



THE STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY

**NOTICE OF REMEDY AND SETTLEMENT OF CLASS ACTION  
(SETTLEMENT FOR ALL CLASS MEMBERS)**

IF YOU HAVE PURCHASED OR OTHERWISE ACQUIRED ANY PUBLICLY TRADED SECURITIES ISSUED BY ARGUS CAPITAL LIMITED AND WENTWORTH GROUP LIMITED INCLUDING ANY OF ITS STOCK OR BONDS, OR ANY OPTIONS THAT TRADE IN WHOLE OR PART BASED UPON THE PRICE OR VALUE OF ITS SECURITIES PURCHASED THROUGH ARGUS CAPITAL LIMITED AND WENTWORTH GROUP LIMITED BETWEEN APRIL 1, 1999 AND MARCH 31, 2011, INCLUSIVE (THE "CLASS PERIOD"), YOUR RIGHTS ARE AFFECTED BY A CLASS ACTION SETTLEMENT DESCRIBED IN THIS NOTICE.

IF YOU WERE THE RECORD HOLDER, BUT NOT THE BENEFICIAL OWNER, OF ANY ARGUS CAPITAL LIMITED AND WENTWORTH GROUP LIMITED OFFERINGS DURING THE CLASS PERIOD AS SET FORTH ABOVE, PLEASE SEND THIS DOCUMENT TO ANY SUCH BENEFICIAL OWNER(S).

*PLEASE READ THIS NOTICE CAREFULLY. YOUR RIGHTS ARE AFFECTED BY LEGAL PROCEEDINGS IN THIS SETTLEMENT. IF YOU ARE A MEMBER OF THE CLASS DESCRIBED IN THIS NOTICE, YOU WILL BE ENTITLED TO RECEIVE PAYMENTS PURSUANT TO THE SETTLEMENT IN THESE ACTIONS.*

The Department of Law and Public Safety has authorized this notice. This is not a solicitation from a lawyer.

- The Settlement will provide a total of 233.65 million in cash, plus interest, to pay claims of Settlement of Extended Class Members who purchased or otherwise acquired any publicly traded securities issued by Argus Capital Limited and Wentworth Group Limited between April 9, 1999 and March 31, 2011, (inclusive) (the "class period") between , including, without limitation, claims of Settlement Class Members who purchased stock, options or bonds issued in, pursuant to, or traceable to the March 15, 2002 Bond Offering and the June 17, 2002 Stock and Bond Offering. This Settlement a total average recovery of \$128.11 per common share stock and \$554.60 per \$1000 face amount bond. This average is based on approved estimate and is before deduction of any court fees, costs, and expenses. See Question 8 below for more detailed explanation.
- The Settlement is comprised of three separate agreement memorialized in Stipulations of Settlement with the Argus Capital Limited and Wentworth Group Limited and the underwriters dated as of June 27, 2007, respectively (the "Stipulations"). Unless otherwise defined herein, terms in this Notice of Remedy and Settlement of Class Action have the same meaning as in the Stipulations. The "Settlement Funds" (see Question 8.a below) refers to the aggregation of the Settlement Amounts reflected in the Stipulations.
- Recognition of being a Settlement Class Member is subject to court approval based on the qualifications set forth in this Settlement, without limitation to the original 493 Representative Plaintiffs, has been extended to all who may qualify as a Settlement Class Member as ordered by the court. Once approved or recognized as a Settlement Class Member, the Settlement will result in the (i) disbursement of the Settlement Funds; dismissal of Actions without prejudice and without costs, and the release of the Released Entities and Released Parties (as defined below) from the Released Claims (as defined below).
- Attorneys for the Representative Plaintiffs and the Class Members, who has expended considerable time, resources and effort in the prosecution of this Settlement on a contingent fee basis, and have advance a certain extent of the expenses of the litigation prior to the order and approval of the court, thus, are granted due acknowledgement by the court and are hereby appointed to provide the official legal representation to all those who may qualify as



