

GM FUEL ECONOMY CLASS ACTION

A court has authorized this notice. This is not a solicitation from a lawyer.

You may be a member of a class that the Court has certified in the above-entitled class action (the “Action”). The class includes certain persons who purchased or leased new model year 2016 Chevrolet Traverse, Buick Enclave or GMC Acadia vehicles in Canada with incorrect EnerGuide fuel economy ratings (“Class Vehicles”).

This notice is to advise you that this Action has been certified by the Court for the purpose of seeking approval of a settlement to resolve this litigation. This notice contains important information regarding the Action, the proposed settlement, the final hearing to approve the settlement, and your rights.

PLEASE READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR RIGHTS.

Plaintiffs in the Action allege that defendants General Motors of Canada Company and General Motors LLC (“GM”) violated consumer protection laws by overstating the EnerGuide fuel economy (L/100km) ratings and their estimated 5-year annual fuel cost that Federal law required to be displayed on Class Vehicle “window stickers.” GM has admitted that these estimates were overstated depending on the model of Class Vehicle involved due to an inadvertent computer error. It previously notified customers about the error and offered owners and lessees of Class Vehicles a Compensation Program. The certified Class in the Action includes all persons in Canada who purchased or leased new Class Vehicles and who *did not* participate in the Compensation Program and who have not otherwise released their claims against GM arising out of the error in computing the EnerGuide estimates.

The settlement will provide Class Members with either a cash payment or a voucher towards the purchase of a new GM automobile. These settlement benefits are set forth in greater detail on Pages 3-4 of this Notice.

In consideration for the benefits provided to Class Members under the Settlement, the Action will be dismissed with prejudice. GM will receive releases from all members of the Class who do not exclude themselves from the Class and thereby “opt out” of participating in the Settlement.

The Court has not decided whether GM did anything wrong. Except for the inadvertent computer error, GM disputes Plaintiffs’ allegations in the Action. However, to avoid the further costs and delay of litigation, GM has agreed to provide the settlement benefit described in this notice.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

<p>REMAIN IN THE CLASS AND RECEIVE THE BENEFITS OF THE SETTLEMENT</p>	<p>Stay in the Action and choose either Option 1 or 2. You will receive the benefits of the proposed Settlement if it is approved.</p> <p>Option 1: You can remain in the Class and receive a cheque payable in cash for an amount as explained at Page 3 of this notice. If you choose this option, DO NOTHING. If the Settlement is approved, <i>the cheque will automatically be mailed to you</i> after the Effective Date.</p> <p align="center">– or –</p> <p>Option 2: You can remain in the Class and choose to receive a voucher towards the purchase of a new GM automobile as described at Page 4 of this notice. You will need to complete Option 2 of the ENCLOSED CLAIM FORM and return it to the address indicated on the Claim Form, indicating your choice to receive the voucher. If the Settlement is approved, <i>the voucher will be mailed to you</i> after the Effective Date.</p> <p>In either case, in exchange for the benefit you receive, you will give up any rights to sue GM concerning the incorrect EnerGuide fuel economy and fuel cost estimates and the legal claims asserted in the Action.</p>
<p>ASK TO BE EXCLUDED</p>	<p>If you wish to retain your legal rights and be excluded from the Action MAIL OR FAX A REQUEST FOR EXCLUSION, also known as an Opt-Out, to the Claims Administrator so that it is received by the close of business on July 24, 2019.</p> <p>If you ask to be excluded/opt out, you will not share in or receive any benefits of the Settlement.</p>
<p>OBJECT</p>	<p>If you wish to object to the terms of the proposed Settlement, you must (1) stay in the Action, and (2) file your objection papers by July 24, 2019. You must comply with the instructions in Question 12 below to object.</p> <p>You are also free to attend the hearing on August 7, 2019, where the Court will consider your objection. You are free to hire a lawyer at your own expense to represent you at the hearing. You or your lawyer may not be permitted to speak at the hearing unless you comply with Question 12.</p>

BASIC INFORMATION

1. Why did I get this notice?

You received this notice because you may be a member of the Class described above.

