

Exhibit D

If you were affected by the derailment of Norfolk Southern Train 32N on February 3, 2023, including the February 6, 2023 “vent and burn”, please read this summary notice *carefully* – your rights are affected

What is this notice about?

A proposed Settlement has been reached in a class action lawsuit concerning the derailment of Norfolk Southern Train 32N in East Palestine, Ohio, on February 3, 2023, including the February 6, 2023 “vent and burn” (the “Incident”). Plaintiffs claim that Norfolk Southern caused the Incident and, as a result, Plaintiffs claim they suffered certain economic and non-economic losses, including real property damage, personal property damage, displacement expenses, increased risk of diseases, lost wages, loss of business income, emotional distress, disruption, inconvenience, loss of use and enjoyment of property, and loss of goodwill. Norfolk Southern denies the claims asserted in the lawsuit and denies any wrongdoing, including that it violated any law.

Who is a Class Member?

If you lived, worked, owned property, or owned or operated a business within 20 miles of the derailment site in East Palestine, Ohio, from February 3, 2023, to April 26, 2024, you are a Class Member. A list of eligible addresses can be found at the website below.

What does the Settlement provide?

The Settlement provides a \$600 million Settlement Fund to make cash payments to eligible Class Members and for Court-approved payments for settlement administration, attorneys’ fees and expenses, and class representative awards. Filing a claim will allow Class Members to receive money under the Settlement, if it is approved by the Court. Awards from the Settlement Fund will be based on a Court-approved formula that takes into account a number of factors, including geographic location, household size, and length of displacement. Individual Class Members who were physically present within 10 miles from the derailment site and decide to participate may also receive additional Court-approved payments in exchange for releases of past, present, and future personal injury claims arising out of the Incident. Class Members that are businesses may apply for itemized compensation of actual net business losses. You do not need to hire a lawyer to participate in the Settlement.

How can I receive a payment?

The only way to qualify for a payment is to timely submit a Claim Form. Notices with Claim Forms attached have been mailed to Class Members. You can also obtain a claim form on the website below, by calling 1-833-425-3400, or by writing to:

In re: East Palestine Train Derailment Settlement
c/o Kroll Settlement Administration LLC
PO Box 5324
New York, NY 10150-5324

The deadline to file your Claim Form is August 22, 2024.

What are my rights?

You may exclude yourself from being bound by the decisions the Court makes concerning the Settlement by timely filing a valid notice of exclusion (“opt out”) with the Settlement Administrator. Alternatively, Class Members who wish to participate in the Settlement but do not like all or part of the Settlement terms can object to the Settlement. To object, you must send a letter to the Settlement Administrator explaining the specific factual and legal reasons why the Settlement should not be approved. The Notice and the website contain specific instructions you must follow to opt out or object. **The deadline to file an opt out or objection is June 24, 2024.** If you do nothing, you will be bound by the terms of the Settlement, but will not receive any payment from the Settlement.

The Court will hold a Final Approval Hearing on September 25, 2024, at 10:00 a.m. at the Thomas D. Lambros Federal Building and United States Courthouse, 125 Market Street, Youngstown, Ohio 44503 to: (a) consider whether the proposed settlement is fair, reasonable, and adequate; and (b) decide the plaintiffs’ lawyers’ request for fees of up to 27% of the gross settlement value (\$162,000,000), costs of notice and administration and case-related expenses of up to 3% of the gross settlement value (\$18,000,000), and a \$15,000 award to each of the class representatives. The motion for attorneys’ fees and costs will be posted on the website after it is filed. You may appear at the hearing, but you are not required to and you may hire an attorney to appear for you, at your own expense.

This is only a summary.

For additional information including the Claim Form, the Settlement Agreement, how to file a claim, opt out or objection, and Frequently Asked Questions call 1-833-425-3400, or visit www.EastPalestineTrainSettlement.com.