

NOTICE OF CLASS ACTION SETTLEMENT AGREEMENT

PLEASE READ THIS NOTICE CAREFULLY.

**A FEDERAL COURT AUTHORIZED THIS NOTICE.
THIS IS NOT A SOLICITATION OR ADVERTISEMENT.**

**YOU HAVE NOT BEEN SUED AND THERE IS NO COST TO YOU TO PARTICIPATE
IN THIS SETTLEMENT AGREEMENT**

You have received this Long-Form Notice (the “Notice”) because records of the U.S. Department of the Interior show that you are a beneficiary, heir, descendant or successor-in-interest to a 1964 and/or 1980 Pembina Judgment Fund Award(s). A court authorized this Notice because you have a right to know about a court-approved settlement that you may be part of and what your legal options are.

- This Notice is to inform you of a settlement that has been reached in a lawsuit related to the 1964 and 1980 Pembina Judgment Fund Award(s).
- In a class action lawsuit, one or more people called class representative(s) file a lawsuit on behalf of other people who have similar claims. Together they are called a “class” or “class members.” The people who sued—and all class members like them—are called plaintiffs. Those being sued are called defendants. The court resolves the issues for everyone who remains a class member.
- The United States District Court for the District of Columbia (the “Court”) has preliminarily approved a Class Action Settlement Agreement, which will provide a monetary payment to Settlement Class Members.
- In this lawsuit, Class Representatives filed a lawsuit with the Court that claims that the federal government violated its trust duties in connection with the 1964 and 1980 Pembina Judgment Fund Award(s) by mismanaging and improperly accounting for those trust funds.

Your rights may be affected if you are:

- An Original Individual Beneficiary of the 1964 and/or 1980 Pembina Judgment Fund Award(s); or
- A Legal Representative of a Settlement Class Member; or
- The Eligible Heir to a Deceased Original Individual Beneficiary of the 1964 and/or 1980 Pembina Judgment Fund Award(s).

Your legal rights will be affected whether or not you take any action. Read this Notice carefully. Please do not contact the Court. It will not be able to answer your questions.

Questions? Visit www.PembinaSettlement.com or email info@PembinaSettlement.com
or call toll-free (833) 999-9915

YOUR LEGAL RIGHTS AND OPTIONS UNDER THE SETTLEMENT

Stay in the Class	Any claims against the federal government related to the mismanagement of the 1964 and 1980 Pembina Judgment Fund Award(s) may be resolved in this lawsuit. If you are an Original Individual Beneficiary, an authorized Legal Representative, or an Eligible Heir you will automatically be part of the Class. You are not required to take any action to remain in the Class. If you remain in the Class, and the claims herein are ultimately resolved, you will not be able to bring your own, separate lawsuit for these claims in the future and you will not be able to participate in any other lawsuit related to these claims.
Submit a Claim Form to receive payment	If you are an authorized Legal Representative of a Settlement Class Member, or an Eligible Heir to a Deceased Original Individual Beneficiary, you must submit a Claim Form postmarked by September 8, 2021 , to establish that you are eligible to receive a payment.
Remove yourself from the Class	If you are an Original Individual Beneficiary, an authorized Legal Representative, or a First or Second-Line Heir and you do NOT want to remain a Settlement Class Member, you must request to “Exclude” yourself. This is done by sending a written request postmarked by April 29, 2021 . Your request should include all of the information as described below in this Notice.
Submit an Objection	If you are an Original Individual Beneficiary, an authorized Legal Representative, or a First or Second-Line Heir who remains in the Class, and you wish to Object to any terms of the Settlement Agreement, you must send a written Objection postmarked by April 29, 2021 , and explain your Objection(s), as described below in this Notice.
Appear at the Fairness Hearing	If you are a Settlement Class Member you may appear at the Fairness Hearing if you choose to do so at your own expense on June 10, 2021 , whether or not you object to the Settlement Agreement.

