

Apex Fire Settlement **INSTRUCTIONS**

August 3, 2009

Claim ID: (NA - Download Version)

Please Note: Copies of Notice and Claim Documents were mailed (beginning July 31 through August 3, 2009) to all known addresses within qualified evacuation zones.

Mailed documents include a Claim ID which should be noted on claim documents to speed processing. If you have not received mailed documents with your Claim ID by August 12, 2009, then complete and return a downloadable version. A Claim ID will be assigned upon receipt your claim Form.

1. **CAREFULLY READ** the following documents:
 - A. **Proof of Claim Form for Sub Class 2 – Secondary Evacuation Zone**
 - B. **Official Notice of Proposed Class Action Settlement.**

2. If you believe you qualify as a member of the settlement class, carefully **COMPLETE** and **SIGN** the enclosed **Proof of Claim Form**. Verify that you have the correct claim form for your residence location on October 5-7, 2006 (see enclosed map and refer to boundary description in the notice). Do not forget to sign and date the **Proof of Claim Form** when done. You must also provide documentation to prove that you and /or your family evacuated your residence in the secondary zone, such as a hotel bill, or if you stayed at someone's home, an affidavit from that person confirming the stay.

NOTE: If you are signing for a person in this case who is deceased, or for a person for whom you have a power of attorney, you must also return a copy of the documentation proving your authority to sign for that person. Please include copies of **your** identification (Drivers License, Social Security Card, State ID Card, etc.)

3. **INSERT AND MAIL.** Place the completed and signed **Proof of Claim Form** in the enclosed self-addressed envelope, attached correct postage, and mail. Proof of claim forms will be processed in the order received. Claim forms will be not be accepted if received and/or post marked after October 20, 2009.

If you have questions or need assistance, please do the following:

- A. Go to the Apex Fire Settlement web site at WWW.APEXFIRESETTLEMENT.COM
- B. Email the settlement administrator's office at info@apexfiresettlement.com or
- C. Call toll free at 1-877-675-6307 and listen to the recorded messages. If the recorded messages do not answer your questions, leave a message and it will be immediately sent to personnel who will return calls in the order received.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:06-cv-00400-BR**

SUELLEN E. BEAULIEU, et al.,)
 Plaintiffs,)
 v.)
 EQ INDUSTRIAL SERVICES, INC., et al.,)
 Defendants.)

**RESIDENT EVACUATION
PROOF OF CLAIM FORM
(Subclass 2– Secondary Evacuation Zone)**

**This Document Relates To:
ALL CASES**

**RESIDENT EVACUATION PROOF OF CLAIM FORM
(Subclass 2– Secondary Evacuation Zone)**

THE DEADLINE FOR SUBMITTING THIS PROOF OF CLAIM FORM IS OCTOBER 20, 2009.

ONLY ONE PROOF OF CLAIM FORM MAY BE SUBMITTED PER HOUSEHOLD.

FILL IN ALL BLANKS. TYPE OR PRINT LEGIBLY.

Part I. Identification of Household Residence Street Address on October 5, 2006:

| | | | |
|---|------|-------|----------|
| | | | |
| Street number and Name (PO Box is not acceptable) | City | State | Zip Code |

Part II. Identification of Head of Household:

| | | | | | |
|--------------------------------------|-------------|-----------|-----------------------|---------------------|---|
| | | | | _ _ / _ _ / _ _ _ _ | _ _ _ _ |
| First Name | Middle Name | Last Name | Suffix (Jr. Sr. etc.) | Date of Birth | Last 4 digits of Social Security Number |
| Full legal name of Head of Household | | | | | |

Current Address and Phone:

| | | | | | | |
|---|------|-------|----------|--|------------------------------------|---------------------------------|
| | | | | | _ _ - _ _ - _ _ _ _ | _ _ - _ _ - _ _ _ _ |
| Current mailing address of Head of Household to which all future correspondence should be addressed | City | State | Zip Code | | Daytime Phone Include Area Code | Cell Phone Include Area Code |

Part III. Identification of Household Members on October 5, 2006:

The following named individuals were members of the Household at the Residence Address listed above on October 5, 2006:

| Name | Date of Birth | Last 4 digits of SSN | Relationship To You | Current Address |
|------|---------------|----------------------|---------------------|-----------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

NA - Download Version - See Cover Page

Part IV. Evacuation:

Did you and the members of the Household listed above, evacuate as a result of the Incident? **Yes / No / NA**

If yes, provide information about the evacuation- when you evacuated, where you and other household members evacuated to, and how long you evacuated:

Part V. Rental:

If you or any household member leased or rented the residence identified in Part I on October 5-7, 2006, provide:

The name, address and telephone number of the owner of the residence on October 5-7, 2006:

The date that you (or a household member) first started renting or leasing the residence: ____/____/____

Part VI. Prior Payment by EQ Industrial Services, Inc.:

Have you or any household member who evacuated received any payment from EQ Industrial Services, Inc. (or other EQ related or affiliated company or its insurer), for any claims arising from the Incident? **Yes / No / NA**

If yes, identify who received the payment, the amount of the payment and what the payment covered:

Part VII. Documentation:

The person signing this Form must attach proof of his or her personal identity, such as a copy of 1) your driver's license; 2) a picture Identity Card and/or 3) a U.S. Passport.