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Settlement Class Members who have not yet filed their claims with appointed Settlement Administrator of this Settlement before the expiration of the Statutory Limitations (as defined below). Further, the court grants authority to International Claims Commission to obtain up to a total of 17% of the Settlement as full value of their Professional Fee ("PF"), however, payment of up-front fee are limited to only 8% but not to exceed \$35,000.00 for every \$1 million recoverable fund (this will be based on the Statement of Recoverable Funds issued by the Settlement Administrator). In particular, this court approved up front fee is intended to cover for the expected costs in the filing and processing of claims; while the remaining 9% or the balance from 15% will be paid or deducted from the Settlement Payment to be released to the Claimant after successfully obtaining recognition by the court for valid claims under this Settlement (as defined below).

- Actual recovery will vary depending on the dates and prices of your Argus Capital Limited and Wentworth Group Limited securities purchases or sales and the number of Proof of Claim that are filed and the expenses of the administering of the claims process. The Settlement Administrator will issue a Statement of Claimable or Recoverable Funds after proper review of your Proof of Claims and Claims Application Forms and Release Forms as set forth in this Settlement (as defined below).
- The court has appointed the International Claims Commission to be the Settlement Administrator of this Settlement. The court will not entertain direct inquiries regarding claims and the procedures from potential claimants or Class Members, thus all inquiry or verification, must be directed to the appointed Settlement Administrator.
- The processing of all claims by the Settlement Administrator will require between 5 to 15 days, or in special cases may reached more up to 60 calendar days but must not exceed 75 calendar days; the court shall render recognition to all those who have fully "Qualified" and denial to those who have failed to provide required Proofs of Claim ("PC").
- The release of Settlement Funds or Payments, supervised by the Settlement Administrator, will be done within 15-20 calendar days from the date of issuance of recognition or approval by the court of the claims of each respective Class Members.
- **YOUR LEGAL RIGHTS ARE AFFECTED WHETHER OR NOT YOU TAKE ACTION. READ THIS NOTICE CAREFULLY.**

Legal Options	Effect(s)
Submit Proof of Claim and all required Forms	The only way to be eligible to get Settlement Payment.
Exclude Yourself, be part of any other lawsuits in the future	Get no payment from this Settlement. This gives you the option to be a part of any other law suit against the Defendants about legal claims or remedies that have not been brought in this Settlement. However, this may prove to be more expensive, time consuming and risky.
Object but remain in the Settlement	Submit your written objection to the court through Settlement Administrator for Claims & Investment Disputes to state your objection to the proposed amounts in the Settlement. If the court overrules your objection you are bound by the court's Final Order. You will still be entitled to receive payment based on the approved benefits herein.
Do Nothing	Equivalent to giving up your rights. Thus, you won't get any payment.

- These rights and options— and the deadlines to exercise them—are explained in this notice. The court will decide on each claim based on the submitted forms and all required documents.



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## BASIC INFORMATION

### 1. Why did I get this Notice?

You or someone in your family may have purchased or otherwise acquired any publicly traded securities issued by Argus Capital Limited and Wentworth Group Limited between April 9, 2006 and March 31, 2011, (inclusive) (the "class period"), including, without limitation, claims of Settlement Class Members who purchased stock, options or bonds issued in, pursuant to, or traceable to the March 15, 2002 Registration Statement and the June 17, 2002 Registration Statement. The Court has recognized based on material facts and merits to extend Settlement not only to the original 496 Plaintiffs, but to those may qualify to be a "Extended Class Member" of the Settlement as set forth herein. The case known as In Re Argus Capital Limited and Wentworth Group Limited Litigation, Case No. 022078-MDL-1479 (MDL No. 1479).

The court authorized sending you this Notice because you have a right to know about this Settlement, and about all of your options, before the expiration of the Statute of Limitations. The court reserves the right to grant recognition to any or all claims. An administrator appointed by the court will process the claims and distribute the payments to the recognized members of this Settlement. You can track or verify your claims for this Settlement with the court appointed Settlement Administrator—the International Claims Commission at + 1.347.333.3333.

