

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

**IN RE: CAST IRON SOIL PIPE AND  
FITTINGS ANTITRUST LITIGATION**

**1:14-md-2508-HMS-CHS**

**THIS DOCUMENT APPLIES TO:**

**DIRECT PURCHASER CLASS ACTION**

**I, TINA CHIANGO, HEREBY DECLARE AND STATE AS FOLLOWS:**

1. I am the Director of Claims Administration for RG/2 Claims Administration LLC (“RG/2 Claims”), whose address is 30 South 17<sup>th</sup> Street, Philadelphia, PA 19103. I am over the age of 18, have personal knowledge of the matters set forth herein, and if called upon to do so, could testify competently to them.

2. RG/2 Claims is a full service class action settlement administrator offering notice, claims processing, allocation, distribution, tax reporting, and class action settlement consulting services. RG/2 Claims’ experience includes the provision of notice and administration services for settlements arising from antitrust, consumer fraud, civil rights, employment, negligent disclosure, and securities fraud allegations. Since 2000, RG/2 Claims has administered and distributed in excess of \$850,000,000 in class action settlement proceeds.

3. On October 31, 2016, RG/2 Claims received an electronic file which contained 2,638 names and addresses of Settlement Class Members (purchasers of cast iron soil pipe and fittings from defendants Tyler, AB&I, and Charlotte Pipe).

4. RG/2 Claims used this file to create a class member database; removed 55 address records of the Known Opt-Outs; and submitted the remaining 2,583 records to the National Change of Address database (“NCOA”), in order to obtain any updated addresses and to standardize the mailing file in accord with custom and practice in the claims administration industry.

5. RG/2 Claims removed 20 records as exact duplicates, and then arranged for the mailing of the Notice of Proposed Class Action Settlement (“Notice”) to 2,563 names and addresses of Settlement Class Members via First-Class mail on December 29, 2016, pursuant to the Court’s Preliminary Approval Order (“Order”).

6. Also according to the Order, the Publication Notice was published in the January 3, 2017 issue of the *Wall Street Journal*, as well as the January 2017 edition of *Supply House Times*. Verification of these publications are attached hereto as Exhibit “A”.

7. The Settlement website, [www.cispanitrustsettlement.com](http://www.cispanitrustsettlement.com), was created by RG/2 Claims and went live on December 31, 2016. The static part of the website included the following:

- a. The “Homepage” contains a brief summary of the Settlement and advises Settlement Class Members of their rights under the Settlement;
- b. The “Notice/Claim Form” page contains a pdf copy of the Court-Ordered Notice and the Claim Form;
- c. The “Court Documents” page contains PDF versions of various Court Documents in this Settlement.
- d. The “Contact” page contains the contact information of the Claims Administrator.

8. The toll-free telephone number of (866) 742-4955 was available to Settlement Class Members to speak to a live operator during normal business hours to obtain additional information

or ask questions regarding class membership and assistance in completing the Claim Form. After hours, Settlement Class Members were able to leave a message to have a live operator contact them during business hours.

9. The Notice advised Settlement Class Members of the option to exclude themselves from the Settlement. Settlement Class Members who wished to exclude themselves from the Settlement were to send a letter saying they want to be excluded from the settlement and provide all trade names and addresses the business had used. The letter requesting exclusion must have been postmarked by February 13, 2017, and mailed to: CISP Direct Purchaser Antitrust Litigation, c/o RG2 Claims Administration, P.O. Box 59479, Philadelphia, PA 19102-9479. RG/2 Claims received a request for exclusion from two (2) Settlement Class Members. A copy of the two (2) requests for exclusion are attached hereto as Exhibit "B".

10. The Notice also advised Settlement Class Members of their right to object to the Settlement. Objections were to include a letter stating that they wish to object as well as the reason for objection and proof of membership in the Settlement Class. Objections are to be postmarked by May 3, 2017 and mailed to the Clerk of Court. To date, RG/2 Claims has not received or been made aware of any objections.

11. As of April 19, 2017, RG/2 Claims has received 372 Claim Forms. Of these Claims received, 361 were received by the claims filing deadline of February 13, 2017; Three (3) Claims were received late but within two weeks of the February 13, 2017 deadline; and eight (8) Claims were received over a month after the filing deadline.

