

CLASS NOTICE

A federal court authorized this Notice. This is not a solicitation from a lawyer.

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN

If you now own or lease (or used to own or lease) model year 2016 and 2017 Ford Explorers sold or leased in the United States, you may be entitled to benefits afforded by a class action settlement. If you received a postcard Notice, you have been identified as owning or leasing a Class Vehicle as defined below.

Your legal rights are affected whether you act or don't act. Read this Notice carefully.

1. THE LITIGATION: This class action claimed that Ford sold model year 2016 and 2017 Ford Explorers that are defective because exhaust fumes may enter the passenger compartment of those vehicles. The class action, pending in the United States District Court for the Eastern District of Michigan, is entitled *Suresh Persad, Daniel G. Wright, and Robert S. Drummond v. Ford Motor Company*, No. 2:17-cv-12599-TGB-MKM (the "Action" or "Litigation").

2. FORD'S POSITION: Ford denies all allegations of wrongdoing asserted in the Litigation, including that the Class Vehicles are defective and that Ford is liable to any buyer, lessee, or operator of the Class Vehicles under any legal claim. Nonetheless, Ford has agreed to settle the Litigation by providing the benefits described in this Notice.

3. NOTICE: This Notice informs Class Members of the Litigation and the proposed Settlement and describes Class Members' rights and options.

4. SETTLEMENT CLASS: The following Settlement Class has been conditionally certified:

All entities and natural persons in the United States (including its Territories and the District of Columbia) who currently own or lease (or who in the past owned or leased) a model year 2016 and 2017 Ford Explorer sold or leased in the United States, excluding 2016 and 2017 Police Interceptor Utility Ford Explorers ("Class Vehicle").

Excluded from the Settlement Class are: (1) all federal court judges who have presided over this case and any members of their immediate families; (2) all entities and natural persons who elect to exclude themselves from the Settlement Class; (3) all entities and natural persons who delivered to Ford releases of all their claims; and (4) Ford's employees, officers, directors, agents, and representatives, and their family members.

The Court has appointed Joseph H. Meltzer, E. Powell Miller and the law firms Kessler Topaz Meltzer & Check, LLP and The Miller Law Firm, P.C. as Class Counsel.

5. SETTLEMENT BENEFITS: If the Court approves the proposed Settlement at the Fairness Hearing that is scheduled for November 15, 2021, Ford will provide the following benefits to Class Members:

Notice of Availability of FSA Repairs: You are hereby notified of the availability of repairs provided under Field Service Actions 17N03 and 19N05 ("FSA Repairs") that will be performed by an Authorized Ford Dealer free of charge to address Exhaust Odor, regardless of mileage or warranty status until July 31, 2022. You may bring your Class Vehicle to an Authorized Ford Dealer through July 31, 2022 in order to obtain these free repairs.

You can look up whether the FSA Repairs have already been performed on your Class Vehicle by visiting the website www.ExplorerExhaustSettlement.com and looking up your Class Vehicle by Vehicle Identification Number ("VIN").

Notice of Availability of TSB Repairs: In the event the FSA Repairs do not remedy the Exhaust Odor, additional repairs can be performed by an Authorized Ford Dealer to address Exhaust Odor, including the following repairs performed under Technical Service Bulletin 17-0044 ("TSB"): (1) inspection and sealing of gaps in the passenger compartment; and (2) installation of a modified exhaust system in vehicles equipped with a normally aspirated 3.5-liter Twin Independent Variable Camshaft Timing ("TiVCT") engine ("TSB Repairs"). These TSB Repairs are free of charge for in-warranty vehicles. If your Class Vehicle is out-of-warranty, the TSB Repairs are available to you but are not free. You may be entitled to a partial reimbursement as explained below.

Partial Reimbursement of Post-Warranty Repair Costs: If you have the TSB Repairs performed on your vehicle after expiration of the Warranty Coverage Period and you pay (or have paid) an Authorized Ford Dealer for the parts and labor ("Post-Warranty Repair Costs"), you are eligible for partial reimbursement of such Post-Warranty Repair Costs if they occur within the later of the below periods:

- i. Repairs occurring within 4 years or 48,000 miles after the vehicle was placed in service (whichever comes first);
- ii. Repairs occurring on or before November 11, 2021.

Such TSB Repairs shall be reimbursed as follows:

- i. Up to \$400 of the Post-Warranty Repair Costs for the inspection and sealing of gaps in the passenger compartment;
- ii. Up to \$400 of the Post-Warranty Repair Costs for the installation of a modified exhaust system in vehicles equipped with a normally aspirated 3.5-liter TiVCT;
- iii. These amounts may be combined to a single Class Vehicle that involve both types of repairs, even if those repairs occur on different visits (so long as they occur within the time and/or mileage requirements above).

