

## Judge OKs \$7.2M settlement in tractor-fluid class action

By: Scott Lauck [scott.lauck@molawyersmedia.com](mailto:scott.lauck@molawyersmedia.com) August 31, 2022

A federal judge in Kansas City gave final approval to a \$7.2 million class-action settlement on claims that a brand of tractor hydraulic fluid was deceptively and misleadingly labeled.

The settlement finalized in January with several retailers is part of a series of so-called "303" tractor hydraulic fluid, or THF, cases that have yielded more than \$45 million in recoveries over the last three years.

THF is used as a lubricant for farming, construction and logging equipment. The series of cases involves manufacturers that produced and retailers that sold THF labeled as 303 in stores across the country. According to the lawsuits, the "303" designation was discontinued in the 1970s after the use of sperm whale oil — a main ingredient in the original 303 formulation — was outlawed.

The suits allege that the fluids, often sold in bright yellow buckets, contain inappropriate materials and can cause increased wear and damage to equipment. The defendants in the cases have denied those claims.

The January settlement resolved a portion of the claims in multidistrict litigation based in the U.S. District Court for the Western District of Missouri. Tractor Supply Company, Orscheln Farm and Home LLC, Rural King and Atwood, who sold the allegedly faulty fluids manufactured by Smitty's Supply Inc. and CAM2 International LLP. The claims against those manufacturers remain pending.



The suit alleged that the retailers who sold those fluids had violated state consumer laws and common-law protections, though in a motion seeking approval of the settlement, attorneys for the plaintiffs said they "acknowledge that the primarily responsible parties, the Manufacturer Defendants, did not appear to provide accurate or truthful information to the Retailer Defendants about the 303 THF Products." The defendants denied any wrongdoing but agreed to the settlement to avoid further litigation.

The settlement follows a \$19 million settlement reached in 2020 with CITGO and Orscheln Farm and Home based on its Missouri sales, as well as an \$8.5 million settlement with O'Reilly Auto Parts finalized in 2021.

In addition, a federal judge gave preliminary approval on July 26 to a \$10.875 million settlement with Warren Oil Company and Genuine Parts Company, better known as NAPA. That settlement has a final hearing date of Feb. 9, 2023.

**RELATED: [Click to search for and submit your Verdicts & Settlements](#)**

---

### \$7.2 million settlement

#### Consumer Law

Venue: U.S. District Court for the Western District of Missouri

Case Number/Date: 4:20-md-02936/Jan. 6, 2022

We use cookies on our website to give you the most relevant experience by remembering your preferences and repeat visits. By clicking "Accept All", you consent to the use of ALL the cookies. However, you may visit "Cookie Settings" to provide a controlled consent.

[Cookie Settings](#)

[Accept All](#)

Plaintiffs' Attorneys: Tom Bender and Dirk Hubbard, Horn, Aylward & Bandy, Kansas City; Bryan White, Gene Graham and William Carr, White, Graham, Buckley & Carr, Independence; Clayton Jones, Raymore; Tricia Campbell, Langdon & Emison, Lexington; Athena Dickson, Siro Smith Dickson, Kansas City; Jon D. Robinson and Zachary T. Anderson, Bolen Robinson & Ellis, Decatur, Illinois; John G. Emerson, Emerson Firm, Houston, Texas; Mark. P. Bryant, Bryant Law Center, Paducah, Kentucky; Christopher D. Jennings, Johnson Firm, Little Rock, Arkansas; Stephen R. Basser; Barrack, Rodos & Bacine, San Diego, California; Paul D. Lundberg, Lundberg Law Firm, Sioux City, Iowa; Travis A. Griffith, Griffith Law Center, Charleston, West Virginia; James E. Malters, Malters, Shepher & Von Holtum, Worthington, Minnesota

Defendants' Attorneys: Nikki Cannezzaro, Franke, Schultz & Mullen, Kansas City; Joseph R. Swift, Baker, Sterchi, Cowden & Rice, St. Louis



Tweet
Share 1
Email
Share
Print

Tagged with: CONSUMER LAW VS


RELATED POSTS

Motorcyclist recovers for thumb injury that never fully healed  
 ⌚ September 1, 2022

Couple's concussions from crash lead to settlements  
 ⌚ August 31, 2022

Man settles with insurer for \$1M after head-on collision  
 ⌚ August 30, 2022

Hospital prevails on claim of woman's wrongful death  
 ⌚ August 30, 2022

 Lack of coverage for injured worker leads to settlement with agent  
 ⌚ August 29, 2022

Shot janitor gets mixed verdict against apartment management  
 ⌚ August 25, 2022

We use cookies on our website to give you the most relevant experience by remembering your preferences and repeat visits. By clicking "Accept All", you consent to the use of ALL the cookies. However, you may visit "Cookie Settings" to provide a controlled consent.

Cookie Settings
Accept All