12. RG/2 Claims is currently processing claims, corresponding with Settlement Class Members, and performing audits of selected claims. Once RG/2 Claims has finalized the

determination of all claims filed, a report will be submitted with the Claims Administrator's determinations and recommendations for all claims filed.

I declare under penalty of perjury under the laws of the United States that to the best of my knowledge the foregoing is true and correct.

Executed on April 19, 2017 at Philadelphia, Pennsylvania.

A handwritten signature in cursive script, reading "Tina Chiango", written in black ink. The signature is positioned above a solid horizontal line.

Tina Chiango

# **EXHIBIT A**

# Wiring Streets for Driverless Cars

Transit planners say 'smart roads' will help curb accidents, but the costs are high

By PAUL PAGE

FAIRFAX, Va.—On a crowded interstate outside Washington, D.C., large digital signs over four westbound lanes flashed messages lowering the speed limit by 10, then 20 miles an hour.

Drivers slowed just as a fast-moving thunderstorm unleashed sheets of rain that drenched the road and reduced visibility to a few dozen yards. There was no abrupt braking, no swerving and none of the fender-benders that can tie up traffic for miles.

The signs, installed last year, are a first step toward what highway planners say is a future in which self-driving cars will travel on technology-aided roads lined with fiber optics, cameras and connected signaling devices that will help vehicles move as quickly as possible—and more safely.

Transit planners say these so-called smart roads will unlock bigger benefits from self-driving cars, including fewer accidents, faster trips and fuel savings.

So far, the technology is being built into just a few miles of highway in a handful of states, even as smartcars hit the roads. **Uber Technologies Inc.** is testing a small fleet in Pittsburgh and the company's Otto business in October delivered a load of Budweiser beer with a self-driving truck. Silicon Valley trucking-software maker **Peloton Technology Inc.** wants to deploy autonomous truck convoys this year.

"This transition is happening a lot quicker than we



It is only a matter of time until self-driving cars travel on roads that communicate directly with vehicles, transit planners say.

anticipated," says Ronique Day, a government transportation analyst in Virginia, one of several states studying ways for roads and cars to communicate.

## 35K

Number of traffic fatalities in the U.S. each year.

State transit authorities say they may make up some ground if the incoming administration of Donald Trump fulfills promises to increase infrastructure spending. With many states struggling to cover basic highway maintenance, planners say billions of federal dollars likely would be needed to wire the nation's more than 4 million miles of paved roads and 250,000 intersections.

"All this new technology is going to come at a cost," said Myra Blanco, director of the Virginia Tech Transportation Institute's Center for Policy and Outreach, which is researching how the next generation of roads and cars interact on a test road in Virginia. Ohio last month said it would spend \$15 million to install smart-road technology along 35 miles of Route 33, a state road from outside Columbus to the state's Transportation Research Center in East Liberty.

"The innovators will be the ones that work this out," says Bryan Thomas, a spokesman for the National Highway Traffic Safety Administration.

Car companies say their self-driving vehicles will be safer than automobiles driven by people and help reduce the nation's roughly 35,000 annual traffic fatalities.

Planners say smart roads can generate fuel savings by having cars drive at steady speeds,

without stops and starts, and increase road capacity by enabling vehicles to travel closer together without risking traffic snarls or accidents.

The first step for the states, which oversee the vast majority of big roads, will be deciding how to communicate with cars as an array of auto makers and tech companies independently develop autonomous-driving technology. No common standard has been established for how a new generation of smartcars will receive information from smart roads—or how they will handle alerts once they get them.

"What we have is a chicken-and-egg problem," says Utah transportation systems program director Blaine Leonard, who is chairman of a national committee on connected cars and roads run under the American Association of State Highway and Transportation. "Cars right now don't have anything on them to talk to. Most of the

installations [on roads] are for research purposes."

Utah is undertaking a test of the technology on a stretch of Salt Lake City's Redwood Road, a major north-south commuter route. Sensors on traffic lights connect to public buses and can adjust red and green signals to help buses stay on schedule.

Highway researchers say their biggest hurdle is ensuring they have technology that can work.

