

CORRECTED 1/15/08

Please be aware that the deadline to file a timely claim was May 19, 2008. The Court and Class Counsel require that you submit an explanation with your untimely claim explaining why you could not meet the claim filing deadline. There is no guarantee that your late claim will be accepted.

RESPONSE DEADLINE:  
POSTMARKED ON OR  
BEFORE MAY 19, 2008

OFFICIAL USE ONLY

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
SULLIVAN, et al. v. DB INVESTMENTS, INC., et al.  
Civil Action Index No. 04-2819-SRC

**INDIRECT PURCHASER RESELLER SUBCLASS  
CORRECTED PROOF OF CLAIM AND RELEASE**

TO: INDIRECT PURCHASERS WHO RESIDE OR HAVE A PLACE OF BUSINESS IN THE UNITED STATES AND WHO BOUGHT ANY DIAMOND PRODUCT FOR DELIVERY TO THE UNITED STATES FOR RESALE. PLEASE READ THIS ENTIRE CLAIM FORM CAREFULLY; THE COMPLETED CLAIM FORM MUST BE POSTMARKED ON OR BEFORE MAY 19, 2008 TO BE ELIGIBLE TO SHARE IN THE SETTLEMENT PROCEEDS.

**I. GENERAL INSTRUCTIONS**

To receive any money from the settlement proceeds obtained in *Sullivan v. DB Investments, Inc. et al.*, Civil Action Index No. 04-2819 (D.N.J.) (SRC), members of the indirect purchaser reseller subclass must complete this Proof of Claim, **and sign it under penalty of perjury and mail it so it is postmarked on or before May 19, 2008.** The claims of Class Members who fail to file a timely, properly addressed Proof of Claim may be rejected and the Class Member may be precluded from any recovery. The Proof of Claim and Release, postmarked on or before May 19, 2008 should be sent to: Diamonds Claims Administrator, P.O. Box 9432, Minneapolis, MN 55440-9432.

All inquiries regarding the allocation of settlement proceeds should be made in writing to the Claims Administrator. Inquiries may be received by mail at the address above, by fax (561-651-7788), or by email ([administrator@diamondsclassaction.com](mailto:administrator@diamondsclassaction.com)). All Class Members who did not previously seek exclusion from the Class are bound by the terms of the judgment entered in this action regardless of whether they submit a Proof of Claim and Release. If you submitted or intend to submit a Request for Exclusion from the Class, do not submit a Proof of Claim and Release.

**II. DEFINITIONS**

“**Class Actions**” refer to *Anco Industrial Corp. v. D.B. Investments, Inc., et al.*, D.N.J. Civil Action Index No. 01-04463 (SRC); *British Diamond Import Company v. Central Holdings Ltd., et al.*, D.N.J. Civil Action Index No. 04-04098 (SRC); *Cornwell v. D.B. Investments, Inc., et al.*, Maricopa Co. No. CV2005-2968; *Hopkins v. De Beers Centenary A.G., et al.*, San Francisco County No. CGC-04-432954; *Leider, et al., v. Ralfe, et al.*, D.N.J. Civil Action Index No. 06-00908 (SRC); *Null v. D.B. Investments, Inc., et al.*, D.N.J. Civil Action Index No. 05-04849 (SRC); and *Sullivan v. D.B. Investments, Inc., et al.*, D.N.J. Civil Action Index No. 04-02819 (SRC).

“**Class Period**” refers to January 1, 1994 through March 31, 2006.

“**Court**” refers to the United States District Court for the District of New Jersey.

“**De Beers**” refers to De Beers S.A. and its directors, officers, employees, agents and representatives, predecessors, successors, and assigns.

“**Defendants**” refers to DB Investments, Inc., De Beers S.A., De Beers Consolidated Mines, Ltd., De Beers A.G., Diamond Trading Company (“DTC”), Ltd., CSO Valuations A.G., Central Selling Organization, Central Holdings, Ltd., and De Beers Centenary A.G.

