

**COMMONWEALTH OF KENTUCKY
2nd JUDICIAL CIRCUIT - DIVISION II
MCCRACKEN COUNTY**

**SANDRA BANKS, as Executrix of the
Estate of FAYE PURCELL, CAROLYN SEAY,
and RICHARD SEAY, individually, and
on behalf of the class of similarly situated
consumers they seek to represent,**

Plaintiffs,

vs.

**UNITED PROPANE GAS, INC. and
its subsidiaries and affiliates,**

Defendant.

Case No. 14-CI-00729

CLAIM FORM

ATTENTION CUSTOMERS OF THE FOLLOWING PROPANE GAS SUPPLIERS:

Western Kentucky Gas
STC, Inc.
Carroll County Propane
Stewart County Propane
Henry County Propane
Small Bootheel Propane
South Illinois Propane
Ken-Tenn Propane
Price-Ballard Propane
Graves County Propane
Obion County Propane
Lake Region Propane
Little River Propane
River Region Propane
Gasper River Propane
Green River Propane
Cumberland River Propane
Saline Valley Propane
Mammoth Propane
Midway Propane

Quality Propane
Trinity Propane
Plateau Propane
Southern Propane
Heartland Propane
Lakeway Propane
Highland Rim Propane
Economy Propone
Volunteer Propane
Reliable Propane
Eastern Illinois Propane
Big 3 Propane
Ala-Tenn Propane
Tennessee Valley Propane
Tri-County Propane
Tellico Propane
South Kentucky Propane
Pickwick Propane
Calloway County Propane
Eastern Kentucky Propane

Ocoee River Propane
Sureflame Propane
Hot Mama's Propane
Golden Propane
Bear Creek Propane
Sand Mountain Propane
Ridge Propane
Tri-State Propane
Chandler Mountain Propane
Tombigbee Propane
Natchez Trace Propane
Pearl River Propane
Delta Propane
Alga Propane
Eastern Carolina Propane-Wilson
Eastern Carolina Propane-Greenville
Southern Alabama Propane

South Indiana Propane
Pennyrile Propane
Moenergy Propane-Unionville
Moenergy Propane-Purdin
Midwest Propane-Trenton
Central Alabama Propane
Midwest Propane-Princeton
Northern Kentucky Propane, Gas
Pea River Propane
Chariton River Propane
Spencer Mountain Propane
Center Hill Propane
Central Kentucky Propane
Central Tennessee Propane
Superflame Propane
United Propane Gas, Inc.

Each of these suppliers named above is an affiliate of United Propane Gas, Inc. If you are a residential customer who purchased a “Pre-Purchase ‘PreBuy Keepfull’ Gas Supply Agreement with any of the above suppliers that was intended to cover the fall and winter of 2013-2014, you may be entitled to relief. See the definition of an eligible class member below.

The Settlement Agreement provides relief for Eligible Class Members. In order to make a claim in this litigation you must meet the definition of an eligible class member. An eligible class member is:

A residential customer who entered into a 2013-2014 “PRE-PURCHASE ‘PREBUY KEEPFULL’ GAS SUPPLY AGREEMENT” with United Propane Gas, Inc. or one of its above-named affiliates (collectively referred to as “UPG”), with the exception of:

- (a) those who received payment through the case styled *Andy Beshear v. United Propane Gas, Inc., et al.*, 14-CI-00120, which was filed in Franklin Circuit Court in Franklin County, Kentucky;
- (b) any Class member who received a delivery from UPG of at least fifty (50) gallons of propane at his or her prebuy contract rate between January 20, 2014, and January 27, 2014;
- (c) any Class member who had purchased and received all of his or her contract prebuy propane from UPG on or before January 27, 2014; and,
- (d) any Class members who (i) ordered contracted-for prebuy propane before January 27, 2014 and received the propane during the suspension period (January 27 to February 13, 2014); or (ii) ordered the propane during the suspension period and received the propane after the suspension period; and (iii) were charged the current market rate for it rather than the prebuy contract rate; and (iv) had his or her

account credited for this gas on or before June 15, 2014, with the difference between the market rate and the prebuy contract rate.

