

If You Indirectly Purchased Ductile Iron Pipe Fittings between January 11, 2008, and December 31, 2013, You Could Be Affected by a Proposed Class Action Settlement

Please read the entire Notice carefully, as this Settlement may affect your rights.

What Is This Lawsuit About?

Plaintiffs – indirect purchasers of Ductile Iron Pipe Fittings (“DIPF”) between January 11, 2008 and December 31, 2013 – filed a class action lawsuit against Defendants – McWane, Inc., SIGMA Corporation, and Star Pipe Products, Ltd. – claiming that they paid more for DIPF and Domestic DIPF sold by Defendants than they should have because of Defendants’ alleged violations of federal and state antitrust laws and state consumer protection laws. In a class action, one or more persons or entities brings a lawsuit on behalf of everyone harmed in the same way by Defendants’ conduct. An *indirect purchase* is a purchase of DIPF from someone other than the Defendants, such as a distributor or other middleman. Purchases of DIPF made *directly* from one or more of the Defendants are not part of this lawsuit. A more complete description of the claims alleged in the lawsuit can be found at www.DIPFIndirectSettlement.com.

Why Is There A Proposed Settlement With McWane?

Plaintiffs and McWane agreed to the Settlement to avoid the cost and risk of a trial. McWane has denied all liability and wrongdoing in this case and has asserted various defenses to Plaintiffs’ claims. The Court has not decided in favor of the Plaintiffs or McWane.

What Does The Settlement Provide and How Do I Get A Payment?

Under the Settlement, McWane has agreed to pay \$1,425,000 in cash into a Settlement Fund (the “McWane Settlement Fund”). Plaintiffs and class counsel think the McWane Settlement is an excellent result for the members of the class. Plaintiffs have already settled with SIGMA and Star for a combined total of \$2,646,250, and those settlements have been approved by the Court. If the McWane Settlement is also approved by the Court, the settlements will total \$4,071,250, and the DIPF indirect purchaser litigation will be over.

If you are a class member and do not exclude yourself from the McWane Settlement, you may be eligible to receive a payment from the McWane Settlement Fund. To participate in the McWane Settlement, you must submit a valid claim form, available at www.DIPFIndirectSettlement.com. Be sure to sign the claim form and mail it no later than June 27, 2018 to DIPF Indirect Purchaser Antitrust Litigation, c/o GCG, P.O. Box 10251, Dublin, OH 43017-5751. If the Court approves the Settlement, payments from the McWane Settlement Fund will be distributed to class members who submit valid and timely claims. If you have already submitted a valid Claim Form in connection with the SIGMA and Star settlements you do not have to submit another one to receive a payment from the McWane Settlement Fund.

Am I A Class Member?

The Settlement Class includes all persons or entities that reside or have a place of business in the States of Arizona, Arkansas, California, District of Columbia, Florida, Hawaii, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin (the “Settlement Class States”) who or that purchased DIPF indirectly from any Defendant at any time from January 11, 2008, through June 30, 2011 or who or that purchased Domestic DIPF indirectly from McWane or SIGMA at any time from September 17, 2009, through December 31, 2013. Excluded from the Settlement Class are Defendants and their parents, subsidiaries and affiliates, whether or not named as a Defendant in this Action, federal governmental entities, and instrumentalities of the federal government.

“Domestic DIPF” means DIPF that is produced by McWane in the United States and is used in pressurized water and wastewater projects in the United States with domestic-only preferences or specifications. McWane Domestic DIPF was also sold by SIGMA.

Can I Exclude Myself?

If you want to keep the right to sue McWane about the legal issues in this case, then you must exclude yourself from the McWane Settlement Class. **If you exclude yourself from the McWane Settlement Class, you will not get any payment from the McWane Settlement Fund.** To exclude yourself, you must send a letter saying that you want to be excluded. Important instructions about how to exclude yourself can be obtained from www.DIPFIndirectSettlement.com. **Your letter must be postmarked by May 29, 2018.**

How Do I Object?

You may object to any aspect of the McWane Settlement if you are a class member and have not excluded yourself. If you are in either the McWane, SIGMA or Star Settlement Class, you can object to the requests for attorneys’ fees, reimbursement of expenses and service awards for the class representatives (see below). To object, you must send a letter to the Court. Instructions about how to object may be obtained from www.DIPFIndirectSettlement.com. **Your letter must be received by May 23, 2018.**

What If I Do Nothing?

If you do nothing, you will remain in the McWane Settlement Class, your claims against McWane will be extinguished, and you will **not** receive a payment from the Settlement Fund. **To receive a payment, you must send in a valid and timely Claim Form.**

Who Represents Me?

The Court has appointed Joseph C. Kohn of Kohn Swift & Graf, P.C.; Robert S. Kitchenoff of Weinstein Kitchenoff & Asher LLC; and David Kovel of Kirby McInerney, LLP (“Class Counsel”) to represent the Settlement Class for purposes of the McWane Settlement. If you want to be represented by your own lawyer concerning the McWane Settlement, you may hire one at your own expense.

How Will The Lawyers Be Paid?

The lawyers for the indirect purchasers will ask the Court to approve an award of attorneys’ fees of up to 1/3 (33.33%) of the total SIGMA, Star, and McWane Settlement Funds of \$4,071,250. The lawyers have not previously asked the Court to approve an award of attorneys’ fees. The lawyers will also ask the Court for reimbursement of expenses incurred in the prosecution of the lawsuit. The lawyers will also seek service awards in the amount of \$15,000 for each of the eight class representatives. All awards of attorneys’ fees, reimbursement of expenses, and service awards will be paid from the total Settlement Fund after the Court approves them. The request for attorneys’ fees, reimbursement of expenses, and service awards will be available for viewing on the website below once it is filed with the Court.

When Will The Judge Decide?

The Court will hold a fairness hearing at 9:30 a.m. on June 13, 2018, at the United States District Court for the District of New Jersey, 402 East State Street, Trenton, NJ 08608. If there are objections, the Court will consider them at this time. You may appear at the hearing, but you are not required to do so. The hearing may be moved to a different date or time without notice. You should check the Settlement Website below for updates.

This Notice is only a summary. For more information visit www.DIPFIndirectSettlement.com

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