
 JEFFREY SCHNIPPER, SHELDON SCHIFF :
 and TODD SEMON on behalf of themselves :
 and all others similarly situated, :
 :
 Plaintiffs, :
 :
 vs. :
 :
 MERCEDES-BENZ USA, INC., :
 :
 Defendant. :
 _____ X

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION: BERGEN COUNTY

 Docket No. BER-L-6710-00

 Civil Action

 DAVID WOLFSON, on behalf of himself and :
 all others similarly situated, :
 :
 Plaintiffs, :
 :
 vs. :
 :
 MERCEDES-BENZ USA, LLC, :
 :
 Defendant. :
 _____ X

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION: BERGEN COUNTY

 Docket No. BER-L-2814-01

 Civil Action

NOTICE OF PENDENCY OF CLASS ACTION

TO: ALL PERSONS OR ENTITIES RESIDING IN NEW JERSEY, NEW YORK OR CONNECTICUT WHO HAVE PURCHASED OR LEASED A MERCEDES-BENZ AUTOMOBILE MANUFACTURED, MARKETED, SOLD AND/OR LEASED BY MERCEDES-BENZ USA, AND EQUIPPED WITH HIGH PERFORMANCE/LOW PROFILE TIRES MOUNTED ON AMG WHEELS AND RIMS, EITHER AS STANDARD OR OPTIONAL EQUIPMENT

NOTICE OF CLASS ACTION

**THIS NOTICE MAY AFFECT YOUR RIGHTS
 PLEASE READ IT CAREFULLY**

1. A class action lawsuit against Mercedes-Benz, USA, Inc. ("Mercedes-Benz") is pending in the Superior Court of New Jersey, Law Division, Bergen County (the "Court"). The lawsuit, originally brought by plaintiffs Jeffrey Schnipper, Sheldon Schiff, David Wolfson and Todd Semon, claims that Mercedes-Benz engaged in unlawful conduct in connection with the marketing, sale, and lease of all Mercedes-Benz automobiles equipped with high performance/low profile tires mounted on AMG wheels and rims ("the Performance Package") (a) by falsely advertising and misrepresenting the safety of Mercedes-Benz automobiles and the durability and safety of the Performance Package on Mercedes-Benz automobiles, and (b) by failing to disclose the material fact that Mercedes-Benz automobiles equipped with the Performance Package suffer tire failure and/or damaged rims under routine driving conditions, leading to dangerous driving situations and costly repairs (the "Action").

2. By Order dated August 8, 2002, the Court held that the Action may proceed as a class action, and appointed Schnipper, Wolfson and Semon as class representatives. The Class has been defined by the Court as **all persons or entities residing in New Jersey, New York or Connecticut who have purchased or leased a Mercedes-Benz automobile manufactured, marketed, sold and/or leased by Mercedes-Benz USA, and equipped with the Performance Package (high performance/low profile tires mounted on AMG wheels and rims), either as standard or optional equipment, and who claim to have incurred out-of-pocket expenses for repairs or replacement of their tires or AMG wheels and rims** (the "Class").

3. A class action is a procedural device in which the claims and rights of many people are decided in a single court proceeding. A representative plaintiff, known as a "class representative," is permitted in the lawsuit to assert the claims of an entire class of similarly situated individuals. Certification of a class means that the representative plaintiffs' claims will be adjudicated at trial, and the verdict will be binding on all class members who have not opted out of the class.

4. The Action is in the pre-trial discovery stage. Defendant Mercedes-Benz's motion to dismiss the case was denied by the Court. Defendant Mercedes-Benz's motion for summary judgment was denied as to plaintiffs Jeffrey Schnipper, David Wolfson and Todd Semon, and granted as to plaintiff Sheldon Schiff.

5. This Notice is being sent to potential Class members. You are being sent this Notice because you have been identified as a potential Class member. A final determination of Class membership will not be made until the end of the case.