Submission of Claims: In order to obtain partial reimbursement for Post-Warranty Repair Costs, you must submit a claim to the Settlement Claims Administrator within six months after the Effective Date of Settlement, or 120 days after the date of the TSB Repair for which partial reimbursement is sought, whichever is later. Your claim must include the following information:

- The VIN of the Class Vehicle with respect to which a claim is being made.
- Proof of ownership of the vehicle during the time of any qualified TSB Repair for which a claim is being made.
- Evidence sufficient to show that the Settlement Class Member obtained a TSB Repair to a Class Vehicle that qualifies for partial reimbursement of Post-Warranty Repair Costs under the Settlement Agreement, including:
 - Information showing that the Class Vehicle received a TSB Repair;
 - The date(s) of the TSB Repair;
 - The mileage on the Class Vehicle as of the date of the TSB Repair.
- Proof of the amount of Post-Warranty Repair Costs the Settlement Class Member paid to obtain the TSB Repair.

You will receive these benefits only if the Court approves the proposed Settlement following the Fairness Hearing on November 15, 2021, and only if you remain a Member of the Settlement Class. If you exclude yourself from the Settlement, you cannot receive partial reimbursement for Post-Warranty Repair Costs.

To monitor the status of the proposed Settlement, to learn if and when it is approved, and to obtain Claim Forms, you may visit www.ExplorerExhaustSettlement.com or call 1-855-786-0990.

6. ATTORNEYS' FEES, EXPENSES, AND SERVICE AWARDS: The Parties negotiated the payment of attorneys' fees and costs, subsequent to and separate and apart from the Class relief. Moreover, the Settlement is not contingent on the award of any particular amount of attorneys' fees and costs, or service award. Like all class action settlements, the amount of attorneys' fees and costs awarded to Class Counsel is left to the discretion of the Court. The Parties have agreed that separate and apart from the relief Ford will provide to the Settlement Class, and subject to Court approval, Ford will pay an award of reasonable attorneys' fees of \$3,000,000 (three million dollars), and expenses of \$500,000 (five hundred thousand dollars), to Class Counsel, less any amounts the Court approves as a service award to the Class Representatives. Class Counsel will apply for a service award of \$30,000, to be allocated by the Court equally among the Named Plaintiffs. Class Counsel will file any motion for attorneys' fees and costs, and service award to the Class Representatives on or before November 1, 2021.

7. RESULT IF COURT APPROVES SETTLEMENT: If the Court approves the proposed Settlement, it will dismiss the Litigation, and Ford will provide the benefits described above to the Settlement Class Members who have not excluded themselves from the Class. Settlement Class Members will be barred from pursuing non-personal injury lawsuits based on Exhaust Odor in the Class Vehicles. Therefore, if you want to bring your own lawsuit against Ford, you must exclude yourself from this Settlement.

8. YOUR OPTIONS: If you are a member of the Settlement Class, you have the following four options: (1) submit a claim; (2) ask to be excluded; (3) object; or (4) do nothing. Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class and the Settlement. If you exclude yourself, you have no basis to object because the case no longer affects you, and you cannot submit a claim under the Settlement.