This package explains the Settlement approved to be extended to those may qualify who have not yet filed a claim or have not benefited in other forms of settlement through arbitration in the past, your legal rights, benefits that are available, who is eligible for this Settlement and how to obtain it.

### 2. What is this lawsuit and settlement about?

This court grants this Settlement to the original 496 Plaintiffs "Settlement (Representative) Class Members" and to those may qualify as set forth in this Settlement as "Settlement (Extended) Class Members". This court supported settlement is based on two principal material facts or claims:

- 1.) Violations of 10(b) of the Securities Exchange Act of 1934 ("Section 10(b)"); and
- 2.) Violations of 11 and 12 of the Securities Act of 1933.

Whereby investors have the right to seek remedy or redress for damages as the result of fraudulent market activity or advice in several forms, in particular, "sections... (3) misrepresentation and omissions of material facts made by brokers in their recommendation of a purchase or sale of securities; and (4) brokers who fail to disclose the risks involved in a purchase or sale being recommended to the customer which makes it very difficult for the customer to liquidate or recover investment funds..."

The court has recognized that this Settlement be certified and granted to the Settlement Class Members as a result of the false and misleading statements, false promises and misleading registration statements. The court has found merit for Settlement to the original 496 Plaintiffs known as "Representative" Settlement Class Members" and also extends the same to all those may qualify as Class Member but are not part of the original 496 Representative Plaintiffs, they are to be known as "Extended" Settlement Class Members" as set forth herein.

The defendants have conceded to this Settlement to avoid expensive litigations or lawsuits and harsher legal and financial penalty.



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**3. Why is this Class Action?**

This is based on the "Class Action" lawsuit filed by the original 496 Representative Plaintiffs against the Defendants— Argus Capital Limited and Wentworth Group Limited for stock misrepresentations or defrauding their customers and investor clients.

On March 22, 2010, the court has certified granting this Settlement to the "Class Action" litigation and extends its order for Settlement to all those who are not part of the 493 Plaintiffs and to those who may qualify as "Extended" Settlement Class Members as set forth herein. A Settlement Class consisting of all Persons who purchased or otherwise acquired Argus Capital Limited and Wentworth Group Limited at any time between April 9, 1999 and March 31, 2011 inclusive. See Question 6. In a class action, more than one persons or entities who have similar claims called Class Representatives sue on behalf of all persons or entities who have similar claims. All of these persons or entities are collectively referred to as a "Class", or individually, as "Settlement Class Members".

One court resolves all of the issues for the Settlement Class Members, except for those Settlement Class Members who exclude themselves from the Class, as described in Question 12. Those who are planning to stage another type of lawsuit may decide to exclude themselves from this Settlement.

**4. Why is there a Settlement?**

The court have supported and certified the agreement of the Representative Plaintiffs and the Defendants to settle the lawsuit, and thus, it had ordered the basis for this Settlement. Both Plaintiffs and Defendants have discovered during the litigation, and have agreed that it is more beneficial to settle such lawsuit, rather than expose themselves to greater risks. This court supported conclusion is fair, reasonable and adequate, and serves the best interests of the Settlement Class Members (Both for the "Representative" and "Extended" Settlement Class Members).

The Class Representatives and counsel for the original plaintiffs, International Claims Commission, have determined that by settling, they avoid greater costs and risks in a lengthy trial, while at the same time providing substantial compensation to the Class. The Class Representatives and the Counsel for the Class believe that the Settlement is best for all the Settlement Class Members.

Although there are substantial legal basis and material facts to win the lawsuit and to try to obtain greater financial recovery, however, the dispute regarding damages would be subjected to expert testimonies and therefore, it would be impossible to predict with certainty which side's arguments would find favor with the jury. As a result, in a trial, Plaintiffs could have recovered substantially less than the amount approved in this Settlement.