This Claim Form is for use by persons who may be entitled to seek benefits offered in the settlement of this case. Please fill in the appropriate blank below in this Claim Form. Please print or type your information. Accuracy and clarity are very important. Additional information and additional copies of this Claim Form can be obtained by calling 1-888-593-6761.

This Claim Form must be received by the Claims administrator no later than October 10, 2018 at the following address:

Settlement Administrator
UPG Litigation
c/o JND Legal Administration
P.O. Box 91344
Seattle, WA 98111
Telephone: (888) 593-6761

IF YOU FAIL TO SUBMIT YOUR CLAIM FORM BY October 10, 2018, YOUR CLAIM MAY BE REJECTED AND YOU MAY NOT RECEIVE ANY BENEFITS FROM THE SETTLEMENT.

Do not mail or deliver your Claim Form to the Court or to any of the parties or their lawyers. Submit your Claim Form to the Settlement Administrator identified above. Any Claim Form submitted to other persons or entities, including the Court, will be treated as if it had not been submitted.

If the Eligible Class Member has since died or become incapacitated, an heir or a person acting as personal representative, executor, trustee, or in a similar successor capacity of the Eligible Class Member, or who now manages the account as a conservator or trustee for an incapacitated Eligible Class Member, please state that fact in the space provided and provide documentary evidence sufficient to show your right to file the Claim Form for the incapacitated class member or the estate of the deceased class member.

If you meet the definition of an Eligible Class Member, above, you may be eligible for benefits under this class action settlement. Your Claim Form will be checked against United Propane Gas' records to confirm your eligibility. If you have maintained an account with United Propane Gas within the last three (3) years, you will be considered a current customer. Please complete this Claim Form and provide the following information (ONLY check one):

____ I am a current customer of United Propane Gas. I believe I requested/ordered my prebuy propane from UPG for delivery under my contract at some point from October 1, 2013, through March 31, 2014, (the “prebuy period”) but was denied the propane at the prebuy price. After being denied the prebuy propane, I elected to either pay market price to UPG or to another propane supplier.

IF YOU PURCHASED PROPANE FROM ANOTHER PROPANE SUPPLIER YOU MUST ATTACH SOME FORM OF PROOF OF THE PURCHASE SUCH AS A RECEIPT, CREDIT CARD STATEMENT, BANK STATEMENT, CHECK IMAGE, OR SIMILARLY CONVINCING RECORD

____ I am a former customer of United Propane Gas. I believe I requested/ordered my prebuy propane from UPG for delivery under my contract at some point from October 1, 2013, through March 31, 2014, (the “prebuy period”) but was denied the propane at the prebuy price. After being denied the prebuy propane, I elected to either pay market price to UPG or to another propane supplier.

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____ I am a former customer of United Propane Gas. I believe I either requested/ordered my prebuy propane from UPG for delivery under my contract at some point from October 1, 2013, through March 31, 2014, (the “prebuy period”) but was denied the propane at the prebuy price or I knew that United Propane Gas would not provide the gas at the prebuy price and rather than pay the market price or purchase gas from another supplier, I elected to wait for the Defendant to start delivering prebuy gas at the prebuy price again before requesting any more propane.

The following information is needed to determine if you are an Eligible Class Member and are entitled to the relief provided under this settlement.

My Name and mailing address is as follows:

Name (Please Print)

Street address

City, State, Zip Code

Customer Account Number (if known): _____

Phone number: _____

Submission to Jurisdiction of the Court

Claimant, or the person representing Claimant, if any, submits to the jurisdiction of the McCracken Circuit Court – Division II, Paducah, Kentucky, and agrees to be bound by and subject to the terms of the Judgments and Orders of that Court in this action, and to furnish such additional information or proof with respect to this Claim Form as the Court may require.

Attestation

I hereby swear or affirm, under the penalty of perjury, that the foregoing answers stated in this Claim Form are true, accurate, and complete. I agree that if, after submitting this Claim Form, I learn that any information stated herein is not correct, I will promptly inform the Claims Administrator of the correct information.

Date: _____

Signature of the Claimant

Type or print Claimant's name here

Signature of Joint Claimant (if any)

Type or print Joint Claimant's name here

Phone Number