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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 15, 2020

Respectfully submitted,

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

CERTIFICATE OF SERVICE

I hereby certify that, on May 15, 2020, 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

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 16, 2020:

LIST OF DESIGNATED BENEFICIARIES UNDER THE INDIAN TRIBE TRUST

1. Arctic Village
2. Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California
3. Confederated Salish and Kootenai Tribes of the Flathead Reservation
4. Confederated Tribes of the Warm Springs Reservation of Oregon
5. Craig Tribal Association
6. Manley Hot Springs Village
7. Metlakatla Indian Community, Annette Island Reserve
8. Minnesota Chippewa Tribe - Bois Forte Band
9. Native Village of Diomedede (aka Inalik)
10. Native Village of Mary’s Igloo
11. Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada
12. Native Village of Saint Michael
13. Native Village of Shaktoolik
14. Native Village of Shishmaref
15. Native Village of Teller

16. Native Village of Unalakleet
17. Native Village of Wales
18. Pueblo of Cochiti, New Mexico
19. Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada
20. Quinault Indian Nation
21. Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California
22. Stebbins Community Association
23. Village of Iliamna
24. Village of Kobuk

Each of the Certifying Entities listed above in the “Designated Beneficiary List” met the deadline of March 16, 2020, 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 16, 2020 will be considered for the next funding cycle. The Appendix D-3 filing deadline for the next funding cycle is March 16, 2021.

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