

NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
05 CVS 188
05 CVS 1938

DAN LEWIS AND DANIEL H. LEWIS)
FARMS, INC., GEORGE ABBOTT, ROBERT)
C. BOYETTE AND BOYETTE FARMS, INC.,)
KYLE A. COX, C. MONROE ENZOR, JR.,)
Executor of the Estate of CRAWFORD MONROE)
ENZOR, SR., ARCHIE HILL, KENDALL HILL)
AND TULL HILL FARMS, INC., WHITNEY)
E. KING, CRAY MILLIGAN, RICHARD)
RENEGAR, LINWOOD SCOTT, JR. AND)
SCOTT FARMS, INC., ORVILLE WIGGINS,)
ALFORD JAMES WORLEY, Executor of the)
Estate of DENNIS ANDERSON, CHANDLER)
WORLEY, HAROLD WRIGHT, and OTHERS)
SIMILARLY SITUATED,)

PLAINTIFFS,)

v.)

FLUE-CURED TOBACCO COOPERATIVE)
STABILIZATION CORPORATION (n/k/a)
UNITED STATES TOBACCO)
COOPERATIVE, INC.),)

DEFENDANT.)

NOTICE OF CLASS ACTION LAWSUIT

TO: ALL PERSONS OR ENTITIES, OR THEIR ESTATES OR PROPER REPRESENTATIVES, THAT WERE MEMBERS AND/OR SHAREHOLDERS OF THE FLUE-CURED TOBACCO COOPERATIVE STABILIZATION CORPORATION AT ANY TIME FROM ITS INCEPTION THROUGH THE END OF CROP YEAR 2004.

The state court authorized this Notice. This is not a solicitation from a lawyer.

**THIS CLASS ACTION LAWSUIT MAY AFFECT YOUR RIGHTS.
PLEASE READ THIS NOTICE CAREFULLY AND COMPLETELY.**

GENERAL INFORMATION

What is a class action lawsuit?

In a class action, one or more people called "Class Representatives" sue on behalf of people who have similar claims. These people are a "Class" or "Class Members." The Class Representatives who sued and all the Class Members like them are called the Plaintiffs. The company that the Class Representatives sued is called the Defendant.

One court resolves all the claims and issues for all Class Members, except for those Class Members who may choose to exclude themselves from this Class lawsuit.

You are getting this Notice because the Court has decided that this matter should proceed as a class action lawsuit and to inform you of your rights and options as a member of the Class.

Who is the Defendant in this lawsuit?

The Defendant in this lawsuit is the Flue-Cured Tobacco Cooperative Stabilization Corporation (referred to in this Notice as "Stabilization" and now known as the United States Tobacco Cooperative, Inc.).

What is the nature of this class action lawsuit?

The Class Representatives, on behalf of all members of the Class, set out their claims in a Third Amended and Consolidated Complaint filed in the North Carolina General Court of Justice, Superior Court Division, on July 1, 2012 (the "Complaint"). Plaintiffs allege in the Complaint that Stabilization accumulated hundreds of millions of dollars from a few specific sources over the course of several decades and improperly accounted for and withheld those funds from Class Members. Plaintiffs are seeking, among other things, money damages, partial distribution of Plaintiffs' assets held by Stabilization, and a declaratory judgment that Plaintiffs retain all accompanying rights, privileges, and benefits of membership.

Stabilization denies all claims made against it.

WHY ARE YOU RECEIVING THIS NOTICE?

Do not be alarmed. You have not been sued. This Notice is being provided to you to tell you about this Class Action lawsuit, to alert you to the fact that you have been identified as a member of the Class, and to inform you of your rights and options as a member of the Class.

This Notice is being sent to you based upon information and records that indicate that you were a member and/or shareholder of Stabilization, or are a proper representative of a member and/or shareholder, at any time from Stabilization's inception through the end of crop year 2004.

INFORMATION ABOUT THE CLASS ACTION

How is the Class defined?

By Order dated February 7, 2014, the North Carolina General Court of Justice, Superior Court Division certified and defined the Class in this case as follows:

All individuals, proprietorships, partnerships, corporations, or their heirs, representatives, executors

Questions? Call 1-844-309-9755 or visit www.fluecuredclassaction.com

or assigns, and other proper entities that have been members/shareholders of the Flue-Cured Tobacco Cooperative Stabilization Corporation (n/k/a United States Tobacco Cooperative, Inc.) (hereafter "Stabilization") at any time from its inception through the end of crop year 2004, and any heirs, representatives, executors, successors or assigns, and;

- (a) had not requested cancellation of their membership and whose membership was cancelled without a hearing, and/or
- (b) were issued a certificate of interest in capital reserve by Stabilization for any of the tobacco crop years between and including 1967-1973, and/or
- (c) delivered, consigned for sale, or sold flue-cured tobacco and paid an assessment for deposit into the No Net Cost Tobacco Fund or No Net Cost Tobacco Account during any tobacco crop years between and including 1982-2004.