2. What is the action about?

This lawsuit is about Plaintiffs' claim that GM affixed "window stickers" to new Class Vehicles that included incorrect EnerGuide estimated fuel economy (L/100km) ratings and estimated 5-year fuel costs. GM contends that the incorrect window stickers resulted from an inadvertent computer error and denies that it violated the law.

3. What is a class action lawsuit and who is involved?

In a class action lawsuit, one or more persons called "Plaintiffs" or "Class Representatives" sue on behalf of other people who may have a similar claim. These people together are a "Class" or "Class Members." The entity sued (in this case GM) is called the Defendant. In a class action, the claim of the Plaintiffs and all Class Members are decided in one action. The Court resolves the claim for everyone in the Class—except for those people who choose to exclude themselves/opt out from the Class.

WHO IS IN THE CLASS?

If you received this Notice, you are likely a member of the Class.

4. Am I part of this Class?

You are a member of the Class if within Canada you purchased or leased at retail a new 2016 Chevrolet Traverse, Buick Enclave or GMC Acadia vehicle that had affixed to it a window sticker that incorrectly stated the EnerGuide estimated fuel economy (L/100km) ratings depending on the model and the EnerGuide estimated 5-year fuel cost.

5. I'm still not sure if I am included.

If you are still not sure whether you are a member of the certified Class, you can call or write to the lawyers representing the Class at the phone numbers or addresses provided below. Neither GM nor the Court are in position to respond to questions. The Settlement requires all questions to be referred to lawyers representing the Class.

THE SETTLEMENT BENEFITS –WHAT YOU CAN GET

6. What does the Settlement provide?

If you are a class member, you may choose one and only one of the following benefits:

Option 1

You can choose to receive a cheque payable in cash with the following compensation based on the vehicle that you own or lease:

	<u>FWD</u>	<u>AWD Traverse/Acadia</u>	<u>AWD Enclave</u>
Incorrect estimated combined fuel economy (L/100km)	12.3	12.6	12.8
Corrected estimated combined fuel economy (L/100km)	13.4	13.7	13.7
Annual incorrect estimated fuel cost	\$ 2,681	\$ 2,747	\$ 2,790
Annual corrected estimated fuel cost	<u>\$ 2,921</u>	<u>\$ 2,987</u>	<u>\$ 2,907</u>
Total compensation you will receive based on 5-year calculation of fuel cost difference for new vehicle purchased	\$ 1,198	\$ 1,201	\$ 983

If you have a leased vehicle, the amount you will receive is calculated pro rata based on the length of your vehicle lease.

Option 2

Or you can choose to receive a voucher in the amount of \$2,000 credit on the purchase of any new GM vehicle from an authorized dealer within three years of the Effective Date of the Settlement (after it is approved by the Court). A Class Member electing to receive the voucher, or a member of the Class Member's Immediate Family (spouse or children), may use the voucher as a \$2,000 credit on the purchase price negotiated with the GM dealer, in addition to any rebates or other incentives otherwise applicable to that vehicle purchase on the date of purchase. The vouchers are otherwise non-transferable. Any attempt to sell or otherwise transfer the voucher to any third party other than the Class Member's Immediate Family shall render such voucher immediately void.

HOW YOU GET SETTLEMENT BENEFITS—SUBMITTING A CLAIM FORM

7. Do I have to complete a Claim Form?

If you are a Class Member and you do nothing, and if the Court approves the settlement, you will be mailed the benefit described in Option 1 after the Effective Date. You do not have to do anything to receive this benefit.

If you want to choose Option 2—the voucher—you must complete the enclosed Claim Form and return it to the following address by mail by Canada Post or by fax so that it is received no later than the close of business on **October 7, 2019**.

You cannot submit Claim Forms on behalf of other Class Members.

You should read the Claim Form instructions carefully.

