SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: CAMDEN COUNTY

ANDREW KAPLAN and FRANK MOROZ, on behalf of themselves and all others similarly situated, *Plaintiffs,* v. WHOLESALE AUTOMOTIVE SUPPLY CO., *et al.*, *Defendants.*	Docket No. CAM L - 003979 04

NOTICE OF PENDENCY OF CLASS ACTION,
PROPOSED PARTIAL SETTLEMENT, AND FINAL HEARING ON PARTIAL SETTLEMENT

TO: ALL CONSUMERS WHO PURCHASED THE WASCO LOSS PREVENTION SYSTEM DURING THE PERIOD FROM MARCH 1, 1999 THROUGH SEPTEMBER 30, 2004. (COLLECTIVELY REFERRED TO HEREIN AS THE "CLASS") EXCLUDED FROM THE CLASS ARE ANY DEFENDANTS, THEIR RESPECTIVE PARENTS, EMPLOYEES, SUBSIDIARIES AND AFFILIATES, THEIR ALLEGED CO-CONSPIRATORS AND ALL GOVERNMENT ENTITIES.

PLEASE READ THIS ENTIRE NOTICE CAREFULLY. YOUR RIGHTS MAY BE AFFECTED BY A LAWSUIT NOW PENDING IN THIS COURT AND A PROPOSED Partial CLASS ACTION SETTLEMENT.

NOTICE is hereby given that a proposed partial settlement has been reached in the class action lawsuit captioned, *Kaplan, et al. v. Wholesale Automotive Supply Co., et al.* in the Superior Court of New Jersey, Camden County, Law Division, Docket No. CAM L-003979-04

This Notice is to inform you that a hearing will be held on December 7, 2007 at 9:00 a.m. in the Superior Court of New Jersey, Camden County, 101 S. Fifth Street, Camden, New Jersey 08103 in Courtroom 43 before the Honorable John A. Fratto J.S.C. At that time the proposed partial settlement will be presented for purposes of determining whether it should be approved as fair, reasonable and adequate.

If you have received this Notice, you may be a member of the Class described in this Notice ("Class Member") and, therefore, your rights may be affected by the proposed settlement. This Notice is sent for the purpose of informing you of the settlement so that you may decide what steps, if any, you wish to take. Your possible options are described later in this Notice although you are required to do nothing to participate in this partial settlement.

This Notice is also to inform you that on July 6, 2007, the Court preliminarily approved a proposed partial settlement reached with Defendants Burns-Kull, Inc., d/b/a Burns Honda; Burns Pontiac GMC Truck, Inc., d/b/a Burns Hyundai, Burns Pontiac and Burns GMC; Kull Auto Sales, Inc., d/b/a Avalon Honda; R.K. Chevrolet, Inc., d/b/a R.K. Subaru, R.K. Chevrolet, R.K. Cadillac and R.K. Kia and R.K. Auto Group; L.K. Auto Sales, Inc., d/b/a Toyota of Vineland and Scion of Vineland; and ManageRite, Inc., d/b/a Burns-Kull Management Group and Burns-Kull Auto Group (collectively referred to as "Burns Kull Defendants" or "Settling Defendants") on behalf of the Class defined above. At the same time, the Court certified this action as a class action naming Frank Moroz as class representatives and the firms of Saltz Mongeluzzi Barrett & Bendesky, P.C. and Spector, Roseman & Kodroff, P.C. as co-counsel for the Class.

I. NOTICE OF THE LITIGATION AND CLAIMS AND DEFENSES ASSERTED THEREIN

Frank Moroz brought a lawsuit alleging violations of New Jersey's Racketeer Influence and Corrupt Organizations Act ("RICO") and Consumer Fraud Act ("CFA"), the Magnuson-Moss Warranty Act ("MMWA"), and common law unjust enrichment against Defendants, including Settling Defendants. The complaint alleges that the Settling Defendants illegally sold an aftermarket product known as the WASCO Loss Prevention System ("WLPS"). The Burns Kull Defendants deny that they violated any law or committed any wrongdoing and deny all liability to the Plaintiff and the Class. By settling this lawsuit, the Burns Kull Defendants do not admit any wrongdoing.

On July 20, 2007, the Court dismissed all remaining claims against non-settling Defendant, Wholesale Automotive Supply Co. ("WASCO"). A Notice of Appeal was filed on September 25, 2007.

The WLPS involves the etching of a vehicle's window with a number other than its Vehicle Identification Number ("VIN") and the possible payment of a monetary benefit in the event a covered vehicle is stolen. Plaintiff alleges that the sale of the WLPS is illegal in both the way it was sold and the fact that it was sold as either an illegal insurance product or an illegal warranty.

While the Court has preliminarily approved this partial settlement and scheduled a hearing, the Court has not yet passed on the merits of any of the claims or defenses asserted by the parties. This Notice is not, and is not to be understood, as an expression of any opinion by the Court as to the merits of any of the claims or defenses asserted by either side.

II. THE PROPOSED PARTIAL SETTLEMENT

Under the terms of the settlement, Burns Kull Defendants will pay $1,250,000 as the Settlement Amount. This Settlement Amount will be reduced by costs, fees, or taxes including, but not limited to, Notice and Administration Costs, Litigation Costs, Payment for Attorneys' Fees and Tax Expenses. The remaining balance is the Settlement Fund that will be distributed to members of the Class.

Class Counsel will seek reimbursement of up to $123,033.11 in costs. Class Counsel will also seek attorneys' fees not to exceed one-third of the $1,250,000 Settlement Amount.