“**Defendants’ Competitors**” refers to all other diamond mining companies or rough diamond producers, including, but not limited to, ALROSA, Rio Tinto, and BHP Billiton or their affiliates. An affiliate is defined as a company related by a shareholding interest directly or indirectly of 25% or more.

“**Diamond Jewelry**” refers to any decorative or functional adornment typically made of metals and set with one or more Gem Diamond.

“**Diamond Product**” refers to any Rough Diamond, Polished Diamond, Diamond Jewelry or any other product consisting of or containing one or more Gem Diamond, excluding synthetic and industrial diamonds.

“**Gem Diamond**” refers to a diamond of such color, clarity and quality that it has been or could be used in Diamond Jewelry, as distinguished from a diamond used for industrial purposes.



\*DBER\*



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Questions? Email the Claims Administrator at [administrator@diamondsclassaction.com](mailto:administrator@diamondsclassaction.com) or call 1-800-760-5431.

“**Indirect Purchaser Class**” refers to all natural persons and legal entities located in the United States who purchased any Diamond Product between January 1, 1994 and March 31, 2006, provided that any purchases of any Gem Diamond made directly from a Defendant (including any entity in which any Defendant has a controlling interest and any affiliate of any Defendant) or Defendants’ Competitors (including any entity controlled by or affiliated with any such party) shall be excluded. The Class shall also exclude Defendants, the officers, directors or employees of any Defendant, any entity in which any Defendant has a controlling interest, any affiliate of any Defendant, any federal, state or local government entity, and any judicial officer presiding over this Settlement, and any member of the judicial officer’s family and court staff.

“**Indirect Purchaser Reseller Subclass**” refers to all persons and entities in the Indirect Purchaser Class who purchased any Diamond Product for the purpose of resale in the United States.

“**Located in the United States**” refers to those Class Members who purchased Diamond Products for delivery to the United States during the Indirect Purchaser Class Period AND who reside in the United States on October 1, 2007. For a natural person, “Resides” means maintained a place of residence. For a non-natural person or entity, “Resides” means organized and existed under the laws of any state or territory in the United States or maintained a place of business in the United States. As used here, the “United States” means the 50 States, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands.

“**Purchase**” refers to a transaction which can be proven by business records, if required, and where the Class Member paid for and obtained title to the rough or polished diamonds or diamond jewelry. Purchases made on consignment or as a broker, where title does not pass to the buyer, do not qualify for claims under the Settlement.

“**Released Claims**” refers to those claims described in Section V of the Amended Settlement Agreement. Those claims refer to all claims, arising from conduct from the beginning of time until the date of settlement class certification, by any of the Released Parties concerning the exploration, mining, processing, treatment, sorting, distribution, marketing, advertising, sale or pricing of any Diamond Product. Please see the full text of the release in the long form notice or Amended Settlement Agreement at [www.diamondsclassaction.com](http://www.diamondsclassaction.com).

“**Released Parties**” refers to the Defendants and their past, present, and future directors, officers, employees, shareholders, affiliates, divisions, predecessors, parents (including Central Holdings, Ltd., Anglo American PLC, Debswana Diamond Company (Proprietary) Limited and the Government of Botswana, and their subsidiaries), subsidiaries, other organizational units of any kind, general or limited partners, successors and assigns, and the past, present, and future agents, representatives, attorneys, heirs, executors, administrators and other persons acting on behalf of any of them.

“**Settlement**” refers to the settlement contemplated by the Amended Settlement Agreement.

“**Settlement Agreement**” refers to the Amended Settlement Agreement, made and entered into as of March 24, 2006, by and between the Plaintiffs and De Beers, which was preliminarily approved by the Court on March 31, 2006.