If you wish to submit a Claim Form, complete your form and then submit it by mail by Canada Post or by fax to the address listed below:

GM Fuel Economy Class Action
c/o Analytics Consulting LLC, Claims Administrator
P.O. Box 2002
Chanhassen, MN 55317-2002
USA
Toll-Free: 1-855-482-6202
Fax: (952) 404-5750

8. How do I elect a voucher?

If you do not wish to receive the cheque described in paragraph 6 and want to elect a voucher, you must timely submit a fully and accurately completed Claim Form. Read the instructions carefully and submit the Claim Form during the Claim Period. Claim Forms must be received no later than the close of business on **October 7, 2019**.

If you do not submit a properly completed Claim Form by the deadline, you are waiving your rights to get a voucher.

If you want to receive the cheque described in Option 1, you do not have to submit a Claim Form.

9. When will I receive my benefit?

In general, the cheques or vouchers will be mailed after the Court approves the Settlement and the time for any appeal has expired or an appeal has been determined. Please be patient. Do not call the Claims Administrator to find out when the benefit will be paid or vouchers forwarded.

EXCLUDING YOURSELF FROM THE SETTLEMENT

10. What happens if I ask to be excluded?

If you choose to exclude yourself from the Class or “opt out” you won't get any benefits from the Settlement of the Action. If you opt out, you will not be legally bound by the Court's judgments in the Action. If you start

your own lawsuit against GM after you exclude yourself, you will have to hire and pay your own lawyer for that lawsuit, and you will have to prove your claims.

To exclude yourself from (or opt out of) the Settlement, you must send a written request (Request for Exclusion) by mail or fax stating, “I wish to be excluded from the Settlement in *Dale Shippelt and Paul Ungoad v. General Motors of Canada Company and General Motors LLC, Court File No.: 1872/16 CP.*” Be sure to include your printed name, address, phone number, email address and the Vehicle Identification Number for your vehicle. You must also sign the letter. You must mail or fax your Request for Exclusion so that it is received by the close of business on **July 24, 2019** to: GM Fuel Economy Class Action, c/o Analytics Consulting LLC, Claims Administrator, P.O. Box 2002, Chanhassen, MN 55317-2002, USA, Toll-free: 1-855-482-6202, Fax: (952) 404-5750.

You cannot ask to be excluded from the Settlement on the phone, by email or by submitting an email to any law firm’s website. If you choose to Opt Out (be excluded) from the Settlement, you must opt out for all claims that you have that are included in the Settlement. If you ask to be excluded, you will not receive any settlement benefits and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit.

11. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself from the Settlement, you will not be able to make a claim to receive any benefits under the Settlement, and you cannot object to the proposed Settlement.

OBJECTING TO THE SETTLEMENT

12. How do I object to the settlement?

Only a Class Member who does not opt out can object to the Settlement. If you are a Class Member, you can object to the Settlement if you do not like all or some part of it. To object, send a letter explaining your objection to the proposed Settlement in *Dale Shippelt and Paul Ungoad v. General Motors of Canada Company and General Motors LLC, Court File No.: 1872/16 CP* to the Claims Administrator, c/o Analytics Consulting LLC, at GM Fuel Economy Class Action, P.O. Box 2002, Chanhassen, MN 55317-2002, USA with a copy to Class and Defendant’s Counsel at the addresses below. Your objection letter must include: (1) the objector’s full name, current address, current telephone number, and e-mail address; (2) documentation, such as documents showing the Vehicle Identification Number for the Class Member’s vehicle, sufficient to establish membership in the Class; (3) a written statement of all grounds for the objection, accompanied by any legal support for the objection; and (4) a list of all persons who will be called to testify at the Final Approval Hearing in support of the objection; (5) the objector’s signature and the signature of the objector’s duly authorized lawyer or other duly authorized representative (if any) along with documentation setting forth such representation; and (6) copies of any documents supporting the Objection.