Who are the Class Representatives in this case?

As part of its certification order, the court designed the following individuals and entities as the Representatives for the Class in this case: Dan Lewis and Daniel H. Lewis Farms, Inc., George Abbot, Robert C. Boyette and Boyette Farms, Inc., Kyle A. Cox, C. Monroe Enzor, Jr., Executor of the Estate of Crawford Monroe Enzor, Sr., Archie Hill, Kendall Hill, Whitney E. King, Cray Milligan, Richard Renegar, Linwood Scott, Jr. and Scott Farms, Inc., Orville Wiggins, Alford James Worley, Executor of the Estate of Dennis Anderson, Chandler Worley, and Harold Wright.

Who are the attorneys for the Class?

The following attorneys are the Co-Lead Class Counsel, C. Alan Runyan and William Robert Cherry, Jr. and the following attorneys are all the Counsel for the Class:

<p>C. Alan Runyan A.G. Solomons, III Andrew Platte Speights & Runyan 2015 Boundary Street, Ste. 239 Beaufort, SC 29902 (803) 943-4444</p>	<p>Philip R. Isley Blanchard, Miller, Lewis & Isley, PA 1117 Hillsborough Street Raleigh, NC 27603 (919) 755-3993</p>
<p>Dennis T. Worley Paul J. Ekster Wright, Worley, Pope, Ekster & Moss P.O. Box 457 Tabor City, NC 28463 (910) 653-2082</p>	<p>Lonnie Boyd Williams William Robert Cherry, Jr. Marshall, Williams & Gorham 14 South Street P.O. Drawer 2088 Wilmington, NC 28402 (910) 763-9891</p>
<p>James L. Ward, Jr. McGowan, Hood & Felder, LLC 321 Wingo Way, Suite 103 Mount Pleasant, SC 29464 (843) 388-7202</p>	<p>Charles H. Williams Williams and Williams P.O. Box 1084 Orangeburg, SC 29116-1084</p>
<p>Terry E. Richardson, Jr. Robert S. Wood Richardson, Patrick, Westbrook & Brickman, LLC 1037 Chuck Dawley Blvd, Bldg. A Mount Pleasant, SC 29464 (843) 727-6500</p>	

YOUR LEGAL RIGHTS WITH RESPECT TO THIS LAWSUIT

You have a choice. You can remain a member of the Class *or* you have the right to exclude yourself from the Class. You may also enter an appearance in this case or you may seek to intervene directly in this lawsuit through your own independently-retained attorney at your own expense. Each of these choices has consequences that you should understand before deciding.

A. If you wish to remain a member of the Class, YOU DO NOT NEED TO DO ANYTHING NOW.

If you wish to remain a member of the Class and have your rights decided in this lawsuit, you do not need to do anything.

If you do not do anything and you choose to remain a member of the Class:

1. Your claims against Stabilization will be decided in this lawsuit.
2. Class Counsel and the Class Representatives will represent your interests in this case. You will not be charged any fee for this representation. Class Counsel have agreed to handle the case on a "contingent" basis and to advance all costs and expenses on behalf of the Plaintiffs and the Class. (See below, "What will it cost me to stay in the Class?")
3. You may advise the Court at any time if you believe your interests are not being fairly and adequately represented by either Class Counsel or the Class Representatives.
4. As a member of the Class, you will be entitled to share in any monetary recovery sought by the Plaintiffs and obtained by the Class, if any, and will also receive the benefit of any other relief that may be ordered by the Court.
5. Your ability to recover from Stabilization will depend on the results of this lawsuit.

As a member of the Class, you will be bound by the judgment in this case and whatever happens in this case, either favorable or unfavorable. If you choose to remain as a member of the Class and the Court finds against the Class, you will be barred from pursuing a separate lawsuit against Stabilization.
6. You will be entitled to notice of and an opportunity to be heard respecting any proposed settlement of the Class's claims.

B. If you want to exclude yourself from the Class, you must do the following:

If you do not want to be a member of the Class, you may request the Court to exclude you from the Class. Your request to be excluded from the Class must contain the following information:

1. Your name and current address;
2. Your Stabilization membership number;
3. A statement that you want to be excluded from the Class in *Lewis, et al. v. Flue-Cured Tobacco Cooperative Stabilization Corp.*;
4. Your signature; and
5. The date signed.

No request for exclusion can be made on behalf of a group of Class Members or through an agent or attorney. You must mail your request for exclusion to the following Co-Lead Class Counsel:

C. Alan Runyan
Speights & Runyan
2015 Boundary Street
Beaufort, SC 29902

Questions? Call 1-844-309-9755 or visit www.fluecuredclassaction.com

To be effective, your request to be excluded from the Class must be completed, signed, and postmarked on or before October 26, 2017. The Court will exclude you from the Class if your proper request for exclusion is postmarked by this date.