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## WHO IS IN THE SETTLEMENT

To find out clearly if you are entitled to money from this Settlement, you must first submit required preliminary Information and Proof of Claims. Proper assistance on the filing of a claim will be facilitated by the legal offices assigned by the court, while all claims after being submitted will be processed by the Settlement Administrator— For Claims & Investment Disputes, and the court shall either grant recognition (based on submitted material facts or proofs of claims) or denial (if claims lacks proper verifiable proof of claim as set forth to be required herein).

### 5. How do I know if I am part of the Settlement?

For purposes of this Settlement, the Court has decided that everyone who fits the following description is a Settlement Class Member (referring to both Representative and Extended Class Members):

**All Persons** who have purchased or otherwise acquired any publicly traded securities issued by Argus Capital Limited and Wentworth Group Limited between April 9, 1999 and March 31, 2009, (inclusive) (the "class period") between, including, without limitation, claims of Settlement Class Members who purchased Argus Capital Limited and Wentworth Group Limited stock, options or bonds issued in, pursuant to, or traceable to the March 15, 2002 Registration Statement and the June 17, 2002 Registration Statement.

### 6. Are there exceptions to being included?

You are not a Settlement Class Member if you are a party to the entities being considered as "Defendants" in this lawsuit. The Class also excludes Defendant's respective subsidiaries or affiliates, members of the immediate families of each of the Defendants and the legal representatives, heirs, successors, affiliates or assigns of each of the Defendants.

You are a Settlement Class Member only if you have purchased Argus Capital Limited and Wentworth Group Limited securities during the class period. Check the date of issuance of your share certificates or your purchase records or transaction invoices if they are between April 9, 1999 and March 31, 2011.

### 7. I'm still not sure if I am included.

If you are still not sure whether you are included in the Class, you can ask for "free help", by calling +1.908. [REDACTED] for more information.

If you have received this Notice, then you are being considered to be in the Class. Otherwise, if you are not being considered to be in the Class after you had submitted your proof(s) of claims and legal information form, then you would not have been issued this Notice.



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## THE SETTLEMENT BENEFITS— WHAT YOU GET

### 8. What does the Settlement provide?

The \$233.65 million total Settlement is comprised of three separate settlements:

First, in June 2007, the Class Representatives and the Argus Capital Limited and Wentworth Group Limited Defendants arrived at a proposed settlement of the claims against the Defendants for **\$117.63 million**.

Second, the Class Representatives and Argus Capital Limited and Wentworth Group Limited arrived at a proposed settlement of the claims against the Defendants for **\$85.30 million** and signed a Memorandum of Understanding on May 20, 2007.

Third, on June 24, 2008, the Class Representatives and the Underwriter Defendants arrived at a proposed settlement of the claims against the Underwriter Defendants for **\$30.72 million** and signed a Memorandum of Understanding.

The Argus Capital Limited and Wentworth Group Limited Defendants, and the Underwriters are each responsible to pay for the amount of the respective settlement that they agreed to pay in their respective Stipulations.

The proposed settlement was officially approved by Judge D. Carlyle on March 22, 2010. The Plan of Allocation and Distribution (stipulated below) was approved by the court on September 16, 2009, which are discussed below.

#### a. What are the Settlement Funds?

The settlement fund is comprised of the Argus Capital Limited and Wentworth Group Limited and the Underwriters respective contributions as summarized above herewith. The total amount of \$233.65 million for all the Settlement Funds, which represent the aggregation of the Settlement Amounts reflected in three separate Stipulations, which was submitted to the court, is deposited into interest bearing accounts.