Road connections to cars have mostly used dedicated short-range communications, or DSRC, a wireless link commonly used in transportation systems to manage stoplights and tolling. But researchers say the industry may settle on cellular-data systems used for smartphones or Wi-Fi if the technology can handle information reliably and rapidly.

"Today's biggest expense is not hardware but software," says Mr. Leonard. "There's no Apple Store for this technology."

# Twitter China Boss Departs

By EVA DOU

**BELJING—Twitter Inc.'s** China chief has departed after only eight months, the latest executive to leave amid a global reorganization.

A stream of executives has left the company since it announced layoffs in October amid continued losses. Profitability has long been a challenge for the social network and its revenue growth has slowed.

In a series of tweets on Saturday, Twitter's managing director for China, Kathy Chen, announced her departure but said Twitter would keep its Hong Kong office open.

"Now that Twitter's APAC [Asia Pacific] team is working directly with Chinese advertisers, this is the right time for me to leave the company," she wrote.

Twitter has been blocked in China since 2009, but Ms. Chen was hired to help it cultivate more Chinese advertising clients.

Her appointment sparked controversy because of her previous employment links to China's military. Critics on social media said her tweets appeared to reflect lack of familiarity with Twitter and a willingness to cooperate with China's state-controlled media.

There weren't signs of a broader shift in Twitter's China strategy or renewed efforts to bring its social network back to the country. Ms. Chen wrote that Twitter remains committed to the China market.

A spokeswoman for the San Francisco-based company confirmed Ms. Chen's departure.

—Newley Purnell  
contributed to this article.

## ADVERTISEMENT

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#### CLASS ACTIONS

#### If You Purchased Cast Iron Soil Pipe or Fittings Directly from Charlotte Pipe, McWane, Tyler Pipe or AB&I Foundry Between November 1, 2006 and December 31, 2013, You Could Be Affected by a Proposed Class Action Settlement

Please read this entire Notice carefully. This Settlement may affect your rights.

##### WHAT'S THIS LAWSUIT ABOUT?

There is a proposed Settlement of \$30,000,000 in a class action lawsuit called *In re Cast Iron Soil Pipe and Fittings Antitrust Litigation*, which is pending in the United States District Court for the Eastern District of Tennessee. The defendants in the lawsuit, called "Defendants" in this notice, are McWane, Inc., and its unincorporated divisions, Tyler Pipe Company and AB&I Foundry; Charlotte Pipe and Foundry Company and Randolph Holding Company, LLC; and the Cast Iron Soil Pipe Institute. This lawsuit claims that all Defendants engaged in a conspiracy to fix, raise, maintain, and stabilize prices for cast iron soil pipe and fittings ("CISP") at artificially high levels in violation of the federal antitrust laws. This lawsuit also claims that Charlotte Pipe conducted an acquisition that substantially lessened competition in the relevant CISP market in violation of the federal antitrust laws. The Defendants deny all of plaintiffs' claims, deny all wrongdoing, and have asserted various defenses to those claims. The Court hasn't made any decision on the merits of plaintiffs' allegations.

##### AM I A MEMBER OF THE SETTLEMENT CLASS?

There is a Settlement Class consisting of: All persons or entities that purchased CISP in the United States directly from any of the Defendants, their subsidiaries, predecessors, or affiliates, from November 1, 2006, through December 31, 2013. Excluded from the Settlement Class are certain companies that have already settled their claims against Defendants or which have otherwise agreed to exclude themselves from the Settlement, the Defendants, their parent companies, subsidiaries, predecessors, and affiliates, federal and state governmental entities and instrumentalities of federal or state governments.