THESE RIGHTS AND OPTIONS—AND THE DEADLINES TO EXERCISE THEM—ARE EXPLAINED IN DETAIL IN THIS NOTICE.

Questions? Visit www.PembinaSettlement.com or email info@PembinaSettlement.com
or call toll-free (833) 999-9915

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BASIC INFORMATION

1. Why Did I Get This Notice?

You have received this Notice because you were an Original Individual Beneficiary of the 1964 and/or the 1980 Pembina Judgment Fund Award(s), or records show that you are an authorized Legal Representative for a Settlement Class Member or the First or Second-Line Heir to a Deceased Original Individual Beneficiary for whom contact information was available.

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The Court ordered this Notice to be sent to you by the Court-approved Settlement Administrator for this lawsuit, Class Experts Group, LLC, because the Court has preliminarily approved the Class Action Settlement and you have a right to know about the Settlement Agreement and all of the options available to you before the Court decides whether to grant Final Approval to the Settlement Agreement. This Notice describes the lawsuit, the Class Action Settlement Agreement, your legal rights, the benefits available, and who is eligible for the benefits.

The Court in charge of this lawsuit is the United States District Court for the District of Columbia. The legal action that is the subject of this Notice and the Settlement is styled *Leslie Ann Wilkie Peltier, et al. v. Scott de la Vega, et al*, Case No. 1:20-cv-03775, filed December 21, 2020, also known as “Pembina.”

2. What Is the Settlement About?

The Pembina Judgment Fund Awards

The *Pembina* Class Action Settlement Agreement is the result of a lawsuit to redress alleged breaches of trust by the United States Department of the Interior (the “Interior Department”), the United States Department of the Treasury, and the United States of America (the “Defendants”) with respect to the accounting and management of two Judgment Awards of the Indian Claims Commission (ICC). Decades ago, legal claims were brought in the ICC seeking additional compensation for certain lands that the Pembina Band of Chippewa Indians ceded to the United States. These actions resulted in two ICC Judgment Awards. The first Judgment Award was in 1964 (the “1964 Award”), and the second was in 1980 (the “1980 Award”). The 1964 Award and the 1980 Award are known as the Pembina Judgment Fund. Defendants are the trustees for the Pembina Judgment Fund, meaning they were responsible for managing those trust funds on behalf of the Pembina Judgment Fund beneficiaries.

The Distributions of the Awards

In 1971, Congress provided for distribution of the 1964 Award among four Pembina Judgment Fund beneficiaries determined by the ICC to be the modern day successors to the historic Pembina Band for purposes of the 1964 Award: 1) the White Earth Band; 2) the Turtle Mountain Band; 3) the Chippewa Cree Tribe; and 4) as a group, individuals called Non-Member Lineal Descendants (“NMLDs”), who were determined by the Interior Department to be lineal descendants of the Pembina Band eligible to share in the distribution of the 1964 Award, but who were not members of any of the 1964 Award beneficiary tribes. The 1971 Distribution Act further provided that one hundred percent (100%) of each of the four Pembina Judgment Fund beneficiaries’ shares of the 1964 Award be distributed by the Interior Department to each individual member determined by the Interior Department to be eligible to share in the distribution of the 1964 Award. Defendants held the 1964 Award funds in trust and in common for Pembina Judgment Fund beneficiaries for at least twenty (20) years until they began to distribute them in 1984.

In 1982 Congress provided for use and distribution of the 1980 Award among five Pembina Judgment Fund beneficiaries determined by the ICC to be the modern day successors to the historic Pembina Band for purposes of the 1980 Award: 1) the Turtle Mountain Band; 2) the Chippewa Cree Tribe; 3) the White Earth Band; 4) the Little Shell Tribe; and 5) as a group, NMLDs determined by the Interior Department to be lineal descendants of the Pembina Band eligible to share in the distribution of the 1980 Award, but who were not members of any of the 1980 Award beneficiary tribes. The 1982 Distribution Act provided that eighty percent (80%) of each of the Pembina Judgment Fund four beneficiary tribes’ shares of the 1980 Award be distributed by the Interior Department to individual tribe members determined by the Interior Department to be eligible to share in the distribution of the 1980 Award, and that principals of twenty percent (20%) remain in trust for each of the beneficiary tribes with the earnings on the 20% principals