Class Counsel shall also request the Court to approve an incentive award not to exceed $5,000 for the named plaintiff and representative of the Class, Frank Moroz.

III. CLASS COUNSEL

The class counsel appointed by the Court are Simon Bahne Paris, Esquire of Saltz, Mongeluzzi, Barrett & Bendesky, P.C., 1650 Market Street, One Liberty Place, Floor 52, Philadelphia, Pennsylvania 19103; and Jeffrey L. Kodroff, Esquire of Spector, Roseman & Kodroff, P.C., 1818 Market Street, Suite 2500, Philadelphia, Pennsylvania 19103. You may contact class counsel in writing at the above addresses or by calling either 215-496-8282 or 215-496-0300.

IV. NOTICE OF RIGHT TO REQUEST EXCLUSION FROM OR OBJECT TO SETTLEMENT

If you choose to participate in the settlement, you need to do nothing. If you choose not to participate in the settlement, you must request to be excluded from the Class. If you choose to oppose the settlement, you must file an appropriate

objection. The procedures for requesting exclusion from or objecting to this partial settlement are set forth below.

A. You May Request Exclusion from the Class.

If you request exclusion from the Class, you will not be bound by any judgment or settlement of this class action lawsuit, and you will not receive the benefits of the Settlement Agreement. If you wish to be excluded from the Class, you must send in an Opt-Out Notice by mail stating: (1) your name and address; (2) the make, model, and year of the motor vehicle purchased along with the name of the Burns Kull Defendant from which it was purchased; and (3) a statement that you wish to be excluded from the Class. Your Opt-Out Notice must be postmarked by midnight on November 16, 2007. Opt-Out Notices must be sent to the Settlement Administrator: Strategic Claims Services, 600 North Jackson Street, Suite 3, P.O. Box 230, Media, PA 19063. Failure to follow these instructions for requesting exclusion will result in a waiver of your right to exclude yourself from the Class.

B. You May Object to the Settlement.

At the settlement hearing, any Class Member may appear in person or by counsel of his or her own choosing and at his or her own expense and be heard to the extent allowed by the Court in opposition to the fairness, reasonableness and adequacy of the settlement; provided, however, that in no event shall any person be heard in opposition to the settlement unless such person has, on or before November 16, 2007, filed with the Clerk of the Superior Court of New Jersey, Camden County, 101 S. Fifth Street, Camden, New Jersey 08103, written notice of such person's intention to appear, together with a statement that indicates the basis for such opposition, along with any documentation in support of such opposition and simultaneously serves copies of such notice, statement and documentation, together with copies of any other papers or briefs such person files with the Court, upon Class Counsel c/o Simon Bahne Paris, Esquire of Saltz, Mongeluzzi, Barrett & Bendesky, P.C., 1650 Market Street, One Liberty Place, Floor 52, Philadelphia, Pennsylvania 19103; and Jeffrey L. Kodroff, Esquire of Spector, Roseman & Kodroff, P.C., 1818 Market Street, Suite 2500, Philadelphia, Pennsylvania 19103; and Burns Kull Defendants' counsel, Garen Meguerian, Esquire, 21 Industrial Blvd., Suite 201, Paoli, PA 19301. Any and all documents must contain reference to case number CAM-L–003979-04.

Any Class Member who does not opt-out or object in the manner provided above, shall be deemed to have waived any such objection and shall forever be foreclosed from objecting to the fairness, reasonableness or adequacy of the proposed settlement.

V. RELEASE

If the settlement is approved by the Court during the final hearing on December 7, 2007, then upon final judicial approval of this settlement, Plaintiff and each member of the Class, for themselves, their heirs, successors and assigns shall and do hereby jointly and severally release and forever discharge Burns Kull Defendants of and from any and all actions, causes of action, suits, claims, damages, liabilities and obligations in law or in equity that Plaintiffs and members of the class did assert or could have asserted in this Class Action litigation or otherwise regarding the WLPS.

VI. SETTLEMENT HEARING

At the settlement hearing on December 7, 2007, the Court will determine whether to finally approve the proposed settlement and dismiss the action and the claims of the class. YOU ARE NOT REQUIRED TO ATTEND THE CLASS SETTLEMENT HEARING. The settlement hearing may be adjourned from time to time by the Court without further written notice to the class.

VII. ADDITIONAL INFORMATION

If you wish to obtain any additional information, you may obtain copies of the complaint and other pleadings on file at the Clerk of the Court, Superior Court of New Jersey, Camden, New Jersey 08103 during regular business hours.

Any questions concerning the matters contained in this Notice may be directed to class counsel identified above in writing or by calling 215-496-8282. DO NOT CONTACT THE COURT OR THE CLERK OF THE COURT. You may also seek advice and counsel of your own attorney, at your own expense, if you desire.

SO ORDERED BY THE SUPERIOR COURT OF NEW JERSEY, LAW DIVISION, CAMDEN COUNTY.

Dated: October 2, 2007.

BY: /s/ _____
HONORABLE JOHN A. FRATTO, J.S.C.

PLEASE FORWARD—IMPORTANT LEGAL NOTICE

FIRST CLASS MAIL

WLPS Litigation Settlement Fund
Claims Administrator
c/o Strategic Claims Services
PO Box 230
Media, PA 19063

FIRST CLASS MAIL
U.S. POSTAGE
PAID
PERMIT NO. 138
PHILADELPHIA, PA