##### WHAT DOES THE SETTLEMENT PROVIDE AND HOW DO I GET A PAYMENT?

The Defendants have paid \$30,000,000 in cash (the "Settlement Fund"). If you are a Settlement Class Member and do not exclude yourself from the Settlement Class, you may be eligible to get a payment. To qualify for a payment, you must complete and send in a valid Claim Form, available at [www.cispantitrustsettlement.com](http://www.cispantitrustsettlement.com). Be sure to sign the Claim Form and mail it by first-class mail postmarked no later than February 13, 2017, to: CISP Direct Purchaser Antitrust Litigation, c/o RG/2 Claims Administration, P.O. Box 59479, Philadelphia, PA 19102-9479. If the Court approves the Settlement, at a later date, payments from the Settlement Fund will be distributed, on a *pro rata* basis based on the amount of CISP you bought directly from Defendants, to Settlement Class Members who submitted valid and timely claims. There are specialized companies, which the Court has not authorized to contact you, that may contact you and offer to fill in and file your claim in return for a percentage of your claim's value. Before you contract with one of these companies, you can always seek help from the Claims Administrator or Settlement Class Counsel, without charge, in filing your Claim.

##### CAN I EXCLUDE MYSELF?

If you want to keep the right to sue or continue to sue Defendants about the legal issues in this case, then you must exclude yourself from the Settlement Class. If you exclude yourself from the Settlement Class, you will not get any payment from the Settlement. To exclude yourself, you must send a letter, postmarked by February 13, 2017, saying that you want to be excluded from the Settlement. The Settlement Website has instructions about how to exclude yourself.

##### HOW DO I OBJECT?

You can object to the Settlement, Plan of Allocation, or the request for attorneys' fees, expenses, and incentive awards if you are a Settlement Class Member and have not excluded yourself. To object, you must send a letter to the Court, postmarked by May 3, 2017. The Settlement Website has instructions about how to object.

##### WHAT IF I DO NOTHING?

If you do nothing, you will not receive payment, you will remain in the Settlement Class, and you will be bound by the releases regarding the claims in this case, the terms of which appear in Paragraphs 35-38 of the Settlement Agreement, available on the Settlement Website. The only way to qualify for a payment from the Settlement is to send in a Claim Form.

##### WHO REPRESENTS ME?

The Court appointed Solomon B. Cera of Cera LLP, Kit A. Pierson of Cohen Milstein Sellers & Toll PLLC and Robert N. Kaplan of Kaplan Fox & Kilsheimer LLP as Settlement Class Counsel to represent the Settlement Class. If you want to be represented by your own lawyer, you may hire one at your own expense. Settlement Class Counsel will ask the Court to approve from the Settlement Fund an award of 33 1/3% of the Settlement Fund (which is \$9,999,000) for attorneys' fees, as well as reimbursement from the Settlement Fund, not to exceed \$2,000,000, for Settlement Class Counsel's out-of-pocket costs and expenses incurred in the prosecution of the lawsuit. Settlement Class Counsel will also seek incentive awards of no more than \$50,000 for each of the three class representatives. The request for attorneys' fees, expenses, and incentive awards will be on the Settlement Website once it is filed with the Court.

##### WHEN WILL THE JUDGE DECIDE WHETHER TO APPROVE THE SETTLEMENT?

The Court will hold a Fairness Hearing to decide whether to approve the terms of the Settlement at 9 a.m. on May 23, 2017, at the U.S. Courthouse, 900 Georgia Ave., Chattanooga, Tenn. If there are objections or comments, the Court will consider them but may still approve the Settlement. 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, so periodically check the Settlement Website for any updates.

This Notice is only a summary. For more information, visit the Settlement Website: [www.cispantitrustsettlement.com](http://www.cispantitrustsettlement.com)

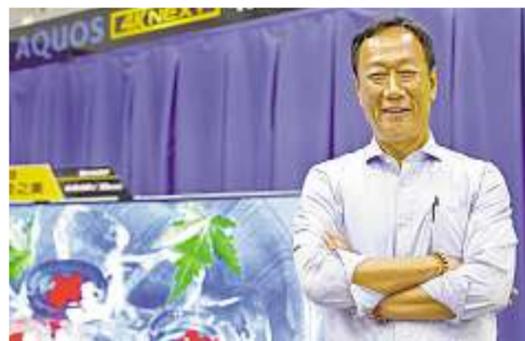
# Foxconn Plans to Build China Flat-Panel Factory

By EVA DOU

**Foxconn Technology Group** founder Terry Gou unveiled plans to build an \$8.8 billion television flat-panel factory in Guangzhou, China, depicting the region as an "investment treasure land" amid calls to move tech manufacturing to the U.S.

