

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

A court authorized this notice. This is not a solicitation from a lawyer.

If you bought Viega ProPress® copper press fittings from a wholesale distributor between January 29, 2015 and September 18, 2020, you may have overpaid and you could get money from a class action settlement.

Please read this notice carefully. Your legal rights will be affected, and you have a choice to make now.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS		DEADLINE
Submit a Claim Form Or Future Rebate Form	A claim form is the only way to get a settlement payment. A rebate form is the only way to get a rebate.	Claim Form – December 15, 2020 Rebate Form – Check website for deadline and updates.
Exclude Yourself	Get no payment or rebate. This is the only option that allows you to keep your right to bring any other lawsuit against Viega for claims related to this case.	November 30, 2020
Object To The Settlement / Attend a Hearing	You can write the Court about why you like or do not like the Settlement. You can't ask the Court to order a larger settlement. You can also ask to speak to the Court at the hearing on December 17, 2020 about the fairness of the Settlement, with or without your own attorney.	November 30, 2020
Do Nothing	Get no payment or rebate. Give up rights.	No Deadline

- These rights and options—**and the deadlines to exercise them**—are explained in this notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Payments and rebates will be made if the Court approves the Settlement and after any appeals are resolved.

1. Why did I get this notice?

A Court authorized this notice to let people affected by the settlement know about a \$15 million settlement. If you qualify, you could be eligible to receive a settlement payment or rebate. **To know if you qualify, see the answer to Question 4.**

2. What is this lawsuit about and why is there a settlement?

Plaintiffs who filed the lawsuit claim that Viega LLC made wholesaler/distributor access to its carbon steel press fittings contingent upon distributor agreements not to sell Viega's competitors' copper press fittings and charged higher prices to distributors that stocked competitor press fittings. Plaintiffs alleged this caused plumbers to pay inflated prices for Viega ProPress® copper press fittings. Viega denies all of the allegations, denies that it acted improperly or that its actions were unlawful or harmed anyone, and has asserted many defenses. The settlement was reached to resolve the dispute, and is not an admission of wrongdoing or an indication that any law was violated.

Questions? Call 1-866-977-1135 or visit www.PressFittingsSettlement.com

3. What is a Class Action?

In a class action the Plaintiffs act as “class representatives” and sue for themselves and other people who have similar claims. This group is called the “class,” and the people in the class are called “class members.” In a class action, one court resolves the issues for all class members. Judge Christopher C. Conner of the U.S. District Court for the Middle District of Pennsylvania is in charge of this case. The case is *Al’s Discount Plumbing LLC et al. v. Viega LLC*, No. 1:19-cv-00159 (M.D. Pa.).

4. Who is in the Settlement?

To get the benefits of the settlement, you have to be a Class Member. You *are* a Class Member if you indirectly purchased Viega ProPress® copper press fittings from a wholesale distributor in the United States between January 29, 2015 and September 18, 2020. You *are not* a Class Member if you did not purchase any Viega ProPress® copper press fittings in that time period, are employed by Viega, or if you purchased Viega ProPress® copper press fittings directly from Viega.

THE SETTLEMENT BENEFITS

5. What does the Settlement provide?

Viega will pay \$10 million into a Settlement Fund and provide up to \$5 million in future rebates. After deductions for attorneys’ fees, litigation costs, and other expenses (**see Question 11**), the Net Settlement Fund and future rebates will be distributed to Class Members whose principal places of business is in, or purchased from wholesale distributors located within eligible states (AL, AZ, CA, CT, IA, KS, MA, MI, MN, MS, NC, ND, NE, NH, NM, NV, NY, OR, RI, SD, TN, UT, VT, WI, WV, and the District of Columbia) who submit valid claim forms and rebate forms. Payments from the Cash Settlement Fund to Class Members in an amount up to 25% of their total eligible purchases— see the **Plan of Allocation** for details. Payments from the Rebate Program to Class Members located in or who made purchases in these states also will vary based on future amounts purchased, but are capped at \$500 – see **Rebate Claim Form**. Class Members in all 50 states also benefit as Viega has agreed to change, across the U.S., certain pricing policies that formed the basis for plaintiffs’ claims, but which Viega denied were unlawful or caused any harm.

6. How much money can I get from the Settlement?

The amount you actually get will depend on how many Viega ProPress® copper press fittings you purchased, how many claim forms and rebate forms are submitted, and how much the Court awards in fees, costs, and expenses.

7. What am I giving up if I stay in the Class?

Unless you exclude yourself (**see Question 12**), you *cannot* sue, continue to sue, or be part of any other lawsuit against Viega about the issues in this case. The “Release of Claims” in the Settlement Agreement describes the legal claims that you give up if you remain in the Class. Go to www.PressFittingsSettlement.com to see the Settlement Agreement.

HOW TO GET A PAYMENT OR REBATE

8. How can I get a payment from the Settlement Fund or Rebate Program?

To get a cash payment from the Net Cash Settlement Fund, you need to file a Claim Form, and submit proof of the amount and prices paid for your purchases of Viega ProPress® copper press fittings. For purchases made between January 1, 2015 and September 18, 2020, **Claim Forms for payments from the Settlement Fund are due by December 15, 2020**. You may also be eligible to participate in the Rebate Program by submitting a Rebate Claim Form with proof of purchase of at least one (1) Viega ProPress® copper press fitting between January 1, 2015 and September 18, 2020 to receive a rebate for future purchases for the one-year period following final settlement approval. Viega will provide email notice about the Rebate Program,

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and the time within which to submit Rebate Claim Forms, to Class Members who submit Claim Forms for settlement funds. The settlement website also will be updated with this information. If you need a Claim Form or Rebate Claim Form, call 1-866-977-1135 or visit www.PressFittingsSettlement.com.

