

**For immediate release:**

**IPEX Inc and IPEX USA LLC Settle Class Action Lawsuit  
Regarding Kitec Plumbing Systems**

(May 2, Dallas, TX) – IPEX Inc. and IPEX USA LLC (“IPEX”) and Counsel for the Plaintiffs in *In re: Kitec Plumbing System Products Liability Litigation, MDL Docket NO. 2098* (N.D. Tx.) and the Canadian actions of *Rosati, et al. v. IPEX Inc., et al.*, Ontario Superior Court of Justice, File No. CV-09-13459 and *Cooke, et al. v. IPEX Inc., et al.*, Quebec Superior Court of Justice, File No. 200-06-000121-098 announced today that they have entered into an agreement to settle class actions alleging that the Kitec Plumbing System manufactured by IPEX may be subject to premature failure and otherwise may not perform in accordance with the reasonable expectations of users. IPEX denies these allegations. It asserts that the System is not defective and the vast majority of the systems will last throughout the warranty period. The parties have agreed to the settlement to avoid the expense, inconvenience, and distraction of further protracted litigation and to fully resolve this matter.

The settlement relates to systems sold under various brand names, including Kitec, PlumbBetter, IPEX, AQUA, WARMRITE, Kitec XPA, AmbioComfort, XPA, KERR Controls and Plomberie Ameliorée. The settlement covers class members throughout the U.S. and Canada.

Because this is a class action settlement, the agreement has been preliminarily approved by United States District Court Judge Royal Furgeson on April 29, 2011. Ontario Justice Terrence Patterson and Québec Justice Jean-Francois Émond will consider preliminary approval in May 2011.

The settlement agreement provides a Settlement Fund and Claims Process for those who file claims related to any structures they own, have owned, lease, or have leased that contain a Kitec System. The amount paid per claimant depends upon the type and extent of any possible failure, the size and type of Kitec System and its installation, and the available funds in the Settlement Fund.

Potential class members have legal rights under the settlement: they must decide whether to stay in the class and obtain the settlement's benefits or, if they do not want to participate, they must opt out by September 30, 2011. If they do not opt out, they will be automatically bound by the terms of the settlement. If they want to stay in the class, they need do nothing at this time, although class members who want a distribution from the Settlement Fund must file a claim form by the claims deadline, which is eight years from the Effective Date of the settlement. The parties estimate the Effective Date will take place late this year or early next year, such that the claims period will likely end in 2019.

People who own or owned or lease or leased structures with the Kitec System and believe they may qualify for a payment under this settlement can obtain additional information about the settlement by checking the website at [www.kitecsettlement.com](http://www.kitecsettlement.com); by calling 1-877-337-1293, or by writing to the following for the:

**United States:**

Kitec Claims Administrator  
PO Box 6001  
Larkspur, CA 94977-6001

**Canada:**

Canadian Kitec Claims Administrator  
633 Colbourne Street, Suite 300  
London ON N6B 2V3

The United States Classes are represented by: Robert K. Shelquist of Lockridge Grindal Nauen P.L.L.P. (Minneapolis), Charles J. LaDuca of Cuneo Gilbert & LaDuca, LLP (Washington, D.C.), Michael McShane of Audet & Partners, LLP (San Francisco), Michael Ram of Ram Olson (San Francisco), and Jeffrey B. Cereghino of Merrill Nomura & Molineaux LLP (Danville, CA).

The Canadian Classes are represented by: Charles Wright of Siskinds LLP (Toronto), Simon Hebert of Siskinds Desmeules LLP (Quebec City), and Harvey Strosberg and David Robins of Sutts, Strosberg, LLP (Windsor).

The IPEX Defendants are represented by Richard L. Josephson and Van H. Beckwith of Baker Botts, LLP (Houston and Dallas offices, respectively) in the United States. In Canada, the IPEX Defendants are represented by Ben Zarnett, Jessica Kimmel, and Suzy Kauffman of Goodmans (Toronto office), and Christopher Richter of Woods (Montreal Office).

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For Further Information:

For IPEX:

Van H. Beckwith  
Baker Botts, LLP  
2001 Ross Avenue, Suite 600  
Dallas, Texas 75201  
214.953.6505  
van.beckwith@bakerbotts.com

For Class Plaintiffs:

Charles J. LaDuca  
Cuneo Gilbert & LaDuca, LLP  
507 C Street, N.E.  
Washington, D.C. 20002  
Charles@cuneolaw.com