

If you bought bananas directly from a producer, you could get benefits from class action settlements.

Nationwide settlements have been reached in a class action lawsuit about whether Chiquita Brands International, Inc. and Chiquita Fresh North America LLC (“Chiquita”); Fresh Del Monte Produce Inc. and Del Monte Fresh Produce Company (“Del Monte”); and Dole Food Company, Inc. and Dole Fresh Fruit Company (“Dole”) (together called the “Defendants”) conspired with others (the “co-conspirators”) to coordinate output and fix the price of bananas. The settlements provide \$7,500,000 to those who purchased bananas from the Defendants or co-conspirators, as well as to pay lawyers’ fees and costs. The Defendants deny that they have done anything wrong, and the settlements don’t mean that any law was broken.

If you’re included, you may send in a claim form to ask for benefits, or you can exclude yourself, or object. The U.S. District Court for the Southern District of Florida authorized this notice, and will have a hearing to decide whether to approve the settlements, so that payments can be issued. Get a detailed notice at www.BananaClassAction.com.

WHO’S INCLUDED?

The settlements include anyone who purchased bananas within or provided to the United States, directly from Defendants or from any of the alleged co-conspirators, from May 1, 1999 up until the date the Court grants final approval of the settlements and all appeals are resolved. Excluded from the Class are Defendants, their respective parents, employees, subsidiaries and affiliates, their alleged co-conspirators, and all government entities.

WHAT’S THIS ABOUT?

The lawsuit claims that the Defendants conspired to fix, raise, maintain or stabilize banana prices, and control and restrict output for bananas sold in the United States, and, as a result, Class members paid higher prices for bananas.

The Court did not decide which side was right. Instead, the settlements resolve the case, and provide payments to Class members. The settlements don’t mean that any law was broken, and the Defendants deny all claims of wrongdoing in this case.

WHAT DO THE SETTLEMENTS PROVIDE?

Chiquita, Del Monte, and Dole have agreed to each pay

\$2,500,000, for a total of \$7,500,000, to settle the lawsuit. These funds will be used to provide cash payments for valid claims from Class members, as well as lawyers’ fees and costs. More details are in documents called Settlement Agreements, which are available at www.BananaClassAction.com.

HOW DO YOU ASK FOR BENEFITS?

To ask for a payment you must complete and submit a Claim Form. You can get a Claim Form at www.BananaClassAction.com. The Claim Form describes what you must provide to prove your claim and receive benefits. Please read the instructions carefully, fill out the Claim Form and mail it postmarked no later than **January 21, 2008** to the address on the form.

The exact amount, if any, that you might receive is not known right now. Your share of the settlement funds will be paid on a pro rata basis, which means it will be based on how many bananas you bought from the Defendants during the time period, and on how many bananas other Class members purchased who also file valid claims.

WHAT ARE YOUR OTHER RIGHTS?

If you don’t want to be legally bound by the settlements, you must exclude yourself by **September 21, 2007**, or you won’t be able to sue, or continue to sue, the Defendants on your own about the legal claims in this case. If you exclude yourself, you can’t get money from the settlements. If you stay in the settlements, you may object to them by **September 21, 2007**. The detailed notice explains how to exclude yourself or object.

The Court will hold a hearing in this case, known as *Brookshire Brothers, Ltd., et al. v. Chiquita Brands International, Inc., et al.*, No. 05-CIV-21962, on **November 16, 2007**, to consider whether to approve the settlements, and a request by Class Counsel for fees up to \$1,875,000, plus costs and expenses. Class Counsel will also ask for a payment of \$5,000 to each Class Representative, who helped the lawyers on behalf of the whole Class. You or your own lawyer may ask to appear and speak at the hearing at your own cost, but you don’t have to. For more information, go to the website shown below.