

LEGAL NOTICE

You may be entitled to benefits from a class action settlement if: (a) you have owned or occupied at any time since January 1, 2005, a residential or commercial structure in the United States that contains or contained NIBCO's PEX Tubing, Fittings or Clamps and have unreimbursed costs or damages resulting from water leaking from one of these products, or (b) you have repaired or paid to repair damage resulting from water leaking from one of these products in one of these structures.

A proposed settlement has been preliminarily approved by the Court in a class action lawsuit filed against Defendant NIBCO Inc. alleging that NIBCO's PEX Tubing, Fittings and Clamps (the "Covered Products") are defective and can leak and cause water damage. NIBCO denies the allegations and denies that there is anything wrong with the Covered Products. The Covered Products include:

- Tubing: PEX tubing manufactured or sold by NIBCO in the United States using (or labeled by NIBCO as using) its 1006 formulation and used in residential or commercial structures, including NIBCO NEXT-Pure Tubing, NIBCO DURA-PEX Tubing, and NIBCO PEX. The Tubing was manufactured until 2012.
- Fittings: ASTM F1807 yellow brass fittings manufactured or sold by NIBCO in the United States for use in PEX applications and used in residential or commercial structures. NIBCO stopped manufacturing this product in 2015, though the significant majority had been manufactured and sold by the end of 2012.
- Clamps: Stainless steel clamps manufactured or sold by NIBCO in the United States for use in PEX applications and used in residential or commercial structures. NIBCO stopped manufacturing this product in 2015, though the significant majority had been manufactured and sold by the end of 2012.

Who's included in the Settlement Class? The Settlement Class is defined as "All Persons that own or have owned at any time since January 1, 2005, a residential or commercial structure in the United States that contains or contained NIBCO's Tubing, Fittings, or Clamps, including their spouses, joint owners, heirs, executors, administrators, mortgagees, tenants, creditors, lenders, predecessors, successors, trusts and trustees, and assigns ("Occupant Persons"); as well as all Persons who have standing and are entitled to assert a claim on behalf of any such Occupant Persons, such as but not limited to a builder, contractor, distributor, seller, subrogated insurance carrier, or other Person who has claims for contribution, indemnity or otherwise against NIBCO based on claims for Qualifying Leaks of the Tubing, Fittings, or Clamps with respect to such residential or commercial structures. The Settlement Class includes all Persons who subsequently purchase or otherwise obtain an interest in a property covered by this Settlement without the need of a formal assignment by contract or court order." There are exclusions that apply and that are listed in the Settlement Agreement and on the Settlement Website, www.pexsystemsettlement.com.

What benefits does the Settlement provide? A Settlement Fund of up to \$43.5 million will be established that will provide benefits to Settlement Class Members, pay attorneys' fees and costs, settlement administration costs, and any service awards to the named plaintiffs. Payments to eligible Settlement Class Members who submit a valid and timely Claim Form may include:

1. Payment for Past Property Damage Claims for Qualifying Leaks that occurred between January 1, 2005 and the Effective Date are eligible for a payment between 25% and 70% of their Reasonably Proven Property Damage.
2. Payment for Future Property Damage Claims for Qualifying Leaks that occur during the Claim Period (after the Effective Date) are eligible for a payment of between 25% and 70% of their Reasonably Proven Property Damage.
3. An optional re-plumb payment covering between 25% and 70% of the cost for those who demonstrate three (3) or more Qualifying Leaks, each one occurring at a separate time after repair and in such a manner that re-plumbing all or part of the structure would mitigate future events.

How do I receive Settlement benefits? You must submit a valid and timely Claim Form to the Settlement Administrator. If the Qualifying Leak occurred between January 1, 2005 and the Effective Date, the deadline for submitting a Claim Form is 150 days after the Effective Date. If the Qualifying Leak occurs during the Claim Period and after the Effective Date, the deadline for submitting a

Claim Form is 150 days after the Qualifying Leak occurs. If three (3) or more Qualifying Leaks are experienced, the deadline for submitting a re-plumb claim is 150 days after the Effective Date if the leaks were experienced before the Effective Date or 150 days after the third Qualifying Leak occurs if such third leak occurs after the Effective Date. You can download a Claim Form at www.pexsystemsettlement.com and submit it via the Settlement Website or by mailing it to the Settlement Administrator at: PEX System Settlement, ATTN: CLAIMS, PO Box 58086, 1500 JFK Boulevard Suite C31, Philadelphia, PA 19102.

Who represents me? The Court appointed Berger Montague PC and Sauder Schelkopf LLC as Co-Lead Class Counsel to represent the Settlement Class. You do not have to pay Class Counsel. If you wish to be represented by your own lawyer, you may hire one at your own expense.

Your options. If you are included in the Settlement Class and do not submit a Claim Form, your rights will be affected and you will not receive any payment from this Settlement. If you do not want to be legally bound by the Settlement, you must exclude yourself by February 27, 2019, following the instructions in the Notice of Class Action Settlement available at www.pexsystemsettlement.com or you won't be able to sue, or continue to sue, NIBCO about the legal claims resolved by the Settlement. If you do not exclude yourself, you may object to the Settlement by submitting a written objection by February 27, 2019, following the instructions in the Notice of Class Action Settlement available at www.pexsystemsettlement.com.

The Final Approval Hearing. The Court will hold a Final Approval Hearing on April 8, 2019 to decide whether to approve the Settlement, award Class Counsel attorneys' fees up to 29.885% of the Settlement Fund and reasonable expenses, and award the Class Representatives any requested service awards. If approved, these amounts, as well as all settlement administration costs, will be paid from the \$43.5 Million Settlement Fund.

Want More Information? Call 1-855-649-5968, go to www.pexsystemsettlement.com, or write to PEX System Settlement, ATTN: CLAIMS, PO Box 58086, 1500 JFK Boulevard Suite C31, Philadelphia, PA 19102.

Call Toll-Free 1-855-649-5968

www.pexsystemsettlement.com