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available for use for approved tribal programs. The 1982 Distribution Act further provided that one hundred percent (100%) of the NMLDs' shares of the 1980 Award be distributed by the Interior Department to each NMLD determined by the Interior Department to be eligible to share in the distribution of the 1980 Award. Defendants held a portion of the 1980 Award funds in trust and in common for at least eight (8) years, and a portion of the 1980 Award funds in trust and in common for at least fourteen (14) years, until they began to distribute them in 1988 and 1994. Defendants continue to hold in trust the 20% principal shares of the 1980 Award of the four beneficiary tribes under the 1982 Distribution Act.

The CFC Companion Case

On September 30, 1992, the Chippewa Cree Tribe, the Turtle Mountain Band and the Little Shell Tribe, filed a lawsuit in the United States Court of Federal Claims (now known as "the CFC Companion Case") regarding the United States' accounting and management of the Pembina Judgment Fund. A fourth Tribal Plaintiff, the White Earth Band, was added to the CFC Companion Case in 2006. The Tribal Plaintiffs filed the CFC Companion Case on their own behalf and on behalf of other Pembina Judgment Fund beneficiaries who are individuals. The Tribal Plaintiffs sought, among other things, monetary compensation relating to the United States' accounting and investment of the Pembina Judgment Fund. After years of court proceedings and settlement negotiations, in November 2020, the parties approved a comprehensive settlement that they had reached to resolve and settle all of the claims of the Pembina Judgment Fund Tribal Plaintiffs in the CFC Companion Case, and the Individual Plaintiffs in this lawsuit.

3. Why Is This Lawsuit A Class Action?

Because of certain procedural limitations in the United States Court of Federal Claims in relation to the claims of individuals, it was decided that the Pembina Judgment Fund Tribal Plaintiffs' claims would be settled in the CFC Companion Case, but that the Pembina Judgment Fund Individual Plaintiffs' claims would be best resolved in a United States District Court. That resulted in the filing of the Class Action that is the subject of this Notice. In a class action, one or more plaintiffs, called "named plaintiffs" or "class representatives," sue on behalf of people who have similar claims based on similar facts. A court resolves the issues for all members of the class.

4. How Do I Know If I Am A Member of the Settlement Class?

You are a member of the Settlement Class if:

- (1) You are an Original Individual Beneficiary of the 1964 and/or the 1980 Pembina Judgment Fund Award(s); or
- (2) You are the Legal Representative of a Settlement Class Member, authorized under applicable federal, state, or tribal law to represent a Settlement Class Member in matters relating to this Class Action; or
- (3) You are a First-Line Heir. "First-Line Heir" is, in the absence of applicable federal, state, or tribal law to the contrary, and in the absence of a Legal Representative authorized to act on behalf of an Original Individual Beneficiary, the living spouse of a Deceased Original Individual Beneficiary, or, if there is no living spouse, the oldest living child of the Deceased Original Individual Beneficiary; or
- (4) You are a Second-Line Heir. "Second-Line Heir" is, in those instances in which there is no known Legal Representative of an Original Individual Beneficiary, and there is no First-Line Heir, a next closest living heir to a Deceased Original Individual Beneficiary, as determined in accordance with applicable federal, state, or tribal law and as designated by the Settlement Administrator.