Attach proof and provide documentation substantiating the evacuation, such as a hotel bill, or if you stayed at someone's home, an affidavit from that person confirming the stay.

Pursuant to 28 U.S.C. §1746, I hereby certify, under penalty of perjury, that I am duly authorized to make this Proof of Claim on behalf of myself and the Household Members listed above, and that all of the information contained herein is true and correct. By signing this Proof of Claim Form, the undersigned hereby releases all Released Claims against the Released Entities as defined in the Preliminary Settlement Agreement.

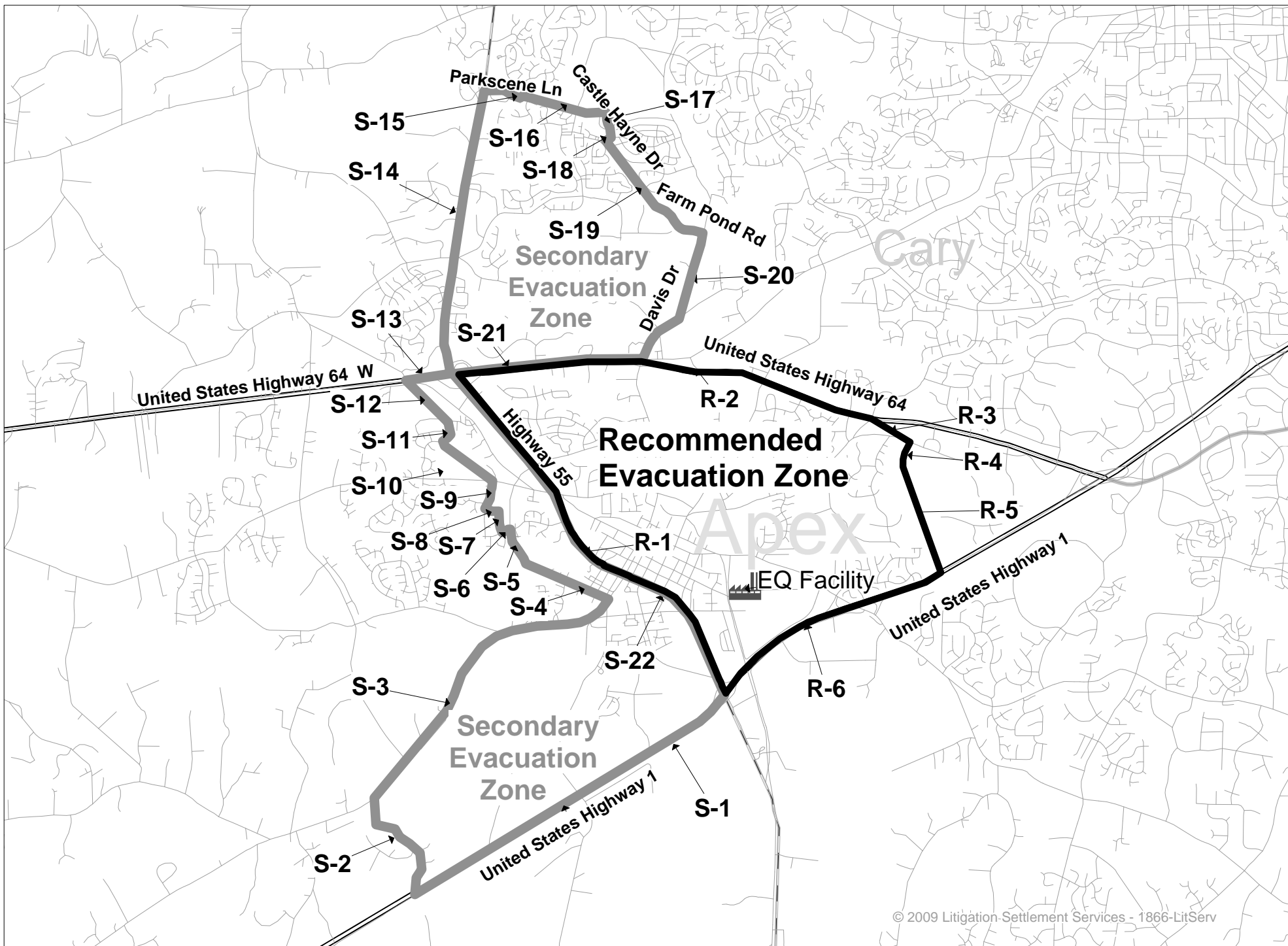
Date

Signature of Duly Authorized Representative

You must send this form, and documents or proof, if any, by U.S. Mail, postmarked no later than October 20, 2009 to:

**Litigation Settlement Services
5868 Westheimer Road, Suite 214
Houston, TX 77057**

NA - Download Version - See Cover Page



Recommended (Black) and Secondary (Gray) Evacuation Zones.

GEOGRAPHIC BOUNDARY OF THE RECOMMENDED EVACUATION ZONE

(SEE ATTACHED MAP)

Beginning at the intersection of Highway 55 and U.S. Highway 1

- R-1. proceed north along U.S. Highway 55 to the intersection of U.S. Highway 64;
- R-2. then proceed in an easterly direction along U.S. Highway 64 to the intersection of Lake Pine;
- R-3. then proceed southeast along a straight line to the intersection of Old Raleigh Rd and Crash Ln.;
- R-4. then proceed in a southerly direction to the end of Crash Ln.;
- R-5. then proceed in a south southeasterly direction along a straight line to the east end of Golden Plover Dr. and then continue on the same straight line to the intersection of U.S. Highway 1;
- R-6. then proceed in a southwesterly direction along U.S. Highway 1, to the point of beginning.

GEOGRAPHIC BOUNDARY OF THE SECONDARY EVACUATION ZONE

(SEE ATTACHED MAP)

Beginning at the intersection of Highway 55 and U.S. Highway 1

- S-1. proceed southwest along U.S. Highway 1 to the intersection of Pleasant Plain Rd.;
- S-2. then proceed in a northerly direction along Pleasant Plain Rd to the intersection of Old U.S. 1 (S. Salem St.);
- S-3. then proceed in a northeasterly direction along Old U.S. 1 (S. Salem St.) to the intersection of Lynch;
- S-4. then proceed in a northwest direction along Lynch to the intersection of Lynch at Apex Peakway;
- S-5. then continue in northerly direction along Apex Peakway to the intersection of White Dogwood Rd. and Apex Peakway;
- S-6. then in a westerly direction along White Dogwood Rd. to the intersection of Mosstree Dr.;
- S-7. then proceed in a northerly direction along Mosstree Dr. to the intersection of Telford Ln.;
- S-8. then proceed in a westerly direction along Telford Ln. to the intersection of Cameron Glen Dr.;
- S-9. then proceed in a northerly direction along Cameron Glen Dr. to the intersection of Olive Chapel Rd.;
- S-10. then proceed on a straight line in a northwesterly direction to the south end of Argus Ct. and then in a northerly direction along Argus Ct. to the intersection of Fairfax Woods Dr.;
- S-11. and then in a northerly direction along Fairfax Woods Dr. to the intersection of Red Barn Way;
- S-12. then proceed on a straight line in a northeasterly direction to the intersection of Green Level Church Rd. and U.S. Highway 64;
- S-13. then proceed in an easterly direction along U.S. Highway 64. to the intersection of Highway 55;
- S-14. then proceed in a northerly direction along Highway 55 to the intersection of Parkscene Ln.;
- S-15. then proceed in an easterly direction along Parkscene Ln. to the intersection of Park Valley Ln.;
- S-16. then proceed on a straight line in an easterly direction to the most westerly end of Castle Hayne Dr.;
- S-17. then proceed in an easterly and then southerly direction along Castle Hayne Dr. to the intersection of Park Village Dr.;
- S-18. then proceed in a westerly direction along Park Village Dr. half the distance (approximately 200 feet) to the intersection of Park Village Dr. and Trent Woods Way;
- S-19. then proceed on a straight line south to Farm Pond continue south on Farm Pond to the intersection of Davis Rd.;
- S-20. then proceed in a southerly direction along Davis Rd. to the intersection of U.S. Highway 64;
- S-21. then proceed in a westerly direction along U.S. Highway. 64 to the intersection of Highway 55;
- S-22. then proceed south on Highway 55 to the intersection of U.S. Highway 1, the point of beginning.

APEX FIRE SETTLEMENT
C/O LITIGATION SETTLEMENT SERVICES
5868 WESTHEIMER RD STE 214
HOUSTON TX 77057-5641

First Class
Postage
Required

Apex Fire Settlement
c/o Litigation Settlement Services
5868 Westheimer Rd # 214
Houston TX 77057-5641