6. **YOU MAY BE A MEMBER OF THE CLASS IF YOU PURCHASED OR LEASED A MERCEDES-BENZ AUTOMOBILE EQUIPPED WITH THE PERFORMANCE PACKAGE (HIGH PERFORMANCE/LOW PROFILE TIRES MOUNTED ON AMG WHEELS AND RIMS) WHILE A RESIDENT OR CITIZEN OF NEW JERSEY, NEW YORK OR CONNECTICUT. You have the right to participate in this lawsuit as a potential member of the Class or to exclude yourself from the Class. This is a decision you must make now.**

7. **Staying In The Class** - If you wish to remain a potential member of the Class, you need do nothing and your rights in the class action lawsuit will be pursued by the following law firms representing the Class ("Class Counsel"):

LITE DEPALMA GREENBERG & RIVAS, LLC

Allyn Z. Lite
Two Gateway Center, 12th Floor
Newark, NJ 07102
(973) 623-3000

WOLF POPPER LLP

Lester L. Levy
845 Third Avenue
New York, NY 10022
(212) 759-4600

BERNSTEIN, LIEBHARD & LIFSHITZ, LLP

Robert J. Berg
10 East 40th Street
New York, NY 10016
(212) 779-1414

ENTWISTLE & CAPPUCCI LLP

Stephen D. Oestreich
299 Park Avenue New York, NY 10171-1499
(212) 894-7200

The law firms representing defendant Mercedes-Benz are:

BRYAN CAVE LLP

Peter W. Herzog, III
One Metropolitan Square
211 N. Broadway Suite 3600
St. Louis, MO
(314) 259-2000

GRAHAM CURTIN & SHERIDAN

Thomas R. Curtin
4 Headquarters Plaza
P.O. Box 1991
Morristown, NJ 07962
(973) 292-1700

You may, at your option, enter an appearance through your own counsel. If you do not request exclusion (see below), and do not enter your own appearance, you will be represented in this lawsuit by Class Counsel.

8. If you remain a potential member of the Class and are finally determined to be a Class member, you will be entitled to share in any settlement or other recovery for the Class in this lawsuit. You will also be bound by any judgment in this lawsuit.

9. As a potential or final Class member, you will not be responsible for the payment of any expenses, or attorneys' fees Class Counsel incurred as a result of the prosecution of the Class action lawsuit. If the Class action lawsuit is successful and a recovery is obtained for the Class, either through settlement or judgment, Class counsel will apply to the Court to approve the payment of reasonable legal costs, expenses and attorneys' fees out of any such recovery. In the event that the Class action lawsuit is unsuccessful, you will not be responsible for, nor have to pay, any legal costs or expenses. You may, however, be precluded from bringing such a claim on your own.

10. You may, in the future, be required to produce evidence of your claimed damage. Therefore, please retain all evidence that demonstrates the existence and extent of such damage and monetary loss.

11. **Excluding Yourself From the Class** - If you choose to be excluded from the Class in this case, you will not be eligible to participate in any recovery and you will not be bound by a judgment for or against the Class. If you choose to exclude yourself from the Class, you will need to provide notification in writing. The written request for exclusion must be mailed to both:

Thomas R. Curtin
GRAHAM CURTIN & SHERIDAN
4 Headquarters Plaza
P.O. Box 1991
Morristown, New Jersey 07962

Allyn Z. Lite
LITE DEPALMA GREENBERG & RIVAS, LLC
Two Gateway Center, 12th Floor
Newark, New Jersey 07102

Your written request for exclusion must be postmarked on or before April 28, 2003. Your written request for exclusion must set forth your name and address, refer to the Schnipper v. Mercedes-Benz USA, Inc. lawsuit, state that you reside in New York, New Jersey or Connecticut, that you purchased or leased a Mercedes-Benz automobile equipped with the Performance Package, set forth the VIN - Vehicle Identification Number, and state that you request to be excluded from the Class.

12. This Notice contains only a summary of the allegations and defenses in the Action. The complete pleadings filed in this lawsuit can be inspected or copied during normal business hours at the Court.

13. This Notice and the certification of the Class in this case are not an expression by the Court of any opinion regarding the underlying merits of the lawsuit or the outcome of the lawsuit.

Dated: March 28, 2003

Honorable Jonathan N. Harris, J.S.C.
Superior Court of New Jersey
Law Division, Bergen County
Justice Center
10 Main Street
Hackensack, New Jersey 07601

PLEASE DO NOT CONTACT THE COURT OR COURT CLERK