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THE SETTLEMENT BENEFITS

5. What Does the Settlement Provide?

The total amount of the Settlement Proceeds for this Class Action *and* the Tribal Plaintiffs' CFC Companion Case is Fifty-Nine Million Dollars (\$59,000,000.00). After payment of Class Representative Service Awards, Class Counsel and Settlement Administrator Fees, Expenses, and Costs, as specified in the Class Action Settlement Agreement, the remaining funds are preliminarily allocated as follows:

- (1) For Settlement Class Members: The total amount allocated is Forty Million Nine Hundred and Eighty-Seven Thousand One Hundred and Twelve Dollars (\$40,987,112.00). The specific components of the allocation are as follows:
 - a) The total amount allocated for Settlement Class Members who shared in the 1964 Award is One Million Sixty-Three Thousand Four Hundred Dollars (\$1,063,400.00);
 - b) The total amount allocated for Settlement Class Members who shared in the 1980 Award as members of a Tribal Beneficiary is Thirty-Three Million Seven Hundred and Forty-Eight Thousand Nine Hundred and Ninety-Two Dollars (\$33,748,992.00); and
 - c) The total amount allocated for Settlement Class Members who shared in the 1980 Award as members of the NMLD group is Six Million One Hundred and Seventy-Four Thousand Seven Hundred and Twenty Dollars (\$6,174,720.00).

- (2) For the Tribal Plaintiffs: The total amount allocated is Eight Million Four Hundred Thirty-Seven Thousand Two Hundred and Seventy-Three Dollars and Sixty Cents (\$8,437,273.60). The specific components of the allocation are as follows:
 - a) The total amount allocated to the Chippewa Cree Tribe is Nine Hundred Eighty-Seven Thousand Thirty-Five Dollars and Thirteen Cents (\$987,035.13);
 - b) The total amount allocated to the Turtle Mountain Band is Six Million Five Hundred and Eighty Thousand Six Hundred and Forty-Three Dollars and Fifty-Two Cents (\$6,580,643.52);
 - c) The total amount allocated to the Little Shell Tribe is Five Hundred and Forty-One Thousand Five Hundred and Forty-Three Dollars and Seventy Cents (\$541,543.70); and
 - d) The total amount allocated to the White Earth Band is Three Hundred and Twenty-Eight Thousand Fifty-One Dollars and Twenty-Five Cents (\$328,051.25).

In exchange for their Settlement Distribution payments, Settlement Class Members will release all claims that were or could have been asserted in this lawsuit against Defendants. For more information about the scope of the release, please see the section of this Notice titled "Getting More Information."

6. How Much Will My Payment Be?

You will receive your share of the total amount of Settlement Proceeds allocated to the specific category to which you belong, as described above. *It is **ESTIMATED** that from these Settlement Proceeds:*

1) each Original Individual Beneficiary who shared in the distribution of the 1964 Award; or ONE Legal Representative of a Settlement Class Member who shared in the distribution of the 1964 Award; or, ONE Eligible Heir to a Deceased Original Individual Beneficiary who shared in the distribution of the 1964 Award, will receive approximately \$50.00;

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2) each Original Individual Beneficiary who shared in the distribution of the 1980 Award as members of one of the four Tribal Plaintiffs; or, ONE Legal Representative of a Settlement Class Member who shared in the distribution of the 1980 Award as a member of one of the four Tribal Plaintiffs; or, ONE Eligible Heir to a Deceased Original Individual Beneficiary who shared in the distribution of the 1980 Award as a member of one of the four Tribal Plaintiffs, will receive approximately \$1,150.00; and

3) each Original Individual Beneficiary who shared in the distribution of the 1980 Award as an NMLD; or ONE Legal Representative of a Settlement Class Member who shared in the distribution of the 1980 Award as an NMLD; or, ONE Eligible Heir to a Deceased Original Individual Beneficiary who shared in the distribution of the 1980 Award as an NMLD, will receive approximately \$1,440.00.

7. How Can I Receive A Payment?

When Settlement Distribution payments begin (which will occur only after Final Approval by the Court), if you are an Original Individual Beneficiary, a Settlement Distribution payment will be issued to you. You do not have to do anything unless you have recently moved or have a change of address, in which case you must provide your new and updated mailing address to the Settlement Administrator.