9. When will I get my payment?

The Court will hold a hearing on **December 17, 2020**, to decide whether to approve the Settlement. If the Court approves the Settlement, there still may be appeals of that decision. It is hard to estimate how long it might take for any appeals to be resolved. If the Settlement is approved and no appeals are filed, the Claims Administrator anticipates that payments from the Settlement Fund will be sent out within 120 days. Payments from the Rebate Program will be sent out within 120 days of the completion of that program in 2022. Updates regarding the Settlement and when payments will be made will be posted on the Settlement website, www.PressFittingsSettlement.com.

THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in the case?

Yes. The Court appointed the law firms of Pritzker Levine LLP, Wolf Haldenstein Adler Freeman & Herz LLP, Zwerling, Schachter & Zwerling, LLP, and Obermayer Rebmann Maxwell & Hippel, LLP, to represent you and the other Class Members. These firms are called Interim Class Counsel. You will not be charged for their services.

You do not need to hire your own lawyer because Interim Class Counsel is working on your behalf. If you want your own lawyer, you may hire one, but you will be responsible for any payment for that lawyer's services.

11. How will the lawyers be paid?

Interim Class Counsel will seek an award of attorneys' fees and litigation costs out of the Settlement Fund. The fees will compensate Interim Class Counsel for investigating the facts, litigating the case, and negotiating and administering the Settlement. Interim Class Counsel's attorneys' fees and litigation expenses will not exceed \$4.5 million. Interim Class Counsel will also ask the Court to approve service awards of \$2,000 to each class representative. Finally, the costs of providing this notice and administering the Settlement are being paid from the Settlement Fund.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want benefits from the Settlement, and you want to keep your right, if any, to sue Viega on your own about the legal issues in this case, then you must take steps to get out of the Settlement. This is called "opting out" of the Class.

12. How do I get out of the Settlement?

You may opt out of the Settlement by **November 30, 2020** at www.PressFittingsSettlement.com. Click on the "Opt Out" tab and fill out the requested information. You may also opt out by sending a letter that includes your name and address, a statement that you want to be excluded from the Settlement, and your signature to: Opt Out, Copper Press Fittings Settlement, P.O. Box 3968, Portland, OR 97208-3968. Mailed opt-out requests must be postmarked by **November 30, 2020**.

If you opt out of the Settlement, you won't receive any payment as part of the Settlement. You won't be bound by further orders or judgments in this case. You keep the right, if any, to sue on the claims alleged in the case at your own expense.

COMMENTING ON OR OBJECTING TO THE SETTLEMENT

13. How do I tell the Court if I like or don't like the Settlement?

If you're a Class Member *and* do not exclude yourself or opt out, you can comment on or object to the
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Settlement. To comment on or object to the Settlement, you must file a written document with the Court saying that you object to the proposed Settlement in *Al's Discount Plumbing LLC et al. v. Viega LLC*, No. 1:19-cv-00159. Include your name, address, signature, and a detailed statement of your objection, including the grounds for the objection and any evidence you think supports it. You must identify your counsel if you are represented, and list other class actions to which you have objected, if any. Your written objection can be mailed by First Class U.S. Mail, and *must be postmarked* no later than **November 30, 2020** to the following address: Clerk of the Court, U.S. District Court for the Middle District of Pennsylvania, 228 Walnut Street, P.O. Box 983, Harrisburg, PA 17108, Case No. 1:19-cv-00159. Or, you can personally deliver it to this address or file it electronically at <https://ecf.pamd.uscourts.gov>, but you *must* do so no later than **November 30, 2020**.

14. What's the difference between objecting and opting out of the Settlement?

Objecting is telling the Court that you don't like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is opting out and telling the Court that you don't want to be part of the Settlement. If you opt out of the Settlement, you cannot object to it because it no longer affects you. You cannot both opt out *and* object to the Settlement.

THE COURT'S FAIRNESS HEARING

15. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Fairness Hearing at **11:00a.m. (Eastern Time) on December 17, 2020** at the Ronald Reagan Federal Bldg. & U.S. Courthouse, 228 Walnut Street, Harrisburg, PA 17101. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them, and listen to people who have asked to speak at the hearing. The Court may also decide how much to pay to Interim Class Counsel in fees and expenses.

The Court may reschedule the Fairness Hearing, convert the hearing to a telephonic or video conference proceeding, or change any of the deadlines described in this notice. Please check the website, www.PressFittingsSettlement.com, for news of any such changes.

You do not need to come to the Fairness Hearing. Interim Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary. You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must include a statement in your written objection (discussed above at **Question 13**) that you intend to appear at the hearing. You cannot speak at the hearing if you exclude yourself from (or "opt out" of) the Class.

IF I DO NOTHING

16. What happens if I do nothing at all?

If you do nothing, you'll be a member of the Settlement Class, you'll get no money from this Settlement, and you won't be able to sue Defendants for the conduct alleged in this case.

GETTING MORE INFORMATION

This notice summarizes the proposed Settlement—more details are in the Settlement Agreement, the Plan of Allocation, and other important case documents. You may review these documents, or obtain more information, by visiting www.PressFittingsSettlement.com, or by call 1-866-977-1135.

PLEASE DO NOT CONTACT THE COURT, THE CLERK OF THE COURT, OR VIEGA LLC REGARDING THIS NOTICE.

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