“**Sightholder**” refers to those customers (including any controlled affiliates, divisions, or subsidiaries of any such customer) entitled to purchase Rough Diamonds from the CSO or DTC at a regularly scheduled Sight or Sights. Any such customer is only a Sightholder for the periods of time when it was or is entitled to purchase Rough Diamonds from the CSO or DTC at a regularly scheduled Sight or Sights. Sightholder status terminates when the right to purchase Rough Diamonds from the CSO or DTC at a regularly scheduled Sight or Sights terminates. Sightholders may claim under this settlement for their INDIRECT purchases, e.g., those not made directly from De Beers or its competitors or their affiliates.

**III. CLAIM FORM AND INSTRUCTIONS**

**Please type or neatly print all requested information. File only one claim for all of your affiliated companies. A company is affiliated if it is owned in whole or in part by the same entity, is part of the same corporate structure, or reports consolidated income for tax reporting purposes.**

By signing this Claim Form, you are verifying that you have business records to support your claim and agree to provide additional information to Plaintiffs’ Counsel, the Claims Administrator, or the Court to support your claim. Consequently, you are **required** to keep copies of purchase orders, invoices, checks or other documentation of your purchases in case further verification of your claim is necessary. Failure to supply requested information to the Claims Administrator may result in the rejection of all or part of your claim.

By signing the Claim Form you are also verifying that you have not submitted any other claim for the same purchases of Diamond Products during the Class Period, have not authorized any other person or entity to do so, and know of no other person or entity having done so on your behalf.



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Questions? Email the Claims Administrator at [administrator@diamondsclassaction.com](mailto:administrator@diamondsclassaction.com) or call 1-800-760-5431.

**PART 1: CLAIMANT IDENTIFICATION**

Claimant's Name:

[Redacted Name Field]

(If purchases were made in a name other than the Claimant's Name, please attach documentation of your right to assert a claim with respect to those purchases.)

Street Address:

[Redacted Street Address Field]

City:

[Redacted City Field]

State:

[Redacted State Field]

Zip Code:

[Redacted Zip Code Field]

If the address above is not a U.S. address, does the claimant have a U.S. office?  Yes  No If yes, please list the address of a U.S. office below:

Mailing Address:

[Redacted Mailing Address Field]

City:

[Redacted City Field]

State:

[Redacted State Field]

Zip Code:

[Redacted Zip Code Field]

Social Security Number

[Redacted Social Security Number Field]

**or**

Federal Employer Tax Identification Number (FEIN):

[Redacted Federal Employer Tax Identification Number Field]

(If you fail to include this tax information, your claim may not be paid.)

Daytime Phone No.:

[Redacted Daytime Phone Number Field]

Evening Phone No.:

[Redacted Evening Phone Number Field]

Email Address, if available:

[Redacted Email Address Field]

Person to contact if there are questions regarding this claim:

[Redacted Person to Contact Field]

Please identify any and all entities affiliated with your business whose purchases of Diamond Products are included in this claim:

[Redacted Entities Field]

Other Names and Federal Employer Tax Identification Numbers under which you have done business during the Class Period:

Name:

[Redacted Name Field]

Social Security Number

[Redacted Social Security Number Field]

**or**

Federal Employer Tax Identification Number (FEIN):

[Redacted Federal Employer Tax Identification Number Field]

Name:

[Redacted Name Field]

Social Security Number

[Redacted Social Security Number Field]

**or**

Federal Employer Tax Identification Number (FEIN):

[Redacted Federal Employer Tax Identification Number Field]



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## PART 2: SCHEDULE OF QUALIFYING PURCHASES