Legal Representatives and Eligible Heirs wishing to receive Settlement Distribution payments must complete and sign the Claim Form, attach copies of all required supporting documents, and return the entire Claim Form package directly to the Settlement Administrator, postmarked by or before September 8, 2021. If it is determined that you are eligible to receive a Settlement Distribution payment, you will receive a payment for your share of the Settlement Proceeds. A Settlement Distribution payment that is due to a Deceased Original Individual Beneficiary will be made to only ONE Legal Representative; or, ONE Eligible Heir to the Deceased Original Individual Beneficiary.

8. When Would I Receive My Payment?

Settlement Distribution payments are conditional on several matters, including the Court's Final Approval of the Class Action Settlement Agreement, eligibility determinations and other considerations as set forth in the Settlement Agreement. It is estimated that these matters and events likely will take eight (8) months to two (2) years to commence and complete.

9. Can I Exclude Myself from, or Opt-Out of, the Settlement?

Yes, you have the right to Exclude yourself from / Opt-out of the Settlement Class.

To Exclude / Opt-out, you must send a request in writing to the Settlement Administrator stating that you wish to be Excluded / Opted-out from the Settlement Class. Class Counsel and the Settlement Administrator reserve the right to verify that the submitted information meets the Exclusion / Opt-out Requirements in the Class Action Settlement Agreement.

- (1) Exclusion / Opt-out requests made by any Settlement Class Member who is an Original Individual Beneficiary must include:
 - a) Full name, address, and date of birth; and
 - b) A statement of intent to be an Exclusion / Opt-out.

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or call toll-free (833) 999-9915

- (2) Exclusion / Opt-out requests made by any Legal Representative of a Settlement Class Member must include:
- The Settlement Class Member's name, address and date of birth;
 - The Legal Representative's name, address and date of birth;
 - Proof of Identity of the Legal Representative;
 - Proof of Death of the Settlement Class Member, if applicable;
 - Proof of Legal Representation—the appropriate will, Estate, Probate, appointment, retention, or approval documentation of the Legal Representative status; and
 - A statement of intent to be an Exclusion / Opt-out.
- (3) Exclusion / Opt-out requests made by First-Line Heirs and Second-Line Heirs must include:
- The Original Individual Beneficiary's name, address and date of birth;
 - The First-Line Heir's or Second-Line Heir's name, address and date of birth;
 - Proof of Death of the Original Individual Beneficiary;
 - Proof of Identity of the Eligible Heir;
 - Proof of Heirship for the First-Line Heir or Second-Line Heir; and
 - A statement of intent to be an Exclusion / Opt-out.

Written requests to Exclude / Opt-out must be postmarked on or before April 29, 2021, and mailed to the address below:

Pembina Settlement Administrator
c/o Class Experts Group, LLC
EXCLUSIONS
P.O. Box 995
Mequon, WI 53092

Exclusion / Opt-out requests CANNOT be submitted by email.

THE LAWYERS REPRESENTING YOU

10. Do I Have A Lawyer in the Lawsuit?

The Court has appointed the Native American Rights Fund (NARF), headquartered at 1506 Broadway, Boulder, Colorado 80302, to serve as Class Counsel for the Settlement Class. You have the right to appear on your own behalf in this lawsuit or to retain legal counsel of your choosing at your own expense.

11. How Will the Lawyers Be Paid?

The Court has allocated Class Counsel Fees, Expenses, and Costs in the amount of Six Million Four Hundred and Seven Thousand Five Hundred and Twelve Dollars (\$6,407,512.00). This amount will be paid to Class Counsel from the Settlement Proceeds.

YOU DO NOT HAVE TO PAY ANY CLASS COUNSEL FEES

12. How Do I Object to the Settlement?

If you want to object to the terms and conditions of the Settlement Agreement, you may do so if you have remained a Settlement Class Member.

Questions? Visit www.PembinaSettlement.com or email info@PembinaSettlement.com
or call toll-free (833) 999-9915

Settlement Class Members who wish to object to the terms and conditions of the Settlement Agreement must state their objections in writing and send the objections directly to the Settlement Administrator. The postmarked deadline for objections is April 29, 2021.

