

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

Civil Docket No. 3:12-cv-00456-MOC-DSC
(Consolidated with No. 3:12-cv-00474 and No. 3:12-cv-00624)

MAURINE NIEMAN, et al.,
Plaintiffs,

v.

DUKE ENERGY CORPORATION, et al.,
Defendants.

CLASS ACTION

**SUMMARY NOTICE OF PENDENCY AND PROPOSED SETTLEMENT OF CLASS ACTION,
MOTION FOR ATTORNEYS' FEES AND EXPENSES AND FINAL APPROVAL HEARING**

TO: ALL PERSONS WHO PURCHASED OR ACQUIRED SHARES OF DUKE ENERGY CORPORATION ("DUKE") COMMON STOCK BETWEEN JUNE 11, 2012 AND JULY 9, 2012, INCLUSIVE, INCLUDING FORMER PROGRESS ENERGY INC. ("PROGRESS") SHAREHOLDERS WHO ACQUIRED SHARES OF DUKE COMMON STOCK DIRECTLY IN THE MERGER OF DUKE AND PROGRESS (THE "SETTLEMENT CLASS")

Please read this Notice carefully. Your rights will be affected by the Settlement of a class action lawsuit.

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and Order of the United States District Court for the Western District of North Carolina, that the above-captioned action has been certified as a class action for purposes of settlement only and that a settlement for \$146,250,000 in cash has been reached. A hearing will be held before the Honorable Max O. Cogburn Jr. in the United States District Court for the Western District of North Carolina, United States Courthouse, Charles R. Jonas Federal Building, 401 West Trade Street, Charlotte, NC 28202, at 9:30 a.m., on August 12, 2015, to determine: (1) whether the proposed Settlement for \$146,250,000 in cash should be approved as fair, reasonable and adequate; (2) whether the Action should be dismissed with prejudice against the Settling Defendants, and the releases specified and described in the Stipulation of Settlement dated March 5, 2015 should be granted; (3) whether the Plan of Allocation of settlement proceeds should be approved as fair, reasonable and adequate; (4) whether Lead Counsel's application for an award of attorneys' fees and Litigation Expenses should be approved; and (5) whether Lead Plaintiffs' application for reimbursement of costs and expenses (including lost wages) in connection with their representation of the Settlement Class should be approved.

IF YOU ARE A MEMBER OF THE SETTLEMENT CLASS DESCRIBED ABOVE, YOUR RIGHTS WILL BE AFFECTED AND YOU MAY BE ENTITLED TO SHARE IN THE SETTLEMENT FUND. If you have not yet received the full printed Notice of Pendency and Proposed Settlement of Class Action, Motion for Attorneys' Fees and Expenses and Final Approval Hearing (the "Notice") and Proof of Claim and Release Form ("Proof of Claim"), you may obtain copies of these documents by contacting the Claims Administrator at *Duke Energy Corp. Securities Litigation Settlement*, c/o Gilardi & Co. LLC, Claims Administrator, P.O. Box 990, Corte Madera, CA 94976-0990, (888) 287-5302. Copies of the Notice and Proof of Claim can also be downloaded from the settlement website, www.dukesecuritiessettlement.com.

If you are a Settlement Class Member, in order to be eligible to receive a payment under the Settlement, you must submit a Proof of Claim by mail *postmarked no later than July 13, 2015* or *submitted electronically no later than July 13, 2015*. If you are a Settlement Class Member and do not submit a proper Proof of Claim, you will not be eligible to share in the distribution of the net proceeds of the Settlement but you will nevertheless be bound by any judgments entered by the Court in this litigation.

If you are a Settlement Class Member, you have the right to object to the Settlement, the Plan of Allocation of settlement proceeds, the request by Lead Counsel for an award of attorneys' fees and Litigation Expenses; and/or the request by Lead Plaintiffs for reimbursement of costs and expenses in connection with their representation of the Settlement Class. Any objections must be filed with the Court and delivered to Lead Counsel and Settling Defendants' Counsel such that they are *received no later than June 8, 2015*, in accordance with the instructions set forth in the Notice. If you are a Settlement Class Member, you also have the right to exclude yourself from the Settlement Class. Requests for exclusion must be submitted to the Claims Administrator such that they are *received no later than June 8, 2015*, in accordance with the instructions set forth in the Notice.

PLEASE DO NOT CONTACT THE COURT OR THE CLERK'S OFFICE REGARDING THIS NOTICE. Inquiries, other than requests for the forms of the Notice and Proof of Claim, may be made to Lead Counsel:

Rick Nelson
Shareholder Relations
**ROBBINS GELLER RUDMAN
& DOWD LLP**
655 West Broadway, Suite 1900
San Diego, CA 92101
(800) 449-4900

Eli R. Greenstein, Esq.
Stacey M. Kaplan, Esq.
**KESSLER TOPAZ MELTZER
& CHECK, LLP**
One Sansome Street, Suite 1850
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(415) 400-3000

Further information may also be obtained by directing your inquiry to the Claims Administrator, Gilardi & Co. LLC, at the address and toll-free number listed above.

PLEASE DO NOT CONTACT THE COURT OR THE CLERK'S OFFICE REGARDING THIS NOTICE.

By Order of the Court