

affirmed on appeal, you are receiving this notice which informs of your right to review and obtain a copy of the motion, seek additional information and/or raise objections to the motion.

10. As noted there are two related fee motions, although they are contained in one combined court filing. The Court has ordered that the combined motion be filed by September 10, 2012. As soon as the motion is filed, it will be posted on the website established by class counsel dedicated to the case, <http://www.alliantpensionclassaction.com>. If you would prefer a paper copy, please contact class counsel (address and phone number provided below) and he will send you one via first-class mail free of charge. (You may also inspect all the papers concerning this lawsuit at the Office of the Clerk, United States District Court for the Western District of Wisconsin, 120 North Henry Street, Room 320, Madison, WI 53703, (608) 264-5156, during regular business hours. See also www.wiwd.uscourts.gov. The case filings may also be viewed on the court's electronic filing website, PACER, at <http://pacer.psc.uscourts.gov>. To use PACER, you must first set up an account and pay \$0.08 per page for downloading court documents.)

11. One aspect of the combined motion is brought by Plaintiffs Ruppert and Larson and seeks to require the Plan to pay Plaintiffs' attorney's fees and costs under ERISA § 502(g)(1), 29 U.S.C. § 1132(g)(1) ("statutory fees"). The second aspect of the combined motion is brought by class counsel who is seeking attorney's fees on a percentage of the recovery basis, and expense reimbursement for his direct, out-of-pocket costs out of the amounts his efforts generated on your behalf ("common fund" fees and expenses). To minimize the amount of fees and expense reimbursement that would be deducted, on a *pro rata* basis, from your individual recovery, any statutory fee amounts recovered from the Plan would be used to offset on a dollar-by-dollar basis the common fund award. In other words, the statutory fee award, if any, would reduce the amount for which you would be directly liable, on a *pro rata* basis, to class counsel out of the amounts recovered on your behalf. Thus, any statutory fee award would not be an additional amount to be paid to class counsel.

12. As discussed more fully in the combined motion, Plaintiffs are seeking a total of approximately \$4.3 million in attorney's fees and costs from Defendants (to be used to offset any common fund award), and class counsel is seeking a total of approximately \$8.6 million in attorney's fees and approximately \$1 million in expenses for a total common fund award of approximately \$9.6 million.

13. Plaintiffs Ruppert and Larson also are asking the Court to allow them to be paid, out of class counsel's common fund award, incentive payments in the amount of \$7,500 each.

Objections to the Fee Motion

14. You have the opportunity to comment on, or object to, class counsel's petition and the named plaintiffs' request for incentive payments. However, any such comments or objections must be submitted in writing no later than 45 days after the entry of judgment, *i.e.*, by October 15, 2012, and must be sent to *both* the Clerk of the Court *and* class counsel as follows:

[By first-class or overnight mail or
delivery in person]
Clerk of Court
U.S. District Court
Attn: *Ruppert v. Alliant*, No. 08-cv-00127
Western District of Wisconsin
120 North Henry Street, Room 320
Madison, WI 53703

[By first-class or overnight mail,
delivery in person, email or fax]
Eli Gottesdiener
Gottesdiener Law Firm, PLLC
Attn: *Ruppert v. Alliant*, No. 08-cv-00127
498 7th Street
Brooklyn, NY 11215
Tel: 718.788.1500
Fax: 718.788.1650
eli@gottesdienerlaw.com

15. The Court may hold a hearing on the fee motion or may decide the motion based on the papers submitted to it (including your comments or objections). In your written comments or objections, you may request that the Court hold a hearing. If the Court decides to hold a hearing on the motion, the date and time of the motion will be posted on the [alliantpensionclassaction.com](http://www.alliantpensionclassaction.com) website promptly. Any class member may appear at this hearing, in person or by counsel of his own choice at his own expense, and be heard.

PLEASE DO NOT CALL OR CONTACT THE COURT OR THE OFFICE OF THE CLERK OF COURT WITH QUESTIONS REGARDING THIS NOTICE. THEY WILL NOT ANSWER SUCH QUESTIONS. IF YOU HAVE QUESTIONS, PLEASE DIRECT THEM TO CLASS COUNSEL.

Dated: September 10, 2012

Approved by the Honorable Barbara B. Crabb
of the United States District Court
for the Western District of Wisconsin
by an Order dated August 24, 2012