If you elect to be excluded from the Class:

1. You will not share in any recovery that might be paid to the Plaintiffs and the Class because of a trial or settlement of this case;
2. You will not be bound by any determinations or any judgment made in this lawsuit, whether favorable or unfavorable, and will not be entitled to any relief awarded to the Class;
3. You will not be entitled to any further notice concerning this case or the proceedings in this case; and
4. You may attempt to pursue any claims you have against Stabilization and others at your own risk and expense by filing your own lawsuit.

C. If you want to enter an appearance in this case through your own attorney.

If you do not file a timely written request for exclusion, you have the right to enter an appearance through your own attorney, retained at your own expense. A Class Member who enters an appearance through their own attorney is not deemed as having intervened or as having sought to intervene in this lawsuit and will still be represented by Class Counsel.

If you wish to enter an appearance through your own attorney, your attorney must:

1. File a *Notice of Appearance* with the Clerk of Court no later than **October 26, 2017**, at the following address:

North Carolina General Court of Justice, Superior Court Division 316 Fayetteville St. Mall Raleigh, NC 27601
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and

2. Serve a copy of the *Notice of Appearance* on Class Counsel (whose addresses are listed above) and Counsel for Defendant Stabilization using the following addresses:

Derek L. Shaffer Quinn Emanuel Urquhart & Sullivan, LLP 777 6th Street NW, 11th Floor Washington, DC 20001	Lee M. Whitman Wyrick Robbins Yates & Ponton LLP 4101 Lake Boone Trail, Suite 300 Raleigh, NC 27607
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D. If you want to intervene in this lawsuit.

If you do not file a timely written request for exclusion, you may also move to intervene in this lawsuit through your own attorney, retained at your own expense. Any motion to intervene must comply with the North Carolina Rules of Civil Procedure and applicable law and be filed no later than **October 26, 2017** with the Clerk of Court, whose address is set forth above.

You must also serve a copy of your motion to intervene, according to the North Carolina Rules of Civil Procedure, on Class Counsel and Counsel for Defendant Stabilization using the addresses set forth above.

FREQUENTLY ASKED QUESTIONS

1. What will it cost me to stay in this case?

If you do not elect to exclude yourself from the Class (or seek to intervene in this case through your own independently-retained attorney), you will be represented by Class Counsel. You will not be charged for this representation, and there is no out-of-pocket cost to any member of the Class, regardless of the outcome. Class Counsel have agreed to handle this case on a "contingent" basis and to advance all attorneys' fees, litigation expenses, and costs on behalf of the Plaintiffs and the Class.

If this lawsuit is successful, Class Counsel will ask the Court to award them reasonable attorneys' fees for their work, as well as an award of their litigation expenses and costs. The Court may order Stabilization to pay such fees, costs, and expenses directly, or the Court may award such fees, costs, and expenses from any recovery for the Plaintiffs and the Class. In either instance, the Court will determine whether attorneys' fees, litigation costs, and expenses will be awarded and, if so, what the amount of the attorneys' fees, litigation costs, and expenses will be.

2. What if I have moved since I was a member/shareholder of Stabilization?

If the address that you used when you were a member of Stabilization has changed, or is expected to change in the future, or if you received a Notice concerning this lawsuit directly in the mail at an address other than the address listed on the envelope, you should provide your new address and your email address to Co-Lead Class Counsel (identified above).

3. Are there going to be further proceedings in this case?

Further proceedings in this case will be conducted before the North Carolina General Court of Justice, Superior Court Division. These proceedings may include the determination of motions for summary judgment, pretrial proceedings, trial, approval of any proposed settlement, and other aspects of this case. The Court has not yet scheduled a trial date in this matter.

4. Where can I get more information?

This Notice only summarizes this lawsuit. More details are in the Complaint, Stabilization's Answer to the Complaint, and the Court's Amended Order on Motion for Class Certification. You can review these documents by visiting www.flucuredclassaction.com.

If you have any questions and would like to hear more information in the form of recorded answers to frequently asked questions, you can call 1-844-309-9755. You can also contact Class Counsel by email at jswofford@speightstrunyan.com.

The pleadings and other records in this case may be reviewed and copied in the office of the Clerk of Court, North Carolina General Court of Justice, Superior Court Division, 316 Fayetteville St. Mall, Raleigh, NC 27601. You may also request copies of pleadings and other records from Class Counsel.

Please do NOT call the Judge, Clerk of Court, or the Court about this Notice or this lawsuit. They will not be able to give you advice or answer your questions.

So Ordered.

/s/ John R. Jolly, Jr.
Recalled/Retired
Superior Court Judge
Presiding