<p>SUBMIT A CLAIM</p>	<p>If you wish to receive monetary compensation from the Settlement, you must submit a claim. Claims must be submitted to the Settlement Claims Administrator within six months after the Effective Date of Settlement, or 120 days after the date of the TSB Repair for which partial reimbursement is sought, whichever is later.</p>
<p>ASK TO BE EXCLUDED</p>	<p>If you wish to be excluded from the Settlement Class, receive no benefits from the Settlement and retain all your rights, the Settlement Claims Administrator must receive a request for exclusion sent via first-class mail postmarked on or before August 28, 2021.</p> <p>Your exclusion communication must include your full name, address, and telephone number; the year, model, and VIN of your Class Vehicle; a clear statement that you wish to be excluded from the Settlement Class; and be personally signed by you (and your lawyer if you are represented by counsel).</p> <p>Your request must be sent to the Settlement Claims Administrator at 2016-2017 Ford Explorer Exhaust Odor Class Action Settlement, P.O. Box 43520, Providence, RI 02940-3520.</p> <p>If your exclusion request is properly submitted and received before the deadline, you will not be bound by the terms of the Settlement, and you will be free, if you choose, to pursue your own lawsuit against Ford based on Exhaust Odor. If you do not submit a clear and timely request for exclusion to the Ford Settlement Exclusion Center, you will be bound by the Settlement Agreement and relinquish any claims against Ford based on Exhaust Odor.</p>
<p>OBJECT</p>	<p>If you are a member of the Settlement Class, you may object to the Settlement, Class Counsel’s request for attorneys’ fees and expenses, or the request for Named Plaintiffs’ service awards.</p> <p>You may, but need not, select an attorney to appear at the Fairness Hearing on your behalf. If you do, you will be responsible for your own attorneys’ fees and costs.</p> <p>If you object to the proposed Settlement, you must do so in writing on or before August 28, 2021. Your written objection must include:</p> <ul style="list-style-type: none"> • Your full name, address, and telephone number; • The model, model year, and vehicle identification number of your Class Vehicle, along with proof that you have owned or leased a Class Vehicle (<i>i.e.</i>, a true copy of a vehicle title, registration, or license receipt); • A written statement of all grounds for the objection, accompanied by any legal support for the objection; • Copies of any papers, briefs, or other documents upon which the objection is based; • A list of all cases in which the Settlement Class Member and/or his or her counsel filed or in any way participated—financially or otherwise—objecting to a class settlement during the preceding five (5) years. • The name, address, email address, and telephone number of every attorney representing you; • A statement indicating whether you and/or your counsel intends to appear at the Fairness Hearing and, if so, a list of all persons, if any, who will be called to testify in support of the objection; and • Your signature (and your counsel’s signature if you are represented by counsel). <p>Your written objection must also be: (1) filed with the Clerk of the U.S. District Court for the Eastern District of Michigan, 231 W. Lafayette Blvd., Room 253, Detroit, MI 48226, and (2) served upon: (A) Joseph H. Meltzer, Esq., and Ethan J. Barlieb, Esq., of Kessler Topaz Meltzer & Check, LLP (Class Counsel), 280 King of Prussia Road, Radnor, PA 19087; (B) E. Powell Miller, Esq. of The Miller Law Firm, P.C (Class Counsel), 950 West University Drive, Suite 300, Rochester, MI 48307; (C) David M. George, Esq., of Dykema Gossett PLLC (Defendant’s Counsel), 2723 South State Street, Suite 400, Ann Arbor, MI 48104; and (D) Joel A. Dewey, Esq. of DLA Piper, LLP (Defendant’s Counsel), 6225 Smith Avenue, Baltimore, MD 21209.</p> <p>Class Members who do not make their objections in a timely manner will waive all objections, their right to comment at the Fairness Hearing, and their right to appeal approval of the Settlement.</p>
<p>DO NOTHING</p>	<p>Stay in this lawsuit. Await the outcome. Receive the benefits of this Settlement if it is approved.</p> <p>By doing nothing, you will remain part of the case and do not need to take any immediate action. If the Settlement is approved under the terms described here, you may receive the benefits of the Settlement. In exchange for the benefits you receive, you will give up your rights to sue Ford separately about the same legal claims involved in this action, unless you have personal injury claims related to Exhaust Odor; those claims are not released by the Settlement.</p> <p>You may, if you wish, comment in favor of the Settlement by sending your comment to Class Counsel: Joseph H. Meltzer, Esq. and Ethan J. Barlieb, Esq., of Kessler Topaz Meltzer & Check, LLP (Class Counsel), 280 King of Prussia Road, Radnor, PA 19087; E. Powell Miller, Esq. of The Miller Law Firm, P.C (Class Counsel), 950 West University Drive, Suite 300, Rochester, MI 48307.</p>

9. FAIRNESS HEARING: A hearing will be held before the Honorable Terrence G. Berg of the U.S. District Court for the Eastern District of Michigan, 231 W. Lafayette Blvd., Room 253, Detroit, MI 48226, on November 15, 2021. At the hearing, the Court will hear arguments about whether the proposed Settlement is fair, reasonable, and adequate, and whether it should be approved and, if so, what fees and expenses should be awarded to Class Counsel, and what service award should be given to the Named Plaintiffs. You do not need to attend the 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 Settlement. If you send an objection, you do not have to attend Court to talk about it. You may also pay your own lawyer to attend, but it is not necessary. The time, date, and location of the hearing may change without further notice to you. If you plan to attend the hearing, you should confirm its time, date, and location before making any plans.

10. ADDITIONAL INFORMATION: For additional information and/or for a copy of the full Settlement Agreement; the request for attorneys' fees, costs, and the service awards; and other key Court documents, you may visit www.ExplorerExhaustSettlement.com or call the Settlement Claims Administrator at 1-855-786-0990 or Class Counsel at (610) 667-7706. Please do not call or write the Court or the Office of the District Clerk.