

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re PVC Pipe Antitrust Litigation

Case No. 24-cv-07639

Hon. LaShonda A. Hunt

THIS DOCUMENT RELATES TO:

All Direct Purchaser Plaintiff Actions

**ORDER (1) PRELIMINARILY APPROVING PROPOSED SETTLEMENT
BETWEEN THE DIRECT PURCHASER PLAINTIFF CLASS
AND DEFENDANTS WESTLAKE CORPORATION AND WESTLAKE PIPE &
FITTINGS CORPORATION; (2) CERTIFYING FOR SETTLEMENT PURPOSES
ONLY THE PROPOSED DPP SETTLEMENT CLASS; (3) APPOINTING KAPLAN FOX
& KILSHEIMER LLP AS DPP SETTLEMENT CLASS COUNSEL AND BILL
WAGNER & SON, INC., VITOLITE ELECTRIC SALES CO. AND HODGES SUPPLY
COMPANY AS REPRESENTATIVES FOR THE DPP SETTLEMENT CLASS; (4)
APPOINTING JND LEGAL ADMINISTRATION LLC AS DPP SETTLEMENT
ADMINISTRATOR AND THE HUNTINGTON NATIONAL BANK AS ESCROW
AGENT, (5) APPROVING THE FORM AND CONTENT OF CLASS NOTICE AND THE
NOTICE PLAN; AND (6) SETTING SCHEDULE FOR THE DISSEMINATION
OF CLASS NOTICE AND FAIRNESS HEARING**

THIS CAUSE came before the Court on Direct Purchaser Plaintiffs Bill Wagner & Son, Inc., Vitolite Electric Sales Co., and Hodges Supply Company’s (“DPPs”) motion for preliminary approval of the proposed settlement with Defendants Westlake Corporation and Westlake Pipe & Fittings Corporation (“Westlake,” who along with DPPs are collectively referred to in this Order as the “Parties”) and other relief (the “Motion,” ECF No. 697). DPPs have entered into a Settlement Agreement with Westlake, executed by the Parties on March 26, 2026. Having reviewed the Motion, its accompanying memorandum and supporting declarations, and the exhibits thereto, the Settlement Agreement, and the file, the Court FINDS and ORDERS as follows:

Preliminary Approval of Settlement Agreement

1. Terms used in this Order that are defined in the Settlement Agreement are used as defined in the Settlement Agreement.
2. The Court has jurisdiction over this action and each of the Parties to the Settlement Agreement. Upon review of the record, the Court finds that the proposed Settlement Agreement (including all its material terms and material conditions), which was arrived at by arm's-length negotiations by highly experienced counsel, falls within the range of possible approval and is hereby preliminarily approved, subject to further consideration at the Court's Fairness Hearing. The Court preliminarily finds that the Settlement encompassed by the Settlement Agreement is preliminarily determined to be fair, reasonable, adequate and in the best interests of the DPP Settlement Class, raises no apparent reasons to doubt its fairness, and raises a reasonable basis for presuming that the Settlement and its terms satisfy the requirements of Federal Rules of Civil Procedure 23(c)(2) and 23(e) and due process so that Notice of the Settlement should be given.

Certification of the DPP Settlement Class for Settlement Purposes Only

3. The Court finds that for settlement purposes only, the provisions of Rule 23 of the Federal Rules of Civil Procedure are satisfied, and certifies, for settlement purposes only, a DPP Settlement Class defined as:

All persons and entities who purchased PVCs and/or Fittings in the United States and its territories directly from one or more of the Converter Defendants (or from any of the Converter Defendants' parents, predecessors, subsidiaries or affiliates) at any time from January 1, 2020 through March 31, 2026. Excluded from the Class are Converter Defendants, and their parents, predecessors, subsidiaries, and affiliates, and all federal government entities and instrumentalities of the federal government.

4. Neither this Order, nor the Settlement Agreement, nor any other Settlement-related document, nor anything contained herein or therein or contemplated hereby or thereby, nor any

proceedings undertaken in accordance with the terms set forth in the Settlement Agreement or herein or in any other Settlement-related document, shall constitute, be construed as, or be deemed to be an admission or concession or any evidence thereof:

- a. by Westlake as to the validity of any claim that has been or could have been asserted by the DPPs against Westlake, or as to any liability by Westlake as to any matter set forth in this Order, **or**
- b. as to whether any class, in this case or others, may be certified for purposes of:
 - (i) any subsequent settlements between DPPs and other Defendants in this case; and/or
 - (ii) litigation and trial.

