



Air Cargo Shipping Services Antitrust Litigation

Lufthansa Settlements – U.S. and Canada

Filing Deadline: February 12, 2009

Settlement Amount: **U.S. Settlement:** **\$85 million**
Canadian Settlement: **USD \$5.338 million**

Class Period: **January 1, 2000 to September 11, 2006**

Class Definitions: **U.S. Settlement Class:** All persons and entities that purchased airfreight cargo shipping services for shipments **within, to or from the United States** (hereinafter “Airfreight Shipping Services”), including those persons and entities that purchased Airfreight Shipping Services through freight forwarders, **from any air cargo carrier** (including, without limitation, those defendants named in the Actions, and specifically including Lufthansa) and/or any named or unnamed co-conspirators (collectively, “Defendants”) during the period from January 1, 2000 to September 11, 2006.

Excluded from the Settlement Class are Defendants, their respective parents, employees, subsidiaries and affiliates and all government entities.

Canadian Settlement Class: All persons and entities that purchased airfreight shipping services from any air cargo carrier for shipments **within, to or from Canada** during the period from January 1, 2000 to September 11, 2006, including those persons and entities that purchased Airfreight Shipping Services through freight forwarders.

NOTE: All airfreight cargo shipments from Canada into the United States and from the United States into Canada will be governed by the United States Lufthansa Settlement, NOT the Canadian Lufthansa Settlement.

Product Definition:

“Airfreight Shipping Services” is defined as airfreight cargo shipping services for shipments “**within, to, or from the United States**” for the U.S. Settlement and “**within, to, or from Canada**” for the Canadian Settlement.

For the U.S. Settlement, qualifying purchases of shipments within, to, or from the United States will fall into one of the following four categories:

1. **Outbound/Direct:** Purchases of outbound shipping services (*i.e., from or within* the United States) made directly through an air cargo carrier.
2. **Outbound/Indirect:** Purchases of outbound shipping services (*i.e., from or within* the United States) made indirectly, for example, through a freight forwarder.
3. **Inbound/Direct:** Purchases of inbound shipping services (*i.e., to* the United States) made directly through an air cargo carrier.
4. **Inbound/Indirect:** Purchases of inbound shipping services (*i.e., to* the United States) made indirectly, for example, through a freight forwarder.

Named Defendants:

AC Cargo LP
Aerolinas Brasileiras S.A. (d/b/a Absa Cargo Airline)
Air Canada
Air China Cargo Company, Ltd. (d/b/a Air China Cargo)
Air China Ltd. (d/b/a Air China)
Air Mauritius Ltd.
Airways Corporation of New Zealand Ltd. (d/b/a Airways New Zealand)
Alitalia Linee Aeree Italiane S.p.A.
All Nippon Airways Co., Ltd.
Asiana Airlines, Inc.
Atlas Air Worldwide Holdings, Inc.
British Airways PLC
Cargolux Airlines International S.A.
Cathay Pacific Airways Ltd.
DAS Air Ltd. (d/b/a Das Air Cargo)
El Al Israel Airlines
Emirates Airlines (d/b/a Emirates)
Ethiopian Airlines Corp.
Deutsche Lufthansa AG

Japan Airlines International Co., Ltd.
Kenya Airways Ltd.
KLM Royal Dutch Airlines
Korean Airline Co., Ltd.
LAN Airlines S.A. (f/k/a LAN Chile S.A.)
Lan Cargo S.A.
Lufthansa Air Cargo AG
Martinair Holland N.V.
Nippon Cargo Airlines Co., Ltd.
Polar Air Cargo, Inc.
Qantas Airways Ltd.
Scandinavian Airline Systems AB
Saudi Arabian Airlines Ltd.
Singapore Airlines Cargo PTE, Ltd.
Singapore Airlines Ltd.
Société Air France
South African Airways (Proprietary) Ltd.
Swiss International Air Lines, Ltd.
Thai Airways International Public Co., Ltd.
Viação Aérea Rio-Grandense S.A. (“VARIG”)

The U.S. and Canadian Settlements cover purchases from **any** air cargo carrier; and is not limited to the named defendants listed above.

NOTE: This is not a legal document. This information is meant to be a summary of the Court-approved Settlement Agreement.

To view the full text of the Settlement Agreement and for updated information on the settlement, please visit www.classactionrefund.com. In the “CASE LOGIN” box, enter password: car411cargo.