qualified Future Repair after the Effective Date of the Settlement and both is fewer than 15 years from the original in-service date and has fewer than 150,000 miles at the time such repair is needed, you do not need to submit a Claim Form. You can bring your Subject Vehicle to an Authorized Service Center to request a Qualified Future Repair. (See <https://www.mbusa.com/en/owners/service-maintenance/schedule-service> for a list.)

If your vehicle needs a qualifying repair after May 28, 2021 but prior to the Effective Date, please take your vehicle to be repaired, retain your payment receipts for any qualifying repair performed, and make a claim for reimbursement as a Qualified Past Repair within 45 days of the repair.

Questions? Visit www.MarsRedPaintSettlement.com.
To view JND's privacy policy, please visit <https://www.jndla.com/privacy-policy>

Did you present your vehicle to an authorized Mercedes-Benz dealer or body repair facility for a qualifying repair or provide notice to Mercedes-Benz USA, LLC or Daimler AG of the need for such a repair at a time when the vehicle had both less than 15 years (180 months) and 150,000 or fewer miles?

YES **NO**

Name & address of Mercedes-Benz dealer or body repair facility (if applicable)

Were you denied warranty or goodwill coverage for a qualifying repair when you presented your vehicle to an authorized Mercedes-Benz dealer or body repair facility or notified Mercedes-Benz USA, LLC or Daimler AG of the need for a qualifying repair?

YES **NO**

If your answer to both of the above questions is “Yes,” please provide (i) the date you presented your vehicle to an authorized Mercedes-Benz dealer or body repair facility or notified Mercedes-Benz USA, LLC or Daimler AG of the need for a qualifying repair, (ii) the mileage of your vehicle at such time:

Please list and describe the documents you are attaching to support your claim:

III. CERTIFICATION

By signing this form, I swear under penalty of perjury that:

1. I am a Settlement Class Member and the current owner, former owner, current lessee, or former lessee of the vehicle identified above and am the rightful owner of the claim described in this Qualified Future Repair Claim Form.
2. The documents I have submitted in support of this claim are true and accurate copies.
3. The information provided in this Qualified Future Repair Claim Form is true and correct to the best of my knowledge.

By signing this form, I also confirm my agreement to the Release detailed in Section 6 of the Settlement Agreement and consent to the dismissal of any pre-existing action or proceeding relating to the "590 Mars Red" paint in Subject Vehicles, whether brought by me or by others on my behalf.

If more than one person has rights to the claims asserted, the Qualified Future Repair Claim Form must be signed by all persons.

Signature: _____

Date: _____

Signature: _____

Date: _____

Signature: _____

Date: _____