Appointment of DPP Settlement Class Counsel, Representatives of the DPP Settlement Class, Settlement Administrator, and Escrow Agent

5. The Court appoints: (i) the law firm of Kaplan Fox & Kilsheimer LLP as Settlement Class Counsel for the DPP Settlement Class, and DPPs Bill Wagner & Son, Inc.; Vitolite Electric Sales Co.; and Hodges Supply Company as Representatives for the DPP Settlement Class; (ii) JND Legal Administration LLC (JND) as Settlement Administrator; and (iii) The Huntington National Bank as Escrow Agent.

Class Notice and Fairness Hearing

6. The proposed notice plan set forth in the Motion and the supporting declarations complies with Rule 23(c)(2)(B) and due process because it constitutes the best notice that is practicable under the circumstances, including individual direct notice via U.S. mail to all members of the DPP Settlement Class who can be identified through reasonable effort.

- a. Identification of members of the DPP Settlement Class shall include use of the Converter Defendants' customer lists that must include the names and mailing addresses for the period of January 1, 2020 through March 31, 2026. The Converter

Defendants previously produced customer information to JND for the period January 1, 2021-May 16, 2025, pursuant to the July 16, 2025 Stipulation and Order Regarding Provision of Customer Information by Non-Settling Defendants to Effectuate Notice of Plaintiffs' Proposed Settlements with Defendant OPIS (ECF No. 358). In light of the expanded DPP Settlement Class and DPP Settlement Class period, DPP Settlement Class Counsel shall consult with the Converter Defendants to obtain the expanded customer information for use in effectuating notice.

7. The direct mail notice will be supported by reasonable digital notice to reach potential members of the DPP Settlement Class who could not be individually identified.

8. The attached proposed notice documents: Summary Notice (Exhibit A) and Long Form Notice (Exhibit B), and their manner of transmission, comply with Rule 23(c)(2)(B) and due process because the notices and forms are reasonably calculated to adequately apprise DPP Settlement Class members of: (i) the nature of the action; (ii) the definition of the class certified for settlement purposes only; (iii) the class claims, issues, or defenses; (iv) that a DPP Settlement Class member may enter an appearance through an attorney if the member so desires; (v) that the Court will exclude from the DPP Settlement Class any member who validly requests exclusion; (vi) the time and manner for requesting exclusion; and (vii) the binding effect of a class judgment on members under Rule 23(c)(3). Non-substantive changes, such as typographical errors, may be made to the notice documents by agreement of the Parties without leave of the Court.

Other Provisions

9. If the Settlement Agreement is terminated in accordance with its provisions, or is not approved by the Court or any appellate court, then the Settlement Agreement and all proceedings in connection therewith shall be vacated, and shall be null and void, except insofar as expressly provided otherwise in the Settlement Agreement, and without prejudice to the *status quo*

ante rights of DPPs, Westlake, and the members of the DPP Settlement Class.

10. If the Settlement Agreement is terminated or is ultimately not approved, the Court will modify any existing scheduling orders as necessary to ensure that the DPPs and Westlake will have sufficient time to prepare for the resumption of litigation.

11. The Court hereby sets the below schedule for the dissemination of Class Notice to the DPP Settlement Class, and for the Court’s Fairness Hearing, at which time the Court will determine whether the Settlement Agreement should be finally approved as fair, reasonable, and adequate. The Court may order the Fairness Hearing to be postponed, adjourned, or continued. If that occurs, the updated hearing date shall be posted on the settlement website created and maintained by the Settlement Administrator, but other than that website posting, the Parties will not be required to provide any additional notice to members of the DPP Settlement Class.

Event	Timing
Notice Plan Begins	14 days after Converter Defendants’ production of additional customer data
Objection and Exclusion Deadline	60 days after Notice Plan begins
Motion for Final Approval Filings	14 days before Fairness Hearing
Fairness Hearing	40 days after the Objection and Exclusion Deadline or as soon thereafter as is convenient for the Court

12. The Court’s certification of the DPP Settlement Class as provided herein is without prejudice to, or waiver of the rights of, any Defendant to contest class certification of any class proposed in this case.

IT IS SO ORDERED

Dated: April 24, 2026



Hon. LaShonda A. Hunt
United States District Judge

Exhibit A

Banner Ads

1

728 x 90



300 x 600



300 x 250




320 x 50



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Class Action Lawsuits

Did you purchase PVC Pipes or Fittings directly from the manufacturer between January 1, 2020 and March 31, 2026?