The new factory will make advanced liquid-crystal displays with technology from **Sharp Corp.**, the Japanese electronics brand acquired this year by Foxconn.

In a speech announcing the deal, Mr. Gou praised the manufacturing environment in China, where the Taiwanese-based company makes Apple Inc.'s iPhones and other products. His comments came amid calls by U.S. President-elect



Foxconn founder Terry Gou praised China's factory environment.

Donald Trump to impose 45% tariffs on goods made in China as a means to encourage more manufacturing in the U.S.

Mr. Gou didn't directly refer to Mr. Trump or his tariff proposals. Previously, Foxconn of-

officials said they were considering increasing their investments in the U.S., but Mr. Gou's remarks suggest Foxconn remains committed to manufacturing in China, where it has most of its assembly lines.

## MIMS

*Continued from page B1*  
International Business Machines Corp., as well as government agencies and especially the Department of Defense, all employ futurists. Futurism is also an academic discipline taught at dozens of universities around the world.

In the current moment, with political and economic uncertainty combining with rapid technological change, "it's clear we're not going to make it through this as passengers," says Scott Smith, a futurist for 20 years and creator of the educational resource *How To Future*.

I recently spent a day futuring with Amy Webb, whose book "The Signals Are Talking" is a good introduction to the topic. We decided to examine the future of self-driving vehicles.

The first thing about fu-

turism that surprised me is that practitioners don't think much about technological change. At least not at first. They start with all the other factors that drive change, from wealth distribution and education to demography, politics, the environment and media. This makes sense: No one would have predicted the rise of Airbnb Inc. by focusing simply on the capabilities of smartphones and the wireless internet.

Another surprise: Futurists are relentlessly critical of their own assumptions. Once you're done coming up with wild-eyed notions about what changes might arise as a result of various forces, you tear apart your own work.

When Ms. Webb and I settled on the future of self-driving bus transit, we at first imagined that the group transport services proposed by Lyft Inc. and Uber Technologies Inc. today might be the death of bus stops and

preplanned bus routes. But as we picked apart our assumptions, it became clear that the predictable nature of most commutes would mean not dynamic bus routes, but ones that were simply better informed by data about where and how often people actually need mass transit.

*Futurists can help lend us the ability to think through easily dismissed trends.*

Good futurists, even though their work is as much art as science, attempt to make it rigorously quantifiable.

"We use aggressive computation to try to ask what difference do things in the longer term make to our choices today," says Robert Lempert, a principal researcher at Rand Corp., a policy think tank.

That could mean anything from modeling all the economic and environmental factors affecting the construction of a new reservoir or aqueduct, to whether Congress should agree to reinsure the companies selling terrorism insurance.

One thing all the futurists I talked to had in common was disdain for anyone willing to attempt to predict the future. In futuring circles, paradoxically, this is the mark of an amateur.

Actually practicing futurism, even if only for a day,

showed me that one reason the future is so confounding is that, aside from the fact that anything can happen, those unexpected events rapidly compound on one another. This leads to second-, third- and nth-order effects that can seem completely beyond the realm of plausibility until they happen. Hence the impossibility of predicting financial crises, wars and technological revolutions.

But at least futurists can help lend us a sort of mental flexibility, as well as the ability to think through trends that are otherwise easily dismissed. For example, my time with Ms. Webb and Ms. Connelly convinced me that the rise of drones might some day lead to height regulations on buildings, and that the graying of America and the fading of our support networks could lead to social acceptance of euthanasia. And also, of course, that this could affect car sales.

Futuring is no longer just for futurists, says Ms. Webb. Like the ability to make a budget, or think critically, it is a skill that anyone who has to make long-range decisions should, and can, acquire. Doing it at the scale required by a corporation might require weeks of effort by a team of people, but for individuals it can be much simpler.

"It doesn't require a Ph.D. and a complicated nine-month process," says Mr. Smith. "We can do this in 15 minutes at a table in Starbucks and come to some kind of interesting realization," he adds.

