

Current and former employees of Knorr, Wabtec, Faiveley, Railroad Controls, Xorail, or New York Air Brake: You are eligible for a payment from class action settlements. The settlements may affect your rights. Please read carefully.

What is this about? Settlements have been reached with Knorr-Bremse AG, New York Air Brake LLC, Knorr Brake Company LLC, Bendix Commercial Vehicle Systems LLC (together “Knorr”), Westinghouse Air Brake Technologies Corporation, Wabtec Railway Electronics, Inc., Railroad Controls, L.P., Xorail Inc., Faiveley Transport, S.A., Faiveley Transport North America Inc. (together “Wabtec”) (Knorr and Wabtec, together the “Defendants”), in a class action lawsuit alleging they had agreed not to compete for, hire, recruit, or poach one another’s employees. The Defendants deny they did anything wrong. The Court did not decide in favor of Plaintiffs, the Class, or Defendants. Instead, the parties settled the case to avoid the costs and risks of continuing the lawsuit.

Who is included in the settlement class? You are included in the settlements as a “Class Member” if you held an eligible job title and were employed in the United States by one or more of the following:

- a) from January 1, 2009 through April 3, 2018, Westinghouse Air Brake Technologies Corporation or its subsidiaries, including Wabtec Railway Electronics, Inc., Railroad Controls, L.P., and Xorail Inc.;
- b) from January 1, 2009 through April 3, 2018, Knorr Brake Company LLC or New York Air Brake LLC; or
- c) from June 1, 2010 through April 3, 2018, Faiveley Transport, S.A. or Faiveley Transport North America Inc. (the “Settlement Class”).

This Notice is being sent to you because the Defendants’ records show that you held an eligible job title during the Class Period and thus are a member of the Settlement Class who is automatically entitled to a payment from the Settlement Fund without having to file a claim.

What do the settlements provide? A \$48.95 million Settlement Fund will be created by Knorr (paying \$12 million) and Wabtec (paying \$36.95 million). The Settlement Fund will be used to make payments to Class Members, as well as pay attorneys’ fees and costs, administration costs, and make payments to the Class Representatives. In exchange, Plaintiffs and the class will release the antitrust claims in this lawsuit and other claims described in the settlements against Knorr and Wabtec. For more details, please visit www.railwaynoepoch.com.

How much money will I get? Your share of the Settlement Fund (after deducting court-approved attorneys’ fees, costs, and Class Representative payments) will depend on how much compensation you received while employed in an Eligible Job Title from January 1, 2009 through April 3, 2018, in comparison to other Class Members. By way of example, if the Court awards all forthcoming requests for attorneys’ fees and costs, the Net Settlement Fund will be approximately \$31,738,333. The average Class Member received approximately \$218,923 in eligible compensation, and the total eligible compensation paid to all Class Members was approximately \$2,021,318,312. That fraction, multiplied by the Net Settlement Fund, results in an average settlement payment of \$3,437 (before tax deductions). Class Members who earned more than \$218,923 in eligible compensation would receive proportionately more than \$3,437 each (before tax deductions), and Class Members who earned less than \$218,923 in eligible compensation would receive proportionately less (before tax deductions).

How do I get my settlement payment? You do not have to do anything to receive your share of the Settlement Fund. Defendants’ records establish your eligibility. Thus, if the Settlement Fund is approved and becomes final, you will automatically be mailed a settlement check to the address on file for you in Defendants’ records. To confirm your address, please contact the Settlement Administrator at 1-866-544-7047.

What are my options? If you do nothing and the settlement is approved and becomes final, you will automatically receive a settlement payment and give up your right to sue the Defendants defined above for any claim made in this lawsuit or released by the Settlement Agreements. If you do not want to receive a settlement payment or give up your right to sue the Defendants for any claim resolved by these settlements, you must exclude yourself by **June 17, 2020**. If you do not exclude yourself, you may object to one or both settlements by **June 17, 2020**. You may also hire and pay your own attorney to represent you. Details about your options and how to act on them are available at www.railwaynoepoch.com.

What happens next? The Court will hold a Fairness Hearing in this case (*In re Railway Industry Employee No-Poach Antitrust Litigation*, MDL No. 2850) at 1:30 p.m. on August 26, 2020 at the United States District Court for the Western District of Pennsylvania, 700 Grant Street, Pittsburgh, PA 15219, in Courtroom 5A. At this hearing the Court will consider whether to approve each settlement as fair, reasonable, and adequate, Class Counsel’s request for attorneys’ fees (up to 1/3 of the Settlement Fund) and expenses (approximately \$715,000), notice administrator expenses (approximately \$105,000), and \$15,000 service awards to each of the five Class Representatives.

Want more information? Visit www.railwaynopeach.com to read a more detailed notice or to view the Settlement Agreements and related litigation documents. You may also call 1-866-544-7047 for additional information.

*A federal court authorized this notice. This is **not** an advertisement.*