

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

Society of Professional Engineering Employees)	
in Aerospace, IFPTE Local 2001, <i>et al.</i> ,)	
)	
Plaintiffs,)	Civil Action Nos.
)	05-CV-1251-MLB-KMH
vs.)	and
)	07-CV-1043-MLB-KMH
The Boeing Company, <i>et al.</i> ,)	
)	
Defendants.)	
)	

**PLAINTIFFS’ NOTICE OF CLARIFICATIONS TO
EXHIBIT “C” TO SETTLEMENT AGREEMENT**

Plaintiffs respectfully ask the Court to take notice that they wish to substitute the enclosed document as the revised Exhibit “C” to the Settlement Agreement filed on May 8, 2015. Boeing consents to this substitution. Plaintiffs explain as follows:

1. Plaintiffs and the Boeing Defendants signed their Settlement Agreement on May 5, 2015. One of the documents included therein was Exhibit “C,” the model plan of allocation. Boeing Defendants were not responsible for creating that document.
2. In the weeks since the filing, Plaintiffs have been apprised of certain unintended implications of the language in the model plan of allocation. To correct these unintended implications, Plaintiffs wish to substitute the attached document for the existing Exhibit “C.”
3. The revised Exhibit “C” will make the following clarifications: 1) clarify that no Class Member can receive credit for more than 84 months of pension loss (i.e., from age 55 to age 62); 2) clarify that Class Members who left Spirit before age 55 will

be treated as if they left on their 62nd birthday except if they left due to layoff or disability retirement under the frozen plan; 3) clarify that eligible Class Members can be reimbursed for medical insurance that they purchased for themselves and that those claims are not subordinate to other claims for medical reimbursement; and 4) clarify that the Claims Administrator will make calculations based on the received data. The clarifications are consistent with the language in the class Notice.

4. Plaintiffs already arranged for Class Members to receive a tentative estimate of the amount they would each receive for the “pension” portion of the settlement distribution. Due to the clarifications identified above, the estimates Class Members received earlier will likely change. Accordingly, Plaintiffs are arranging to send new estimates to every Class Member to account for these clarifications. The Class Members will receive the new estimates well in advance of the date for filing any objections.

5. The Boeing Defendants have been apprised of these clarifications and consent to the substituted Exhibit “C.” The Boeing Defendants were not responsible for preparing the original Exhibit “C” or the clarifications in this updated Exhibit “C.”

6. As provided in the Settlement Agreement, Settling Plaintiffs also intend to file a Plan of Allocation and Distribution Order, substantially in the form of Exhibit “C” hereto, with the Court before the Settlement Fairness Hearing.

Dated June 26, 2015

Respectfully submitted,

s/ Tom E. Hammond
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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of June, 2015, I electronically filed the foregoing with the clerk of court via the ECF system, which will send a notice of electronic filing to the following:

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s/ Tom E. Hammond
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