- Choose any two years during the Class Period from January 1, 1994 through March 31, 2006 to list your aggregate dollar purchases of Rough Diamonds, Polished Diamonds or Diamond Jewelry at the price you actually paid. You may select either a calendar year or fiscal year as ordinarily maintained on your books and records, provided that the fiscal year ends before March 31, 2006. The two years selected need not be consecutive. However, all purchases listed must be from the two selected years. Failure to report all purchases of diamonds for the years you have selected will reduce the amount of your claim.
- The Diamond Products must be delivered into the United States for the purpose of resale in the United States. For example, even if you meet the definition of resident of the United States, if you purchased diamonds in Antwerp and sent them to Mumbai for production of jewelry, those purchases are not included in the Settlement. However, if the jewelry is imported or delivered into the United States, the jewelry purchases may be claimed under the Settlement.
- Enter total amounts by category according to the type of product and cost. For example, if you bought \$100,000 worth of Diamond Jewelry in one year, some of which contained diamonds mixed with other gem stones that were purchased for more than \$500 at wholesale and other pieces that only contain diamonds that were purchased for more than \$5,000 wholesale, enter the aggregate amounts of these purchases for each category in the appropriate boxes listed in the chart below. **DO NOT INCLUDE PURCHASES MADE ON MEMO OR ON CONSIGNMENT. YOU MUST HAVE TAKEN TITLE TO THE DIAMOND PRODUCT FOR WHICH YOU ARE SEEKING TO CLAIM.**
- Attach summary documentation to support your claim (such as a worksheet summary of purchases prepared by you listing purchases by vendor or a computer printout of purchases). As explained above, you should retain all original documentation supporting your claim (for example, invoices, purchase orders, cancelled checks). Such information must be provided to the Claims Administrator upon request. In the event that you fail to provide such information upon request of the Claims Administrator, your claim may not be paid.
- You may only claim once for any diamond product; subsequent internal transfers to other business units or affiliates are excluded.

In listing claims on the chart below, please use the following guidelines:

**Rough Diamond** claims include uncut rough diamonds and diamonds that are cut, but not polished.

**Polished Diamond** claims include diamonds that are cut and polished and sold as loose, unset stones.

**Diamond Jewelry** claims should be set forth according to the price categories listed on the chart. Enter the total amount of purchases for each type and cost category of jewelry for the two years you choose between 1994 and 2006. All finished or partially finished jewelry pieces can be claimed in these categories. **Diamond Jewelry** claims must be identified according to the wholesale cost of each piece.

**Diamonds Only:** means jewelry pieces containing set polished diamonds only, with no other types of gem stones.

**Mixed:** means jewelry pieces containing polished diamonds and other gem stones.

**Diamond-Faced Watches** must contain polished diamonds on the face of the watch, surrounding the face of the watch on the bezel, or on the watch band.

**Other Diamond Products** include diamond-accented products, such as pens or accessories.

**Wholesale Cost** is the price you actually paid for the diamond products net of any returns, credits, discounts, or rebates.



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YEAR 1 - YEAR: \_\_\_\_\_

Item	Aggregate Dollar Amount of Diamond Purchases at Wholesale Cost Paid
Rough Diamonds	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>
Polished Diamonds	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>

**DIAMOND JEWELRY**

Mixed Diamonds and Gemstones	Aggregate Wholesale Cost
Below \$100 Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>
\$100 or more Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>

Jewelry Containing Diamonds Only	Aggregate Wholesale Cost
Below \$100 Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>
\$100 or more but less than \$500 Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>
\$500 or more but less than \$5,000 Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>
\$5,000 or more Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>

**DIAMOND DECORATED WATCHES**

Please provide the brand, model, number of watches purchased, and the total number of diamonds on each watch OR the total carat weight of the diamonds during the two years of your choosing. Use separate sheets if necessary.

Pavé Watches						
Brand	Model	Wholesale Price	Number of Watches	Number of Diamonds	OR	Total Carat Weight
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				

Non-Pavé Watches - Less than \$1,500 Wholesale Cost Each Watch						
Brand	Model	Wholesale Price	Number of Watches	Number of Diamonds	OR	Total Carat Weight
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				

Non-Pavé Watches - More than \$1,500 Wholesale Cost Each Watch						
Brand	Model	Wholesale Price	Number of Watches	Number of Diamonds	OR	Total Carat Weight
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				

**OTHER DIAMOND DECORATED PRODUCTS**

Please enter the product description (pen, doll, accessory), brand name (MontBlanc, Chanel, etc.), the quantity of the product purchased, the wholesale price, and the "4 Cs" of the diamonds within the product. Please use separate sheets if necessary.