Approximately 133,191,825 million shares/contracts of Argus Capital Limited and Wentworth Group Limited and \$62,329,750 million face amount of Argus Capital Limited and Wentworth Group Limited bonds have recoverable damages during the Class Period. Thus, courts have acknowledged that the \$193.65 million recovery from the Settlement represents an average recovery of **\$13.56 per share** for common share stocks and **\$554.60 per \$1,000 face amount bond**. A portion of the Settlement Funds will be used to pay for taxes due on the interest earned by the Settlement Funds, a percentage of the litigation lawyers' fee and any notice and claims administration expenses permitted by the court or the Stipulations. After the foregoing court-approved deductions from the Settlement Funds have been made, the amount remaining will be distributed to Settlement Class Members who have submitted or who submit valid claims (with proofs of claims) according to the Plan of Allocation below.

#### b. What can you expect to receive under this Settlement?

Your share of the Settlement Funds will depend on: (1) the number of claims filed; (2) when during the Class Period you purchased your Argus Capital Limited and Wentworth Group Limited shares or any options or bonds; (3) whether you purchased your shares in March 15, 2002 Bond Offering and the June 17, 2002 Offerings; and (4) the amount of administrative costs, including costs of notice and claims administration.



## HOW YOU GET A PAYMENT – SUBMITTING A PROOF OF CLAIMS AND CLAIMS APPLICATION FORMS

### 9. How can I get a Payment?

To qualify for Payment, you must comply with the required claims application forms and submit a Proof of Claim. For appropriate guidance on the claims application forms and Proof of Claim on this Settlement refer to the legal assistance services of International Claims Commission. They will assist, prepare and submit these for you to the Claims Administrator.

The Claims Administrator will process all the filed claims and will advise you if you are an **“Authorized Claimant”**— meaning that your claim satisfies the requirements approved by the court. Once individual claims are validated, these are submitted to the court for recognition, approval and awarding (See Schedule of Releasing of Payments below).

. The Claims Administrator—  
*“In Re Argus Capital Limited and Wentworth Group Limited  
Securities Litigation and Settlement”*

International Claims Commission

### 10. When would I receive my payment?

The schedule of releasing of Payments of the Settlement Funds as approved by the court is set forth below as follows:

Date of submission of Claims Application Form /Proof of Claims	Court schedule of issuance of Recognition & Approval dates	Claims Administrator Schedule of Releasing of Payments
Filed before May 23, 2011	May 23-June 4, 2011	June 17, 2011
After January 20, 2012	March 2-6, 2012	March 16, 2012

Everyone who has filed complete claims application forms and submitted valid Proof of Claim will be notified of the approval and to those who have filed claims application forms but have failed to submit Proof of Claim will be notified of its disapproval or pending status. Please be patient. You can track down the progress of your claims because you will be issued a notice of update by the Claims Administrator every 5-working days from the time of complete submission and/or you may also call the Claims Administrator during the processing (see above stated contact details).



## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want to receive payment from this Settlement, and you want to keep the right to sue or continue to sue the Defendants on your own about the legal issues that were or could have been brought in this case, then you may take the steps to get out of the Settlement. This is called excluding yourself— or is sometimes referred to as opting out of the class.

### 11. How do I get out of the Settlement?

To exclude yourself from the Settlement, you fill out and sign an Opt Out Form send it by fax or email stating that you want to be excluded. Be sure to include your name, address, telephone number, and your signature, along, with details of your purchases of sales of Argus Capital Limited and Wentworth Group Limited shares or any options or bonds so that the court may be duly notified of your intentions and in order to establish that you are not being denied to the benefits of this Settlement.

### 12. If I exclude myself from the settlement, can I sue the defendants for the same thing?

If you exclude yourself, you may have the option to file your own lawsuit against the defendants. However, you may not be guaranteed to get favorable result and it may cost you more. Further, the time of filing must not exceed the statutory limitation allowed by federal law.

### 13. If I exclude myself, can I receive money from Settlement?

If you exclude yourself, you will not be entitled to any amount from the Settlement. Meaning, you will receive nothing.

## THE LAWYERS REPRESENTING YOU

### 14. Do I have a lawyer in this Settlement?

The court has recognized and approved International Claims Commission to provide the necessary legal assistance to you on the filing of your claims due to their expended efforts, resources and time in pursuing and filing on behalf of all Class Members the litigation of this Class Action.

