

# If You Own a Home or Building with Corrugated Stainless Steel Tubing Used for Gas Transmission Installed as of September 5, 2006, You May Have a Claim in a Proposed Class Action Settlement.

There is a Proposed Settlement of a class action lawsuit concerning certain corrugated stainless steel tubing ("CSST") used for the transmission of fuel gas into residential, commercial and industrial structures. The class action, *Lovelis, et al. v. Titeflex Corp., et al.*, CIV. No. 04-211, is pending in the Circuit Court of Clark County, Arkansas.

## What is CSST?

CSST is corrugated stainless steel tubing used to transmit fuel gas in residential, commercial and industrial structures. CSST consists of a continuous, flexible, stainless steel pipe, and typically is covered with a yellow exterior plastic coating. CSST typically is routed beneath, through and alongside floor joists, inside interior wall cavities and on top of ceiling joists in attic space from a gas source to an appliance. CSST does not include gas-appliance connectors (e.g., a connector that runs from a gas outlet to an appliance).

## What is the Class Action About?

The lawsuit claims that CSST poses an unreasonable risk of fire due to lightning strikes. Plaintiffs allege that the CSST tubing is not thick enough to prevent damage to the CSST in the event of a lightning strike. Plaintiffs also allege that Defendants failed to warn consumers about the alleged dangers of CSST due to lightning strikes.

The Settling Defendants, Titeflex Corporation, Ward Manufacturing, Inc., OmegaFlex, Inc. and Parker Hannifin Corp. deny these allegations. These Defendants have decided to settle the claims to avoid the additional expense of litigation.

## Who Is Involved?

The Settlement Class consists of any and all persons and/or entities who own structures in the United States in which CSST manufactured by Settling Defendants was installed as of September 5, 2006 ("Settlement Class Members").

## What Does the Proposed Settlement Provide?

The Proposed Settlement provides Payment Vouchers for Settlement Class Members who qualify for relief. These Vouchers defray the costs of buying and installing a lightning protection system or bonding and grounding of certain systems in a structure.

Settlement Class Members who have CSST manufactured by Settling Defendants will be entitled to a Payment Voucher that can be used either toward the installation of a Lightning Protection System (including Bonding and Grounding) or for Bonding and Grounding of the systems in their property.

Payment Voucher values range from \$200 to \$2,000 for the installation of a Lightning Protection System to \$75 to \$160 for Bonding and Grounding only.

## Who Represents Me?

The Court has appointed attorneys to represent the Class. Class Counsel will request the Court award fair and reasonable attorneys' fees and costs.

No attorneys' fees will be deducted from the benefits paid to Settlement Class Members. You may hire your own attorney, if you wish. However, you will be responsible for that attorney's fees and expenses.

## What Are Your Options?

You are automatically a Settlement Class Member if you own a structure with CSST manufactured by Settling Defendants that was installed as of September 5, 2006.

- If you do not want to be legally bound by the Proposed Settlement, you must exclude yourself in writing, postmarked by **January 8, 2007** and sent to the Settlement Administrator at the address below. Excluding yourself will allow you to bring your own claims against the Settling Defendants.
- If you stay in the Settlement Class you are entitled to file a claim. Your claim must be postmarked by **September 5, 2007** and sent to the Settlement Administrator at the address below. You may object to or comment on any aspect of the Proposed Settlement. Your objection/comment must be written and postmarked by **January 8, 2007** and filed with the Clark County Circuit Court, 401 Clay Street, Arkadelphia, AR 71923. You may also request in writing to speak at the Final Approval Hearing.

The detailed *Notice of Proposed Class Action Settlement* describes the procedures for excluding yourself, objecting or requesting to speak at the Hearing and can be obtained as outlined below.

## Will the Court Approve the Proposed Settlement?

The Court will hold a Final Approval Hearing on February 1, 2007 at 1 p.m. CST and will consider whether to approve the Proposed Settlement, award attorneys' fees and allow reimbursement of expenses.

## How Do I Obtain Further Information?

This is only a summary of the Proposed Settlement. For a more detailed *Notice of Proposed Class Action Settlement*, additional information on the Settlement, a copy of the Stipulation and Settlement, information identifying CSST or how to file a claim:

**Call: 1-800-420-2916 Visit: [www.csstsettlement.com](http://www.csstsettlement.com)**

**or Write: CSST Settlement Administrator, P.O. Box 4349, Portland, OR 97208-4349**