Product Description	Brand Name	Wholesale Price	Quantity of Product	Cut	Color	Clarity	Carat Weight
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>					
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>					



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YEAR 2 - YEAR: \_\_\_\_\_

Item	Aggregate Dollar Amount of Diamond Purchases at Wholesale Cost Paid
Rough Diamonds	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>
Polished Diamonds	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>

**DIAMOND JEWELRY**

Mixed Diamonds and Gemstones	Aggregate Wholesale Cost
Below \$100 Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>
\$100 or more Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>

Jewelry Containing Diamonds Only	Aggregate Wholesale Cost
Below \$100 Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>
\$100 or more but less than \$500 Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>
\$500 or more but less than \$5,000 Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>
\$5,000 or more Wholesale Cost Per Piece	\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>

**DIAMOND DECORATED WATCHES**

Please provide the brand, model, number of watches purchased, and the total number of diamonds on each watch OR the total carat weight of the diamonds during the two years of your choosing. Use separate sheets if necessary.

Pavé Watches						
Brand	Model	Wholesale Price	Number of Watches	Number of Diamonds	OR	Total Carat Weight
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				

Non-Pavé Watches - Less than \$1,500 Wholesale Cost Each Watch						
Brand	Model	Wholesale Price	Number of Watches	Number of Diamonds	OR	Total Carat Weight
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				

Non-Pavé Watches - More than \$1,500 Wholesale Cost Each Watch						
Brand	Model	Wholesale Price	Number of Watches	Number of Diamonds	OR	Total Carat Weight
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>				

**OTHER DIAMOND DECORATED PRODUCTS**

Please enter the product description (pen, doll, accessory), brand name (MontBlanc, Chanel, etc.), the quantity of the product purchased, the wholesale price, and the "4 Cs" of the diamonds within the product. Please use separate sheets if necessary.

Product Description	Brand Name	Wholesale Price	Quantity of Product	Cut	Color	Clarity	Carat Weight
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>					
		\$ <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/> , <input type="text"/> <input type="text"/> <input type="text"/>					



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NOTE: Your claim will be adjusted to reflect the years during the Class Period in which you were in business and were an Indirect Purchaser of diamond products for resale. For example, if you were in the business of selling diamond products for resale for only 5 years of the 12 year Class Period, your claim would be reduced proportionately.

If you have been in the business of reselling diamond products and purchased diamonds indirectly from De Beers or its competitors for every year of the Class Period (January 1994 through March 2006) in some quantity, check this box.

**OR**

If you did not purchase diamond products each year of the Class Period, please list the years you did purchase diamond products indirectly from De Beers or its competitors in the space provided:\* \_\_\_\_\_

\* If you were a Sightholder of De Beers during the Class Period, you may submit a claim for indirect purchases (e.g., purchases not made directly from De Beers or its competitors). Review the Direct Purchaser Notice to see if you qualify to submit a claim against the Direct Purchaser Settlement Fund.

If you need more space for any part of this Claim Form, attach separate sheets providing the required information. You may download additional pages at the website [www.diamondsclassaction.com](http://www.diamondsclassaction.com). Be sure to sign and print or type your name on each additional sheet.