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find the information they are looking for on a website such as product data or prices, if the user experience isn't smooth and easy, or if the site doesn't appear professional, prospective customers are likely to assume the experience inside the physical showroom would be just as unsatisfactory. But take heart, the reverse is true, too! If you have a professional digital presence, provide great product data, show prices, have a fully functional text search and provide a mobile experience tailored to the unique needs of consumers who shop on smartphones, you can really impress these consumers and draw them into your physical store.

#### How many consumers go online before visiting a brick-and-mortar store?

**JG:** You can find a lot of data on this topic from our extensive end consumer research in our book "RE:THINK: 11 Surprising Things Your Should Do Now to Win Retail Customers in the Digital Age." Here's a snapshot. The number of sites consumers will research depends on their purchase amount. For example, if spending \$300-\$499 they will visit 5.6 sites; If they are spending \$5,000 or more they may visit as many as 17.4 sites.

#### What percentage end up buying on the Internet vs. from brick-and-mortar stores?

**JG:** The fact remains most of these purchases are large-ticket items that consumers buy infrequently. With that, though our network of sites facilitates thousands of sales per day, retailers of durable goods should still expect the majority of their sales to happen in their physical showrooms.

#### How transparent must a showroom be concerning giving out real model numbers and prices?

**JG:** This often makes retailers very uncomfortable and for good reason. However, the data is clear from our national end research. Consumers want to see product prices. More than 80% of them will leave a website to go to another if they cannot.

#### In your opinion, what is the long-term future of brick-and-mortar showrooms of DPH products?

**JG:** I believe showrooms have a bright future. There's a great trend right now of shopping locally and they have the tremendous advantage of providing a high consideration product. Expert knowledge and the ability to help envision what it would look like in their home are areas where showrooms excel.

Also, the rising importance of online business reviews works in the favor of the independent retailer. They are pillars of their community. Their businesses do well by doing good. They provide exceptional service. They know their craft. With just a little education and help via the right digital tools, independent retailers of durable goods have an incredible opportunity to outshine their big-box competitor in online reviews and have their digital stamp become a powerful marketing tool that works on their behalf.

There you have it. I'm convinced more than ever if you want to survive and thrive in this digital age, you better embrace the omnichannel way of doing business.

Good selling! 

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**This Notice is only a summary. For more information, visit the Settlement Website: [www.cispantitrustsettlement.com](http://www.cispantitrustsettlement.com)**

# **EXHIBIT B**

Received 1/17/17

Exclusion 1  
Exclusion 2



DANA KEPNER COMPANY, INC • 700 ALCOTT • DENVER COLORADO • 80204 • PHONE (303) 623-6161

January 10, 2017

CISP Direct Purchaser Antitrust Litigation  
c/o RG/2 Claims Administration  
P.O. Box 59479  
Philadelphia, PA 19102-9479

In re: Cast Iron Soil Pipe and Fittings Antitrust Litigation, 1:14-md-2508-HSM-CHS (E.D. Tenn.).

To Whom It May Concern:

All locations affiliated with Dana Kepner Co., Inc. and Western Industrial Supply, LLC wish to be excluded from this settlement.

Dana Kepner Co., Inc. locations:

700 Alcott  
Denver, Co 80204

640 Aviation Way  
Colorado Springs, CO 80916

3701 Canal Dr  
Ft. Collins, CO 80524

2401 S. 19<sup>th</sup> Ave  
Phoenix, AZ 85009

1185 W. Glenn  
Tucson, AZ 85705

6723 Corsair Ave  
Prescott, AZ 86301

1555 Countryside Ave.  
Lake Havasu City, AZ 86403

1500 East Thornton Rd  
Show Low, AZ 85901

180 Cassia Way, Suite 500  
Henderson, NV 89014

2484 Overland Ave  
Billings, MT 59102

1820 South Loop Ave  
Casper, WY 82601

Western Industrial Supply, LLC locations:

1220 SW 5<sup>th</sup> Avenue  
Amarillo, TX 79101

2406 Erskine St.  
Lubbock, TX 79415

2103 West 42<sup>nd</sup>  
Odessa, TX 79764

Sincerely,

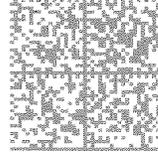
Deron W. Johnson  
President





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CI SP Direct Purchaser Antitrust Litigation  
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