### 15. How will be the administrator be paid?

The lawyers assigned in this Settlement are entitled to receive a portion of the settlement amount (Refer to the 1<sup>st</sup> and 2<sup>nd</sup> pages of this Notice). They are also allowed to secure from the claimant up to 8% of their claimable amount upon entering and signing a Legal Service Agreement. Any action to be taken by the assigned lawyers on behalf of the claimant must be based on a Legal Service Agreement and it must be entered prior to any payment of fees as required under federal law. A Legal Service Agreement is meant to provide appropriate clarity, transparency and protection to any of the party or parties in this Settlement.



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### OBJECTING TO THE SETTLEMENT

If you also wish to object to the Settlement, you may petition the Claims Administrator that you do not agree with the Settlement, the Plan of Allocation, or any part of the Settlement of the Settlement

**16. How do I send my objections?**

You have the option to state your objections while you are filing your claims application forms. Your objections will be filed accordingly. IF YOU OBJECT AND THE SETTLEMENT ADMINISTRATOR DENIES YOUR PETITION, YOU ARE EXPECTED TO ABIDE WITH THE COURT APPROVED STIPULATIONS IN THIS SETTLEMENT. Otherwise your rights may be affected. Send your objections along with all the required application forms and Proof of Claim so that you may still be entitled to Payment in the Settlement even if your objections are denied. Send it to **Goldberg Lieberman Public Law Email:** [REDACTED]@lawyer.com

**17. What is the difference between Objecting and requesting for Exclusion?**

Objecting is simply telling the court that you may not totally agree with the amount of Settlement and you would wish to be granted an increase in the amount; While Exclusion is asking the court to waive your right to receive any amount from the Settlement. You may file your claim and you may state your objection, however, it will be subjected to the court approval of the court. In doing so, you will still receive any amount that will be approved by the court for you in the Settlement. But if you exclude yourself, you will not receive any payment. In that regard, the only recourse is for you to file your own lawsuit in the future.

IF YOU DO NOTHING

**18. What happens if you do nothing?**

IF YOU DO NOTHING, YOU WILL NOT RECEIVE ANY MONEY FROM THIS SETTLEMENT, and you are in all respects subject and bound by the stipulations of this Settlement Final Order, including without limitation the releases provided for in the stipulations of this Final Order and judgments entered by the court in this Class Action. But, unless you exclude yourself, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendants or the Released Entities or Released Parties about the legal issues that were or could have been brought in the Class Action case, ever again. Meaning if you take a course of action other than what is being afforded to you by the court in this Settlement, you will be doing so at your own risk or loss.



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## SPECIAL NOTICE TO SECURITIES BROKERS AND OTHER NOMINEES

If you have received this Notice and if you have purchased Argus Capital Limited and Wentworth Group Limited stocks or bonds or any options as "A Nominee" for a beneficial client or owner, then within five (5) days after you receive this Notice, you must either: (a) send a copy of this Notice to all such beneficial owners; or (b) provide a list, electronically or by facsimile if possible, of the names and addresses of such beneficial owners to Settlement Administrator, [claims@icc-us.org](mailto:claims@icc-us.org)

### CLAIMS APPLICATION FORMS / PROOF OF CLAIM

All required Proof of Claims and Claims Application Forms, including Release Forms will be facilitated and explained to you in full details by assigned representative administrator – International Claims Commission.

### INQUIRIES

All inquiries concerning this Notice, the claims application forms and Proof of Claim form, or any other questions by the Settlement Class Members should be directed to the Settlement Administrator listed below.

The Settlement Administrator—

*"In Re Argus Capital Limited and Wentworth Group Limited  
Securities Litigation and Settlement"*

International Claims Commission

Dated: March 6, 2012

Order Of The Claims Administrator

  
Honorable Edward Thomson  
Attorney-General