If you wish to object to the Settlement, your objection must be submitted to the Claims Administrator with copies sent to lawyers for both Plaintiffs (Class Counsel) and GM (Defendant’s Counsel) by **July 24, 2019**:

CLASS COUNSEL	DEFENDANT’S COUNSEL
Matthew D. Baer McKenzie Lake Lawyers LLP 1800-140 Fullarton Street London ON N6A 5P2 Tel: (519) 672-5666 Fax: (519) 672-2674 baer@mckenzielake.com	Robert B. Bell Lerners LLP 130 Adelaide Street West, Suite 2400 Toronto ON M5H 3P5 Tel: (416) 601-2374 Fax: (416) 867-2435 rbell@lerners.ca

In the event that a Class Member objects through a lawyer hired at his, her, or its own expense, the lawyer will have to file a notice of appearance with the Court by the Objection Deadline **July 24, 2019** and serve a copy of the notice and the objection containing the information detailed above on Class Counsel and Defendant's Counsel by the Objection Deadline.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in this case?

Yes. These lawyers are referred to as Class Counsel or Plaintiffs' Counsel:

Matthew D. Baer
McKenzie Lake Lawyers LLP
1800-140 Fullarton Street
London ON N6A 5P2
Tel: (519) 672-5666
Fax: (519) 672-2674
baer@mckenzielake.com

If you want to be represented by another lawyer, you may hire one at your own expense.

14. How will the lawyers for Plaintiffs and the proposed Class be paid?

The lawyers who represent the Class will ask the Court for an award of lawyers' fees and reimbursement of their out-of-pocket expenses in an amount not to exceed \$175,000. Any legal fees awarded by the Court will be paid separately by the Defendant and these payments of legal fees and expenses will not reduce the value of the Settlement benefits made available to Class Members.

Class Counsel will petition the Court to approve the payment to Class Counsel which GM has agreed not to oppose. Class Counsel will file their request for an award of lawyers' fees and costs and the service awards to the named Plaintiffs, by July 26, 2019. Class Members may obtain any such submission to the Court by contacting Class Counsel.

COURT HEARING

The Court will hold a hearing to decide whether the Settlement is fair, reasonable and in the best interests of the Class Members. Settlement will not proceed unless and until there is Court approval. You may attend, and you may ask to speak, but you don't have to appear.

15. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing on August 7, 2019 (the "Final Approval Hearing Date"), at London Courthouse, 80 Dundas Street, London, Ontario. At the Final Approval Hearing, the Court will consider whether the proposed Settlement is fair, reasonable, and adequate. The Court will also consider Class Counsel's request for fees, costs and expenses.

If there are objections to the Settlement, the Court will consider them. After the Final Approval Hearing, the Court will decide whether to approve the Settlement and how much to award to Class Counsel as fees, costs, and expenses.

16. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as you filed a written objection with all of the required information on time with the Court and delivered it on time to Class Counsel and Defendant's Counsel, the Court will consider it. You may also have a lawyer attend the hearing on your behalf at your own expense, but it is not required. Class members do not need to appear at the hearing or take any other action to indicate their approval.

17. May I speak at the Final Approval Hearing?

You may ask the Court for permission to speak at the Final Approval Hearing. To do so, you must send a letter saying that you intend to appear and speak at the Final Approval Hearing in *Dale Shippelt and Paul Ungeod v. General Motors of Canada Company and General Motors LLC, Court File No.: 1872/16 CP*. Be sure to include the case name, case number, your printed name, address, email address, telephone number, and your signature. Your letter of intent to appear and speak must be received by the Claims Administrator, Class Counsel and Defendant's Counsel, at the three addresses listed in Question 12 no later than **July 24, 2019**. You cannot speak at the hearing if you exclude yourself.

GETTING MORE INFORMATION

18. How do I get more information?

If you have any questions about this class action notice or this case, you should contact Class Counsel identified above. There would be no cost or obligation to you.

PLEASE DO NOT ADDRESS QUESTIONS ABOUT THE SETTLEMENT OF THE LITIGATION TO THE COURT, OR TO THE JUDGE, OR TO GM.

DATED: July 5, 2019