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the Volkswagen Diesel Emissions Environmental Mitigation
Trust for Indian Beneficiaries

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE: VOLKSWAGEN “CLEAN
DIESEL” MARKETING, SALES
PRACTICES, AND PRODUCTS
LIABILITY LITIGATION**

Relates to:

*[United States v. Volkswagen AG, et al., No.
16-cv-295 (N.D. Cal.)]*

Case No. MDL 2672 CRB (JSC)

**NOTICE OF BENEFICIARY
DESIGNATION UNDER THE
VOLKSWAGEN DIESEL EMISSIONS
ENVIRONMENTAL MITIGATION
TRUST FOR INDIAN TRIBE
BENEFICIARIES**

Judge: Hon. Charles R. Breyer

PLEASE TAKE NOTICE THAT Wilmington Trust N.A. as Trustee (the “Trustee”) of the Volkswagen Diesel Emissions Environmental Mitigation Trust for Indian Tribe Beneficiaries (the “Indian Tribe Trust”), by and through its counsel Reed Smith, respectfully files the attached Notice of Beneficiary Designation under the Volkswagen Diesel Emissions Environmental Mitigation Trust for Indian Tribe Beneficiaries in accordance with subparagraph 4.0.2 thereof.

Dated: May 17, 2019

Respectfully submitted,

/s/Michele D. Ross
Michele D. Ross, partner
Reed Smith LLP

Notice of Beneficiary Designation for the Volkswagen Diesel Emissions Environmental Mitigation Trust for Indian Tribe Beneficiaries in accordance with subparagraph 4.0.2 of the Indian Tribe Trust

In accordance with subparagraph 4.0.2 of the Volkswagen Diesel Emissions Environmental Mitigation Trust for Indian Tribe Beneficiaries (the “Indian Tribe Trust”), Wilmington Trust N.A. as Trustee of the Indian Tribe Trust hereby certifies as follows:

In accordance with Paragraph 4.0 of the Indian Tribe Trust each of the following Certifying Entities filed its Beneficiary Status Certification Form (Appendix D-3) with the U.S. District Court for the Northern District of California (the “Court”) on or prior to March 18, 2019:

LIST OF DESIGNATED BENEFICIARIES UNDER THE INDIAN TRIBE TRUST

1. Anvik Village
2. Asa’carsarmiut Tribe
3. Chickaloon Native Village
4. Chinik Eskimo Community (Golovin)
5. Citizen Potawatomi Nation (Oklahoma)
6. Confederated Tribes of the Colville Reservation
7. Elk Valley Rancheria, California
8. Forest County Potawatomi Community, Wisconsin
9. Galena Village (aka Loudon Village)
10. Gulkana Village
11. Huslia Village
12. Iqurmit Traditional Council
13. Native Village of Kongiganak
14. Koyukuk Native Village
15. Native Village of Barrow Inupiat Traditional Government
16. Native Village of Brevig Mission

17. Native Village of Elim
18. Native Village of Gambell
19. Native Village of Koyuk
20. Native Village of Kwigillingok
21. Native Village of Kwinhagak (aka Quinhagak)
22. Native Village of Port Heiden
23. Native Village of Savoonga
24. Village of Venetie
25. Village of Wainwright
26. Native Village of White Mountain
27. Nez Perce Tribe
28. Noorvik Native Community
29. Organized Village of Grayling
30. Organized Village of Saxman
31. Prairie Band of Potawatomi Nation
32. Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
33. Red Lake Band of Chippewa Indians, Minnesota
34. Saint Regis Mohawk Tribe
35. Sault Ste. Marie Tribe of Chippewa Indians, Michigan
36. Central Council of the Tlingit & Haida Indian Tribes of Alaska
37. Upper Sioux Community, Minnesota
38. Ute Mountain Ute Tribe
39. Village of Chefornak
40. Yocha Dehe Wintun Nation, California
41. Yurok Tribe of the Yurok Reservation, California

Each of the Certifying Entities listed above in the “Designated Beneficiary List” met the deadline of March 18, 2019, relating to filing their Appendix D-3 with the Court.

In accordance with subparagraph 4.0.2.1 of the Indian Tribe Trust, no notices of objection were filed to the Appendix D-3 filings with the Court by any of the Certifying Entities listed above. Therefore, in accordance with the terms of the Indian Tribe Trust, each such Certifying Entity listed above is now designated a “Beneficiary” under the Indian Tribe Trust.

As provided in subparagraph 4.0.2.4, **once a Certifying Entity has been deemed a Beneficiary, it remains a Beneficiary for all future funding cycles** and may apply for Eligible Mitigation Action funding by submitting a Designated Beneficiary’s Participation Notice (Appendix D-6) and an EMA Certification Form (Appendix D-4) by the deadline for each respective funding cycle as set forth in subparagraphs 5.0.5.3.3 and 5.0.5.3.5.

All of the Certifying Entities that are now deemed Beneficiaries of the Indian Tribe Trust, listed in the “List of Designated Beneficiaries” above, are eligible to participate in any one of the subsequent funding cycles.

Any Certifying Entity that filed its Appendix D-3 with the Court after March 18, 2019 will be considered for the next funding cycle. The Appendix D-3 filing deadline for the next funding cycle is March 16, 2020.

Wilmington Trust, N.A. as Trustee of the Volkswagen Diesel Emissions Environmental Mitigation Trust for Indian Tribe Beneficiaries

By: /s/David A. Vanaskey Jr.
Name: David A. Vanaskey Jr.
Title: Administrative Vice President

CERTIFICATE OF SERVICE

I hereby certify that, on May 17, 2019, I caused to be served true copies of the Notice of Beneficiary Designation for the Volkswagen Diesel Emissions Environmental Mitigation Trust for Indian Tribe Beneficiary's in accordance with subparagraph 4.0.2 thereof by electronic means by filing such documents through the Court's Electronic Case Filing System.

/s/ Michele D. Ross

Michele D. Ross

Attorney for the Trustee of the Volkswagen
Diesel Emissions Environmental Mitigation
Trust for Indian Tribe Beneficiaries