

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re: PVC Pipe Antitrust Litigation

Case No. 1:24-cv-07639

Hon. LaShonda A. Hunt

This Document Relates To:

All Direct Purchaser Plaintiff Actions

DIRECT PURCHASER PLAINTIFFS BILL WAGNER & SON, INC.’S, VITOLITE ELECTRIC SALES CO.’S, AND HODGES SUPPLY COMPANY’S MOTION - UNOPPOSED¹ BY SETTLING DEFENDANTS ATKORE INC., ATKORE INTERNATIONAL, INC., ATKORE PLASTIC PIPE CORP., ATKORE RMCP, INC., AND ALLIED TUBE & CONDUIT CORPORATION – FOR: (1) PRELIMINARY APPROVAL OF PROPOSED SETTLEMENT, (2) CERTIFICATION, FOR SETTLEMENT PURPOSES ONLY, OF THE PROPOSED DPP SETTLEMENT CLASS, (3) APPOINTMENT OF KAPLAN FOX & KILSHEIMER LLP AS DPP SETTLEMENT CLASS COUNSEL AND BILL WAGNER & SON, INC., VITOLITE ELECTRIC SALES CO. AND HODGES SUPPLY COMPANY AS REPRESENTATIVES OF THE DPP SETTLEMENT CLASS, (4) APPOINTMENT OF JND LEGAL ADMINISTRATION LLC AS SETTLEMENT ADMINISTRATOR AND THE HUNTINGTON NATIONAL BANK AS ESCROW AGENT, (5) APPROVAL OF THE FORM AND CONTENT OF CLASS NOTICE AND THE NOTICE PLAN, AND (6) SETTING SCHEDULE FOR THE DISSEMINATION OF CLASS NOTICE AND FAIRNESS HEARING

Direct Purchaser Plaintiffs Bill Wagner & Son, Inc., Vitolite Electric Sales Co. and Hodges Supply Company (“DPPs”), by and through Court-appointed Lead and Liaison Counsel, respectfully move this Court for an Order: (1) Preliminarily Approving the Proposed Settlement Between the Direct Purchaser Plaintiff Settlement Class and Defendants Atkore Inc.; Atkore International, Inc.; Atkore Plastic Pipe Corp.; Atkore RMCP, Inc.; and Allied Tube & Conduit

¹ The Settling Defendants do not oppose Direct Purchaser Plaintiffs’ motion. Because the Settlement Agreement required the terms of Direct Purchaser Plaintiffs’ settlement with Atkore to remain confidential until this motion was filed, it was not possible to conduct a pre-filing meet-and-confer with other parties.

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 of the DPP Settlement Class; (4) Appointing JND Legal Administration LLC as 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 the Schedule for the Dissemination of Class Notice and Fairness Hearing.

Dated: April 29, 2026

Respectfully submitted,

/s/ Robert N. Kaplan

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CERTIFICATE OF SERVICE

I certify that on April 29, 2026, I caused true and correct copies of this Motion and its accompanying brief and supporting documents to be served on all counsel of record via the Court's CM/ECF system.

/s/ Robert N. Kaplan
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