- (1) All objections by Original Individual Beneficiaries must include:
 - a) The Original Individual Beneficiary's name, address, date of birth, and Social Security number, if any;
 - b) The specific term(s) or condition(s) of this Class Action Settlement Agreement to which the Original Individual Beneficiary objects; and
 - c) A statement about whether the objecting Original Individual Beneficiary intends to appear at the Fairness Hearing.

- (2) All objections by Legal Representatives of Settlement Class Members must include:
 - a) The Settlement Class Member's name, address, date of birth, and Social Security number;
 - b) The name, address, date of birth, and Social Security number or Taxpayer Identification Number, if any, of the Legal Representative, as well as a copy of the appropriate will, Estate, Probate, appointment, retention, or approval documentation of the Legal Representative's status;
 - c) Proof of Identity of the Legal Representative;
 - d) Proof of Death of the Settlement Class Member, if applicable;
 - e) The specific term(s) or condition(s) of this Class Action Settlement Agreement to which the Legal Representative objects; and
 - f) A statement about whether the objecting Legal Representative intends to appear at the Fairness Hearing.

- (3) All objections by First-Line Heirs or Second-Line Heirs must include:
 - a) The Original Individual Beneficiary's name, address, date of birth, and Social Security number, if any;
 - b) The First-Line Heir's or Second-Line Heir's name, address, date of birth, and Social Security number, if any;
 - c) Proof of Death of the Original Individual Beneficiary;
 - d) Proof of Identity of the Eligible Heir;
 - e) Proof of Heirship for the First-Line Heir or Second-Line Heir;
 - f) The specific term(s) or condition(s) of this Class Action Settlement Agreement to which the First-Line Heir or Second-Line Heir objects; and
 - g) A statement about whether the objecting First-Line Heir or Second-Line Heir intends to appear at the Fairness Hearing.

YOUR WRITTEN OBJECTION MUST BE POSTMARKED NO LATER THAN APRIL 29, 2021, AND MAILED TO THE ADDRESS BELOW

Pembina Settlement Administrator
c/o Class Experts Group, LLC

OBJECTIONS

P.O. Box 995

Mequon, WI 53092

Class Counsel and the Settlement Administrator shall have the right to verify that the submitted information meets the Objection Requirements. Objections CANNOT be submitted by email.

Questions? Visit www.PembinaSettlement.com or email info@PembinaSettlement.com
or call toll-free (833) 999-9915

THE COURT'S FAIRNESS HEARING

13. When and Where Will the Court Decide Whether to Approve the Settlement?

This Court will conduct a Fairness Hearing on June 10, 2021 at 2:00 PM EST. During a Fairness Hearing, the Court determines whether the terms and conditions of the Class Action Settlement Agreement are fair and reasonable. If all terms and conditions are fair, the Court will grant Final Approval of the Class Action Settlement Agreement. You can attend the Hearing if you choose to do so, at your own expense.

The hearing will be held at:
Courtroom of the Honorable Thomas F. Hogan
United States District Court for the District of Columbia
333 Constitution Avenue, NW
Washington, DC 20001

GETTING MORE INFORMATION

14. How Do I Get More Information?

Please do not contact the Court. The Court is not in a position to provide you with information about the Settlement.

For additional information, including answers to frequently asked questions, you may call the Settlement Administration Information Telephone Line for this lawsuit, which is an automated informational toll-free helpline at (833) 999-9915, or, you may visit the Settlement Administration Information Website for this lawsuit, which is www.PembinaSettlement.com or you may email info@PembinaSettlement.com

Legal Representatives of Settlement Class Members and Eligible Heirs with questions or requests for assistance regarding the Claim Form may submit those questions or requests, as well as contact information, to the Settlement Administrator through the toll-free Settlement Administration Information Telephone Line.

Dated: February 16, 2021

Questions? Visit www.PembinaSettlement.com or email info@PembinaSettlement.com
or call toll-free (833) 999-9915