\$67 Million Class Action Settlement
DIRECT Purchasers of **PVC Pipes**
or **Fittings** may be affected

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DIRECT Purchasers of **PVC Pipes or Fittings** may be affected

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Exhibit B

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

\$67 Million Class Action Settlement Reached with Westlake

If you purchased PVC Pipe and/or Fittings in the United States between January 1, 2020, and March 31, 2026, directly from any of the following companies, you may be affected:

**Atkore, Inc. (and subsidiaries/divisions Heritage Plastics, Inc., Allied Tube & Conduit Corp., Queen City Plastics, Inc. and Rocky Mountain Colby Plastics a/k/a RMCP, Inc. n/k/a Cor-Tek)
Cantex Inc.
Charlotte Pipe and Foundry Co.
Cresline Plastic Pipe Co.
Diamond Plastics Corporation
Prime Conduit, Inc.
Sanderson Pipe Corporation
Southern Pipe, Inc.
IPEX USA, LLC
J-M Manufacturing Company, Inc. d/b/a JM Eagle
National Pipe & Plastics, Inc.
Pipelife Jet Stream, Inc.
Otter Tail Corporation
Northern Pipe Products, Inc.
Vinyltech Corporation
Westlake Corporation
Westlake Pipe & Fittings Corporation**

A federal court authorized this Notice. This is not a solicitation from a lawyer or a claims filing service.

- You may be affected by a proposed settlement in a class action lawsuit called *In re PVC Pipe Antitrust Litigation*, Case No. 1:24-cv-07639, pending in the United States District Court for the Northern District of Illinois (the “Action”). The proposed settlement is a **partial** settlement because it includes only one group of defendants, Westlake Corporation and Westlake Pipe & Fittings Corporation (collectively, “Westlake”). The lawsuit is continuing against 15 Converter Defendants who have **not** settled. A settlement was previously reached with defendant Oil Price Information Service, LLC (“OPIS”). You may have received a notice about that settlement. This is a separate notice about an additional settlement in this litigation.
- Under the proposed settlement, Westlake has agreed to pay **\$67,000,000** to create a Settlement Fund for the benefit of DPP Settlement Class Members, in exchange for a release, including the release of any and all claims against Westlake and the Westlake Released Parties (as defined in the Settlement Agreement) relating in any way to the allegations in the Action, as set out in the Settlement Agreement.

Questions? Visit www.pvcpipedirectclass.com or call toll-free 1-855-779-9069

Westlake has also agreed to provide certain cooperation that may be useful to the DPPs in the continuing lawsuit against the non-settling Converter Defendants. The release of Westlake and the Westlake Released Parties does not include a release of any of the other Converter Defendants. The lawsuit is continuing against them.

- The Converter Defendants include the following manufacturers of PVC Pipe and/or Fittings: Atkore, Inc. (and subsidiaries/divisions Heritage Plastics, Inc., Allied Tube & Conduit Corp., Queen City Plastics, Inc. and Rocky Mountain Colby Plastics a/k/a RMCP, Inc. n/k/a Cor-Tek); Cantex Inc.; Charlotte Pipe and Foundry Co.; Cresline Plastic Pipe Co.; Diamond Plastics Corporation; Prime Conduit, Inc.; Sanderson Pipe Corporation; Southern Pipe, Inc.; IPEX USA, LLC; J-M Manufacturing Company, Inc. d/b/a JM Eagle; National Pipe & Plastics, Inc.; Pipelife Jet Stream, Inc.; Otter Tail Corporation; Northern Pipe Products, Inc.; Vinyltech Corporation; and Westlake.
- “PVC Pipe and/or Fittings” refers to pipe and fittings made in whole or in part with polyvinyl chloride.
- This Settlement is only on behalf of Direct Purchaser Plaintiffs Bill Wagner & Son, Inc., Vitolite Electric Sales Co., and Hodges Supply Company (“DPPs”) and the DPP Settlement Class. DPPs and the DPP Settlement Class are persons and entities who purchased PVC Pipe and/or Fittings *directly* from one or more of the Converter Defendants in the United States and its territories during the period between January 1, 2020 and March 31, 2026.
- Payments to eligible DPP Settlement Class Members will be distributed following the Court’s final approvals of the settlements with OPIS and Westlake. If you did not exclude yourself from the OPIS settlement and do not exclude yourself from this Settlement, you will be eligible to receive payments from **both** settlements. If you exclude yourself from one of the settlements, you will **not** be eligible to receive a payment from that settlement. Please visit www.pvcpipedirectclass.com for updates.
- The proposed settlement with Westlake (the “Settlement”) relates to a class action lawsuit brought on behalf of *direct* purchasers of PVC Pipe and/or Fittings. This includes all persons or entities that purchased PVC Pipe and/or Fittings *directly* from one or more of the named Converter Defendants during the time period between January 1, 2020 and March 31, 2026. There is also a lawsuit pending in the same Court on behalf of *indirect* purchasers. This proposed Settlement applies only to *direct* purchases of PVC Pipe and/or Fittings from the Converter Defendants and does **not** apply to any *indirect* purchases of PVC Pipe or Fittings.
- DPPs allege that, as of January 1, 2020 and continuing until at least March 31, 2026, Defendants engaged in a conspiracy to inflate prices of PVC Pipe and/or Fittings in the United States, that Defendants broke the law and as a result DPP Settlement Class Members paid more for PVC Pipe and/or Fittings than they otherwise would have. The Court has not decided who is right.
- If the Court approves the Settlement, it will resolve the claims in the Action against Westlake only. It will also release any and all claims against Westlake and the Westlake Released Parties relating in any way to the allegations in the Action, as set out in the Settlement Agreement.
- **Your legal rights will be affected whether or not you act.**
- Your rights and options – **and the deadlines to exercise them** – are explained in this Notice, along with information about the lawsuit and proposed Settlement. Please read the entire Notice carefully.

