

Williams v. Duke Energy

c/o GCG

P.O. Box 10092

Dublin, OH 43017-6692

Forwarding Service Requested

To: All ratepayers who received retail electric generation service from Duke Energy Corp. and/or Cinergy Corp. or their subsidiaries or affiliates at any time between January 1, 2005, and December 31, 2008, in the CG&E/Duke Energy Ohio electric service territory and who did not receive rebates under the side agreements.

DESCRIPTION OF THE LAWSUIT

This notice is being sent to you by order of the United States District Court for the Southern District of Ohio, Eastern Division ("the Court") in *Anthony Williams, et al. v. Duke Energy International, Inc., et al.*, Case No. 1:08-cv-00046. You received this notice because you may be a member of the class described herein. Plaintiffs allege that from 2005 to 2008 defendants unlawfully paid rebates through an affiliate to 24 large industrial or commercial customers under separate side agreements. Plaintiffs allege violation of federal racketeering and antitrust laws, as well as state racketeering and common law claims. Defendants deny these allegations, and maintain that they did not engage in any wrongdoing.

A settlement has been reached in this case with a total value of \$80,875,000. Residential ratepayers will receive fixed payment amounts for each qualifying day they paid a tariffed rate during the class period, from a settlement fund not to exceed \$25,000,000. The minimum payout for an eligible residential ratepayer who qualifies for the entire Class Period will be a total of approximately \$40; that amount may go up to a maximum of approximately \$400. Non-residential ratepayers will receive fixed, and possibly variable amounts based upon usage, for each qualifying day they paid a tariffed rate during the class period, from a settlement fund not to exceed \$25,000,000. The minimum payout for an eligible non-residential ratepayer that qualifies for the entire Class Period will be a total of approximately \$200; that amount may go up to a maximum of approximately \$4,000. Ratepayers who qualify for lesser time periods will receive lesser total payouts so long as they are \$10.00 and above. Also, class members may receive direct benefits from programs developed using a minimum of \$8,000,000 of settlement monies.

The Court will hold a hearing, where you may appear and object, to consider approving the settlement at 10:00 a.m. on April 18, 2016 at the Potter Stewart U.S. Courthouse, 100 East Fifth Street, Cincinnati, Ohio, 45202. If you do nothing, all the Court's orders in this Action will apply to you. Plaintiffs' attorneys will request approval of fees, expenses and class representative incentive awards at the hearing. A copy of the case documents can be obtained by visiting the office of the Clerk of the Court for the Southern District of Ohio, Joseph P. Kinneary, U.S. Courthouse, Room 121, 85 Marconi Boulevard, Columbus, Ohio 43215. For information you may also go to www.dukeclassaction.com.

HOW CAN I PARTICIPATE?

1. **I was a Residential Ratepayer.** To receive the fixed amount payment you must, by April 13, 2016, (i) complete a claim form online at www.dukeclassaction.com or (ii) mail the paper claim form at the bottom of this postcard to the Settlement Administrator at the address on the bottom of this card.

2. **I was a Non-Residential Ratepayer.** To receive the fixed amount payment, and an additional payment if the applicable usage threshold is exceeded, you must, by April 13, 2016, (i) complete a claim form online at www.dukeclassaction.com or (ii) mail the paper claim form at the bottom of this postcard to the Settlement Administrator at the address on the bottom of this card.

If you do not timely submit a complete and accurate claim form, you will receive no benefits under the settlement but will still be bound by the settlement and release of claims.

HOW DO I GET MORE INFORMATION?

For more information about the settlement, including the full notice describing your rights, or to update your current mailing address, you may visit www.dukeclassaction.com, call (844)-322-8220, or you may write to the Settlement Administrator at: Williams v. Duke Energy, P.O. Box 10092, Dublin, OH, 43017-6692.

CLAIM FORM

<p>I was a ratepayer of Cinergy or Duke Energy Ohio between January 1, 2005 and December 31, 2008 at the following address and during the following approximate time period:</p>	<i>Street:</i>
	<i>Street:</i>
	<i>City:</i> <i>State:</i> <i>Zip:</i>
	<i>From: (month and year)</i> <i>To: (month and year)</i>

<p>Please select only one box:</p>	<p><u>Current name and address:</u></p>
<p>I am making a claim as a Residential Class Member. <input type="checkbox"/></p>	
<p>I am making a claim as a Non-Residential Class Member for the fixed amount, and potential additional payment if the applicable usage threshold is exceeded. <input type="checkbox"/></p>	

I am not making duplicative claims. I declare under penalty of perjury that the foregoing is true and accurate.

Signature: _____

Date: _____