

SETTLEMENTS REACHED WITH ALL REMAINING DEFENDANTS IN LAWN MOWER HORSEPOWER LABELLING CLASS ACTIONS

WHAT ARE THE CLASS ACTIONS ABOUT?

Class action lawsuits have been brought in Ontario and Québec on behalf of all Canadians who purchased certain walk-behind or riding lawn mowers made by a defendant containing certain gas combustible engines labeled at 30 horsepower or less between January 1, 1994 and December 31, 2012 (the “Class” or “Class Members”).

The class actions allege that the defendants agreed to manipulate horsepower labelling on certain lawn mowers during the class period. The defendants deny the allegations and no manipulation of horsepower or horsepower labelling has been proven in court. The parties have entered into settlement agreements as a compromise to resolve the disputed allegations.

Settlements have now been reached with Kawasaki and Tecumseh for \$785,000 and \$1,550,000 respectively, which must be approved by the Courts. Previous court-approved settlements with other defendants totalled \$5.2 million, bringing the total value of settlements reached to \$7.535 million.¹

As settlement agreements have now been reached with all defendants to the litigation, the Courts will be asked to approve a plan to pay the settlement recoveries to Class Members. Please see the proposed Distribution Protocol for settlement funds, which is available for review at www.lawnmowersettlement.ca.

DOES THIS COST ME ANYTHING?

No. Lawyers representing the Class will ask the Courts to approve legal fees of up to 30% of the Kawasaki and Tecumseh settlement amounts plus disbursements and applicable taxes, to be paid out of those settlement funds.

The Lawyers representing the Class are:

- Harrison Pensa ^{LLP} | Tel: 1.800.263.0489 ex. 759 | lawnmowersettlement@harrisonpensa.com
450 Talbot Street, P.O. Box 3237 London, Ontario, N6A 5J6, Attn: Jonathan Foreman
- Consumer Law Group Inc. | Tel: 514.266.7863 | info@clg.org (for class members in Québec)
1030 rue Berri, Suite 102, Montréal, Québec, H2L 4C3, Attn: Jeff Orenstein

WHAT DO I HAVE TO DO NOW?

The Kawasaki and Tecumseh Settlement Agreements and the Distribution Protocol are now before the Courts for approval. The Courts will determine whether they are fair and in the best interests of the Class. The Settlement Agreements and the Distribution Protocol are available for review at www.lawnmowersettlement.ca. The hearings will take place on October 25, 2018 at 10 a.m. in Ontario and on October 31, 2018 at 2:15 p.m. in Québec.

You have the right to comment or object to the Settlement Agreements, the Distribution Protocol, or the counsel fee request. Objections or comments must be delivered in writing to Harrison Pensa ^{LLP}, for all class members outside Québec, or Consumer Law Group, for Québec class members, at the addresses above by October 22, 2018. The Courts will consider any comments from any member of the Class in deciding whether to approve them. If you do not oppose the Kawasaki or Tecumseh Settlement

¹ Settlements were previously entered into with MTD, Briggs & Stratton, Electrolux, John Deere, Husqvarna, Kohler, Toro, and Honda and have already been approved by the courts.

Agreements, the proposed Distribution Protocol, or the fee request, you do not need to do anything else at this time.

The deadline for Class Members to opt out of the lawn mowers class action was September 17, 2013. If you did not previously opt out, you are legally bound by the results of the Lawn Mower Class Action, including the Settlement Agreements and the Distribution Protocol.