Questions? Visit www.pvcpipedirectclass.com or call toll-free 1-855-779-9069

Your Legal Rights and Options		
DO NOTHING	<ul style="list-style-type: none"> • Stay in the DPP Settlement Class • If the Court approves the proposed Settlement, you may be eligible for a payment. The Settlement Fund will be combined with the OPIS settlement fund for a distribution to DPP Settlement Class Members after the Court has given final approval of the OPIS settlement and this proposed Settlement. • Give up your right to separately sue or continue to sue Westlake and the Westlake Released Parties for any and all claims relating in any way to the allegations in the Action, as set out in the Settlement Agreement (See Question x) 	None
GO TO THE COURT'S HEARING	<ul style="list-style-type: none"> • Ask the Court for permission to speak about the fairness of the proposed Settlement (See Question x) 	Month x, 202x
OBJECT TO THE SETTLEMENT	<ul style="list-style-type: none"> • Stay in the DPP Settlement Class, but write to the Court about why you don't like the proposed Settlement (See Question x) 	Postmarked by Month x, 2026
EXCLUDE YOURSELF ("OPT OUT")	<ul style="list-style-type: none"> • Remove yourself from the proposed Settlement • Get no payment from the proposed Settlement • Keep your right to separately sue or continue to sue Westlake and the Westlake Released Parties for the claims described in the Settlement Agreement (See Question x) 	Postmarked by Month x, 2026

Questions? Visit www.pvcpipeclass.com or call toll-free 1-855-779-9069

What this Notice Contains

BASIC INFORMATION PAGE 5

1. Why did I get this Notice?
2. What is this lawsuit about?
3. Who are the Defendants?
4. Why is this a class action?
5. Why is there a proposed Settlement with Westlake?

THE DPP SETTLEMENT CLASS PAGE 6

6. Am I part of the DPP Settlement Class?
7. I bought PVC Pipe and/or Fittings during the timeframe. Am I a DPP Settlement Class Member?
8. I'm still not sure if I am included.

THE BENEFITS OF THE PROPOSED SETTLEMENT PAGE 6

9. What does the proposed Settlement provide?
10. When will I get my payment?
11. What am I giving up by staying in the proposed Settlement?

EXCLUDING YOURSELF FROM THE PROPOSED SETTLEMENT PAGE 7

12. How do I get out of the proposed Settlement?
13. If I exclude myself, can I get money from the proposed Settlement?

THE LAWYERS REPRESENTING YOU PAGE 8

14. Do I have a lawyer in this case?
15. How will the lawyers be paid?

OBJECTING TO THE PROPOSED SETTLEMENT PAGE 9

16. How do I tell the Court that I do not like the proposed Settlement?
17. What's the difference between objecting and excluding?

THE COURT'S FAIRNESS HEARING PAGE 10

18. When and where will the Court decide whether to approve the proposed Settlement?
19. Do I have to come to the hearing?
20. May I speak at the hearing?