**PART 3: JURISDICTION OF THE COURT**

By signing below, you hereby swear and affirm under the penalty of perjury that: (1) you have authority to submit this Claim Form either directly on behalf of the Subclass Member or as its Authorized Agent, and, in turn, have been given the authority to submit this Claim Form by each Subclass Member identified in this Claim Form and in any attachments to it, and to receive on behalf of each such Subclass Member any and all amounts that may be allocated from the Indirect Purchaser Settlement Fund; (2) the information contained in this Claim Form and any attachments is true and accurate, based on records maintained by or otherwise available to you and that you will supplement this Proof of Claim by furnishing documentary support upon request of the Claims Administrator, Counsel or the Court; (3) you, the Authorized Agent (if any), and the Subclass Member on whose behalf this Claim Form is submitted, hereby submit to the jurisdiction of the United States District Court for the District of New Jersey (the "Court") for all purposes associated with this Claim Form and the Settlement, including resolution of disputes relating to this Claim Form; and (4) in the event that amounts from the Indirect Purchaser Settlement Fund are distributed to an agent of a Subclass Member, and the Subclass Member later claims that the agent did not have the authority to claim and receive such amounts on its behalf, you will hold the Class, Counsel for the Class, Defendants, Counsel for Defendants, and the Claims Administrator harmless with respect to any claims made by the Subclass Member.

**PART 4: RELEASE**

All Class Members who did not opt out from the Class are releasing all claims, known and unknown, that were or could have been asserted against the Defendants in the class action lawsuit being settled (De Beers, S.A., De Beers Consolidated Mines, Ltd., De Beers A.G., DB Investments, Inc., Diamond Trading Company, Ltd., CSO Valuations A.G., Central Selling Organization, Central Holdings, Ltd., and De Beers Centenary A.G. and various related parties) arising from or relating to the facts alleged in that action, and waiving all rights that they may have under California Civil Code 1542 and any similar statutes. Please refer to the Notice of Class Action Settlement or the Amended Settlement Agreement for a more complete description of the scope of the released claims. A copy of the Notice and the Amended Settlement Agreement may be obtained at [www.diamondsclassaction.com](http://www.diamondsclassaction.com).

**PART 5: CERTIFICATION**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information regarding this claim is true and correct and that this Proof of Claim and Release form was executed this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_ in \_\_\_\_\_  
\_\_\_\_\_  
(city / state / country)

(Sign your name here)

(Print or type your Company name here)

(Print or type your name here)

(Capacity of person signing, e.g. President, Partner)





**ACCURATE PROCESSING OF CLAIMS MAY TAKE SIGNIFICANT TIME.  
THANK YOU, IN ADVANCE, FOR YOUR PATIENCE.**

**Important Note:**

The distribution to all eligible claimants, once all claim amounts have been verified, will be *pro rata*, that is, each claimant's payment amount will be computed in proportion to the totality of all of the claims being paid. In the event that a substantial number (by number or purchase volume) of Reseller Subclass Members file claims, the actual payout of settlement proceeds to any eligible claimant will be a small fraction of the dollar volume of the claimant's total purchases. There is also the possibility that some claims will result in payments of under \$25.00 which are too small to process because of the administrative cost of distributing checks. Those claimants will not receive any payment. In advance of the completion of the claims processing, there is no way to inform Subclass Members how much, if any, of the settlement proceeds they will receive.

**CHECKLIST**

Before submitting your claim, please make sure you have:

1. Signed the Certification.
2. If you are sending documents supporting your claim, sent only copies. Retain your original documents supporting your claim.
3. Kept a copy of the completed Proof of Claim for your records.
4. Sent your Proof of Claim by Certified Mail (return receipt requested) if you want proof that your claim was received.
5. Submitted your claim AND release **postmarked on or before May 19, 2008.**

If you have any questions concerning the plan or the Claim Form, or if you change your address, please contact:

Diamonds Claims Administrator  
P.O. Box 9432  
Minneapolis, MN 55440-9432

Phone: (800) 760-5431  
Website: [www.diamondsclassaction.com](http://www.diamondsclassaction.com)



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**CORRECTED PROOF OF CLAIM**

Diamonds Claims Administrator  
P.O. Box 9432  
Minneapolis, MN 55440

PRESORTED  
FIRST-CLASS MAIL  
US POSTAGE PAID  
SO. FLORIDA, FL  
PERMIT NO. 1264