IF YOU DO NOTHING PAGE 11

21. What happens if I do nothing at all?

GETTING MORE INFORMATION PAGE 11

22. How can I get more information?

Questions? Visit www.pvcpipeirectclass.com or call toll-free 1-855-779-9069

Basic Information

1. Why did I get this Notice?

You received this Notice because you or your company may have purchased PVC Pipe and/or Fittings **directly** from one or more of the Converter Defendants between January 1, 2020 and March 31, 2026.

The Court has directed that this Notice be sent to you because, as a possible DPP Settlement Class Member, you have the right to know about the proposed Settlement and your rights and options before the Court decides whether to approve the proposed Settlement.

This Notice explains the lawsuit, the proposed partial Settlement, and your legal rights.

U.S. District Judge the Honorable LaShonda A. Hunt of the U.S. District Court for the Northern District of Illinois in Chicago, Illinois, is the judge overseeing this class action. The case is called *In re PVC Pipe Antitrust Litigation*, Case No. 1:24-cv-07639. The people who sued are called Plaintiffs, and the companies they sued are called Defendants. The only Defendants that have settled the lawsuit brought by the direct purchasers are OPIS, for which the Final Approval hearing is scheduled for June 3, 2026, and Westlake. The lawsuit is continuing against the other Converter Defendants.

2. What is this lawsuit about?

The lawsuit alleges that Defendants conspired to fix, raise, maintain, and stabilize the price of PVC Pipe and/or Fittings starting as early as January 1, 2020 and continuing until at least March 31, 2026, and that Class Members paid higher prices for PVC Pipe and/or Fittings as a result. The Court has not decided who is right.

DPPs have reached a proposed Settlement with Westlake. While Westlake does not concede or admit liability for DPPs' allegations, it has agreed to settle this action to avoid the uncertainties and risks of further litigation. The lawsuit is proceeding against the other Converter Defendants.

3. Who are the Defendants?

Westlake and the other Converter Defendants are collectively called Converter Defendants. The Converter Defendants are: Atkore, Inc. (and subsidiaries/divisions/affiliates Atkore International, Inc., Heritage Plastics, Inc., Allied Tube & Conduit Corp., Queen City Plastics, Inc., Rocky Mountain Colby Plastics a/k/a RMCP, Inc. n/k/a Cor-Tek, and Ridgeline Pipe Manufacturing), Cantex Inc., Diamond Plastics Corporation, Prime Conduit, Inc., Sanderson Pipe Corporation, Southern Pipe, Inc., Charlotte Pipe & Foundry Co., Cresline Plastic Pipe Co., Inc., IPEX USA, LLC (and subsidiaries/divisions Silver-Line Plastics LLC and Multi Fittings Corporation), J-M Manufacturing Company, Inc. d/b/a JM Eagle, National Pipe & Plastics, Inc., Pipelife Jet Stream, Inc., Otter Tail Corporation, Northern Pipe Products, Inc., Vinyltech Corporation, and Westlake. OPIS is also a Defendant but as set forth above, DPPs have settled with OPIS.

4. Why is this a class action?

In a class action, one or more individuals or entities called class representative sue on behalf of others who have similar claims, all of whom together are a "class." Individual class members do not have to file a lawsuit to participate in the class action settlement. One court resolves the settlement-related issues for all class members, *except* for those who exclude themselves from the settlement.

Questions? Visit www.pvcpipedirectclass.com or call toll-free 1-855-779-9069

5. Why is there a proposed Settlement with Westlake?

The Court did not decide in favor of DPPs or Westlake. Instead, both sides agreed to the proposed Settlement to avoid the cost and risk of continued litigation and a trial. The proposed Settlement does not mean that any law was broken or that Westlake did anything wrong. DPPs and their counsel believe the proposed Settlement is the best result for all DPP Settlement Class Members. The lawsuit is continuing against the remaining non-settling Converter Defendants.

The DPP Settlement Class

6. Am I part of the DPP Settlement Class?

You are a DPP Settlement Class Member if you or your company purchased PVC Pipe and/or Fittings in the United States and its territories **directly** from one or more of the Converter Defendants (or from any of the Converter Defendants' parents, predecessors, subsidiaries, or affiliates) at any time from January 1, 2020 through March 31, 2026.

Converter Defendants, and their parents, predecessors, subsidiaries, and affiliates, and all federal government entities and instrumentalities of the federal government are excluded from the DPP Settlement Class.

7. I bought PVC Pipe and/or Fittings during the timeframe. Am I a DPP Settlement Class Member?

Not necessarily. You are only a DPP Settlement Class Member if you bought PVC Pipe and/or Fittings during the time period **directly** from one of the Converter Defendants.

8. I'm still not sure if I am included.

If you are still not sure if you are a DPP Settlement Class Member, please review the detailed case information at www.pvcpipedirectclass.com. You may also call the Settlement Administrator at 1-855-779-9069.

The Benefits of the Proposed Settlement

9. What does the proposed Settlement provide?

Under the proposed Settlement, Westlake has agreed to pay Sixty-Seven Million Dollars (**\$67,000,000**) in cash (the "Settlement Fund") in exchange for a release of any and all claims against Westlake and the Westlake Released Parties relating in any way to the allegations in the Action, as set out in the Settlement Agreement. If the Court approves the proposed Settlement, proceeds from the Settlement Fund (along with proceeds from the OPIS settlement fund) will be distributed to eligible DPP Settlement Class Members. Payments will be sent after deducting notice and administration costs (up to \$250,000), and attorneys' fees, expenses and service awards to DPPs, if awarded by the Court, from the Settlement Funds. You will receive notice of any future application for attorneys' fees or reimbursement of expenses.

Questions? Visit www.pvcpipedirectclass.com or call toll-free 1-855-779-9069

Westlake will also provide substantial cooperation to DPPs in the continuing lawsuit against the non-settling Converter Defendants. Details about the cooperation are in the Settlement Agreement available at

10. When will I get my payment?

www.pvcpipedirectclass.com.

Payments from the Settlement Fund will **not** be sent to Class Members at this time. But if you are a DPP Settlement Class Member and you don't exclude yourself, you will be eligible to receive a payment at a later date after the Court gives final approval to the OPIS and Westlake settlements. This could take time. Please be patient. If you exclude yourself from the proposed Settlement, you will **not** be eligible to get a payment from the proposed Settlement.

11. What am I giving up by staying in the proposed Settlement?

Unless you exclude yourself from the proposed Settlement, you cannot sue, continue to sue, or be part of any other lawsuit against Westlake or the Westlake Released Parties for any claims relating in any way to the legal or factual issues in the Action. All the Court's orders will apply to you and legally bind you. As set forth in the Settlement Agreement which is available on the settlement website, the release includes but is not limited to claims you had, have, or may have arising under any federal or state antitrust, unfair competition, unfair practices, consumer protection, unjust enrichment, price discrimination, unitary pricing, or trade practice law, whether known or unknown.

The Settlement Agreement provides that Westlake will pay Sixty-Seven Million Dollars (\$67,000,000) and cooperate in the continuing lawsuit against the other Converter Defendants in exchange for a release of claims by DPP Settlement Class Members against Westlake, together with any and all of its past, present, and future, direct and indirect, corporate parents (including holding companies), owners, equity holders, shareholders, subsidiaries, divisions, departments, and related entities and other representatives and individuals, as set forth in the Settlement Agreement which is accessible on the settlement website (the "Westlake Released Parties"). The Settlement Agreement, however, does **not** release claims arising in the ordinary course of business under Article 2 of the Uniform Commercial Code pertaining to sales other than claims based in whole or in part on any of the Released Claims or for negligence, breach of contract, bailment, failure to deliver, lost goods, damaged or delayed goods, breach of warranty, or product liability claims, other than claims based in whole or in part on any of the Released Claims. In addition, the Settlement Agreement does not release claims based solely for the purchase of PVCs and Fittings made indirectly from one or more of the Converter Defendants or any claims against the remaining non-settling Converter Defendants.

Broadly speaking, the Settlement Agreement completely releases, acquits, and forever discharges Westlake and the Westlake Released Parties from any claims arising from purchases made directly from Converter Defendants at any time prior to March 26, 2026 (the date the Settlement Agreement was signed) that are related in any way to the claims alleged in *In re PVC Pipe Antitrust Litigation*.

The Settlement Agreement is available at www.pvcpipedirectclass.com. It fully describes the legal claims that you give up if you do nothing and stay in the DPP Settlement Class.

Excluding Yourself from the Proposed Settlement

If you want to keep the right to sue Westlake or the Westlake Released Parties on your own for the claims being released in this Settlement, then you **must** take steps to exclude yourself from, or "opt out" of, the proposed Settlement. If you opt out and the Court approves the proposed Settlement, you will **not** get a payment from the Westlake Settlement.

Questions? Visit www.pvcpipedirectclass.com or call toll-free 1-855-779-9069

12. How do I get out of the proposed Settlement?

To exclude yourself from or “opt out” of the proposed Settlement, you must mail a letter with the following information:

- A statement indicating that you want to be excluded from the proposed Westlake Settlement in *In re PVC Pipe Antitrust Litigation*, Case No. 1:24-cv-07639; and
- The name (including any formerly known names, doing business as names, etc.), address, telephone number, and signature of the person or entity seeking exclusion.

Exclusion requests can only be made by an individual or individual entity on behalf of themselves (and subsidiaries) and personally signed by each individual person or entity requesting exclusion.

Your exclusion letter must be postmarked by **Month x, 2026** and mailed to:

PVC Pipe Direct Purchaser Settlement – WESTLAKE EXCLUSIONS
c/o JND Legal Administration
PO Box **xxxx**
Seattle, WA 98111

If you ask to be excluded from the proposed Settlement, you will not get a payment from the proposed Settlement, and you cannot object to the proposed Settlement.

If you do not request to be excluded from the proposed Settlement and the proposed Settlement is approved by the Court, you may be entitled to a payment from the Settlement Fund. If you have a pending lawsuit against Westlake or the Westlake Released Parties involving the same allegations or claims involved in this case, speak to your lawyer in that case immediately. You must exclude yourself from the proposed Settlement in order to bring your own lawsuit against Westlake or the Westlake Released Parties involving such claims.

13. If I exclude myself, can I get money from the proposed Settlement?

No. If you exclude yourself from, or “opt out” of, the proposed Settlement, you will not be able to get money from the proposed Settlement.

The Lawyers Representing You

14. Do I have a lawyer in this case?

Yes. The Court has appointed the law firm of Kaplan Fox & Kilsheimer, LLP (“Interim Lead Counsel”) to represent the DPP Settlement Class on an interim basis and for purposes of the proposed Settlement. If you want your own lawyer to represent you and appear in Court for you concerning the proposed Settlement, you may hire one at your own expense. If you wish to exclude yourself from the proposed Settlement and pursue your own lawsuit against Westlake, you may need to hire your own lawyer.

Questions? Visit www.pvcpipedirectclass.com or call toll-free 1-855-779-9069

15. How will the lawyers be paid?

You are not personally responsible for any payment of attorneys' fees or for reimbursement of expenses incurred or paid by Interim Lead Counsel. Interim Lead Counsel is not asking at this time to be paid from the Settlement Fund. At a later date, Interim Lead Counsel will ask the Court to approve a payment from the Settlement Fund for fees, reimbursement of expenses and a service award for the named DPPs. You will be provided notice of such request and given an opportunity to object to such request.

Objecting to the Proposed Settlement

16. How do I tell the Court that I don't like the proposed Settlement?

If you stay in the DPP Settlement Class, you can object to the proposed Settlement if you do not like any part of it. The Court will consider your views, but the proposed Settlement may still be approved in spite of your objection.

To object, you must mail a letter that includes the following:

- A statement indicating that you object to the proposed Westlake Settlement in *In re PVC Pipe Antitrust Litigation*, Case No. 1:24-cv-07639;
- The name (including any formerly known names, doing business as names, etc.), address, telephone number, and signature of the person filing the objection (or their counsel's signature);
- The reasons you object, and any legal authority;
- The names of the attorneys that represent you, if any;
- Proof of your membership in the DPP Settlement Class, such as an invoice showing that you purchased PVC Pipe and/or Fittings directly from one or more Converter Defendants between January 1, 2020 and March 31, 2026, or otherwise satisfy the definition in answer to **Question x**; and
- A statement of whether you or your counsel intend to appear at the Fairness Hearing, and the identity of any witness that you will call to testify in support of your objection.

You must mail your objection postmarked by **Month x, 2026**, to:

The Court:

Clerk of Court
United States District Court for
the Northern District of Illinois
Everett McKinley Dirksen
United States Courthouse
219 South Dearborn Street
Chicago, IL 60604

Interim Lead Counsel:

Robert N. Kaplan
Matthew P. McCahill
KAPLAN FOX &
KILSHEIMER LLP
800 Third Avenue, 38th Floor
New York, New York 10022
rkaplan@kaplanfox.com
mmccahill@kaplanfox.com

Westlake Counsel:

William R. H. Merrill
James T. Southwick
Elizabeth B. Hadaway
SUSMAN GODFREY LLP
1000 Louisiana Street, Suite 5100
Houston, Texas 77002-5096
bmerrill@susmangodfrey.com
jsouthwick@susmangodfrey.com
ehadaway@susmangodfrey.com

Questions? Visit www.pvcpipedirectclass.com or call toll-free 1-855-779-9069

17. What's the difference between objecting and excluding?

“Objecting” is simply telling the Court that you do not like something about the proposed Settlement. You can object only if you don't exclude yourself from the DPP Settlement Class. “Excluding” yourself means that you are removing yourself from the DPP Settlement Class and you will **not** get a payment from the Settlement Fund. If you exclude yourself from or “opt out” of the DPP Settlement Class, you have no right to object to the proposed Settlement because it no longer affects you.

The Court's Fairness Hearing

The Court will hold a fairness hearing to decide whether to approve the proposed Settlement. You may, but need not, attend the hearing. If you do attend the hearing, you may ask the Court's permission to speak (see Question x), but you do not have to participate.

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

The Court will hold a Fairness Hearing at x:xx x.m. CT on **Month x, 2026**, at the United States District Court for the Northern District of Illinois, **Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, IL 60604, Courtroom #x.** The hearing may be moved to a different date or time without additional notice, so check www.pvcpipeirectclass.com before making travel plans. At the hearing, the Court will consider whether the proposed Settlement is fair, reasonable, and adequate. The Court will listen to DPP Settlement Class Members who have asked to speak at the hearing. If there are objections or comments, the Court will consider them at that time. After the hearing, the Court will decide whether to approve the proposed Settlement. We do not know how long the Court will take to decide.

19. Do I have to come to the hearing?

No. Interim Lead Counsel will answer any questions the Court may have. However, you are welcome to come at your own expense. If you send an objection to the proposed Settlement, you do not have to come to the Fairness Hearing to explain it. As long as you mail your written objection on time, the Court will consider it. You may also pay your own lawyer to attend and speak (or not) at the hearing on your behalf, but it is not required.

20. May I speak at the hearing?

Yes. If you did not exclude yourself from the DPP Settlement Class, you may ask the Court for permission for you or your own attorney to speak at the Fairness Hearing, at your own expense. To do so, you must send a letter stating the following:

- “Notice of Intention to Appear *In re PVC Pipe Antitrust Litigation*, Case No. 1:24-cv-07639;”
- The position you will take at the hearing and the reasons for your position;
- Your name, address, telephone number, your signature; and
- Proof of your membership in the DPP Settlement Class, such as invoices showing that you directly purchased PVC Pipe and/or Fittings from one or more Converter Defendants between January 1, 2020 and March 31, 2026, or proof that otherwise satisfies the definition in Question x.

Questions? Visit www.pvcpipeirectclass.com or call toll-free 1-855-779-9069

Your Notice of Intention to Appear must be postmarked by **Month x, 2026** and mailed to:

The Court:

Clerk of Court
United States District Court for
the Northern District of Illinois
Everett McKinley Dirksen
United States Courthouse
219 South Dearborn Street
Chicago, IL 60604

Interim Lead Counsel:

Robert N. Kaplan
Matthew P. McCahill
KAPLAN FOX &
KILSHEIMER LLP
800 Third Avenue, 38th Floor
New York, New York 10022

Westlake Counsel:

William R. H. Merrill
James T. Southwick
Elizabeth B. Hadaway
SUSMAN GODFREY LLP
1000 Louisiana Street,
Suite 5100
Houston, Texas 77002-5096

If You Do Nothing

21. What happens if I do nothing at all?

If you do nothing, you will remain a DPP Settlement Class Member and be eligible to get a payment from the proposed Settlement (if approved by the Court), as well as payments from future settlements or recoveries in the continuing lawsuit against other Converter Defendants. If the Court approves the Settlement, you will release any and all claims against Westlake and the Westlake Released Parties that in any way relate to the allegations in the Action, including but not limited to claims arising under any federal or state antitrust, unfair competition, unfair practices, consumer protection, unjust enrichment, price discrimination, unitary pricing, or trade practice law, whether such claims are known or unknown, foreseen or unforeseen, suspected or unsuspected, or asserted or unasserted, from the beginning of the world up to March 26, 2026 (the date the Settlement Agreement was signed).

Getting More Information

22. How do I get more information?

This Notice summarizes the proposed Settlement. For more detailed information, visit www.pvcpipedirectclass.com or call 1-855-779-9069.

DATED: **Month x, 2026**

The Honorable LaShonda A. Hunt

Questions? Visit www.pvcpipedirectclass.com or call toll-free 1-855-779-9069