

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

*In re PVC Pipe Antitrust Litigation*

Case No. 1:24-cv-07639

THIS DOCUMENT RELATES TO:

Hon. LaShonda A. Hunt

All Actions

**[PUBLIC, REDACTED]**

**MULTI FITTINGS CORPORATION AND SILVER-LINE  
PLASTICS LLC'S MEMORANDUM OF LAW  
IN SUPPORT OF THEIR OPPOSED MOTION TO DISMISS**

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Citing little more than bare allegations of price increases, some (but not all) of the plaintiffs have added Multi Fittings Corporation (“Multi Fittings”) and Silver-Line Plastics LLC (“Silver-Line”) as defendants in this litigation. They plainly have done so only because Multi Fittings and Silver-Line are owned by the same ultimate parent as another defendant. But price increase announcements and an affiliation with a defendant are not enough to subject an entity to the extensive costs and burdens of a treble-damages antitrust class action. Dismissal of the claims against Multi Fittings and Silver-Line is therefore appropriate.<sup>1</sup>

## **BACKGROUND**

Two plaintiff groups—the Non-Converter Seller Plaintiffs (“NCSPs”) and End User Plaintiffs (“EUPs”)—name Multi Fittings as a defendant in this action. Non-Converter Seller Plaintiffs Complaint (“NCSP Compl.”) (ECF No. 467) ¶ 53; End User Plaintiffs Complaint (“EUP Compl.”) (ECF No. 399) ¶¶ 64-65. As its name suggests, Multi Fittings manufactures PVC fittings, rather than PVC pipe.<sup>2</sup> *See* NCSP Compl. ¶ 53. Only the EUPs seek to name Silver-Line as a defendant in this action. EUP Compl. ¶ 63.

Plaintiffs seek to group Multi Fittings and Silver-Line together with defendant IPEX USA LLC (“IPEX”) for pleading purposes. *See, e.g.*, EUP Compl. ¶ 66. Neither Multi Fittings nor Silver-Line is owned, directly or indirectly, by IPEX. Instead, Multi Fittings and Silver-Line are ultimately owned by Aliaxis SA, which is also the ultimate parent of IPEX. EUP Compl. ¶¶ 63-64; NCSP Compl. ¶ 53; Multi Fittings Corp. Discl. Stmt. (ECF No. 511); Silver-Line Corp. Discl. Stmt. (ECF No. 512); IPEX Corp. Discl. Stmt. (ECF No. 65). IPEX, Multi Fittings, and Silver-Line are therefore corporate affiliates. IPEX employees are also alleged to sometimes serve as sales representatives for its sister companies, or to have held positions at these companies. *See* EUP Compl. ¶ 65, & n.19; NCSP Compl. ¶ 232.

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<sup>1</sup> Silver-Line and Multi Fittings also join Defendants’ Joint Motion to Dismiss.

<sup>2</sup> Although EUPs allege somewhat vaguely that Multi Fittings sells “PVC Pipe Products,” their complaint defines that term to include fittings. *See* EUP Compl. ¶¶ 1, 112.

## LEGAL STANDARD

To state a valid claim for relief, a plaintiff must allege facts making plausible that the specific named defendant actually joined the conspiracy alleged. *See, e.g., In re Pork Antitrust Litig.*, 2019 WL 3752497, at \*8 (D. Minn. Aug. 8, 2019) (“Without specific information regarding each Defendant, the Court has no basis to analyze which, how many, or when any of the individual Defendants may have affirmatively acted . . . . that type of information is vital to pleading parallel conduct.”).<sup>3</sup> Plaintiffs fail to meet that standard here.

## ARGUMENT

### I. The Court Should Dismiss the Claims Against Silver-Line Because No Allegations Tie Silver-Line to Any Conspiracy

Only the EUPs name Silver-Line as a defendant. But their allegations against Silver-Line are minimal. First, the EUP Complaint alleges that [REDACTED]

[REDACTED] EUP Compl. ¶¶ 305, 307. Increasing price in response to a competitor’s increase does not suggest participation in a conspiracy. Instead, “when allegations of parallel conduct are set out in order to make a § 1 claim, they must be placed in a context that raises a suggestion of a preceding agreement, not merely parallel conduct that could just as well be independent action.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 557 (2007). Here, EUPs allege nothing more than “parallel conduct” at best.

Second, EUPs include cursory allegations that [REDACTED]

[REDACTED] EUP Compl. ¶ 68. But even assuming the truth of this

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<sup>3</sup> See also *In re Generic Pharms. Pricing Antitrust Litig.*, 338 F. Supp. 3d 404, 451 (E.D. Pa. 2018) (dismissing claims against one defendant the complaints failed to tie to the alleged conspiracy); *In re Crop Inputs Antitrust Litig.*, 749 F. Supp. 3d 992, 1007 (E.D. Mo. 2024) (rejecting pleading claims in a “general collective bloc”); *In re Granulated Sugar Antitrust Litig.*, No. 24-md-03110-JWB-DTS, ECF No. 471, at 14 (D. Minn. Oct. 15, 2025) (“Conclusory statements that lump defendants together, without factual support for each, are insufficient.”).

vague allegation, EUPs also admit that [REDACTED]

[REDACTED] *Id.* ¶¶ 100-03 [REDACTED]

[REDACTED]

Finally, the EUP Complaint alleges that IPEX acquired Silver-Line—though, as noted, IPEX is an affiliate, not parent, of Silver-Line. *See* EUP Compl. ¶¶ 64, 439. That Silver-Line and IPEX are within the same corporate family does not allow EUPs to impute to Silver-Line allegations regarding IPEX; EUPs must allege facts making plausible that *Silver-Line* joined a conspiracy. *See, e.g.*, *In re Capacitors Antitrust Litig.*, 106 F. Supp. 3d 1051, 1068 (N.D. Cal. 2015) (dismissing allegations against corporate subsidiary based on “general allegations against the larger . . . corporate family”); *see also Dewberry Grp., Inc. v. Dewberry Eng’rs, Inc.*, 604 U.S. 321, 327 (2025) (reaffirming principle that corporate affiliates are separate). EUPs’ claims against Silver-Line therefore fail to satisfy *Twombly* and should be dismissed.

## **II. The Court Should Dismiss the Claims Against Multi Fittings for Similar Reasons**

The allegations regarding Multi Fittings, and its Kraloy Fittings division (“Kraloy”), are similarly insufficient. First, NCSPs and EUPs allege competitors spoke with Ms. Todd *about* Multi Fittings, but do not allege that Multi Fittings played any role in such conversations. *See* EUP Compl. ¶¶ 242-43. Specifically, NCSPs allege that in February 2019 (before the price increases at issue) [REDACTED]

[REDACTED] NCSP Compl. ¶ 174. Nor would they have needed to speak with Multi Fittings/Kraloy to learn this information; [REDACTED]

[REDACTED] EUP Compl. ¶ 205.

Second, as with Silver-Line, the NCSPs and EUPs allege Multi Fittings took price increases for fittings, but fail to allege facts plausibly suggesting that any such price increases were the result of a conspiracy. *See, e.g.*, NCSP Compl. ¶¶ 174, 228, 232, 247, 255, 258, 282,

303, 308, 339, 461; EUP Compl. ¶¶ 234, 243. The February 2019 price increase is again illustrative. EUPs allege that in November 2018, [REDACTED]

[REDACTED] —for a price increase in February 2019. EUP Compl. ¶ 205. EUPs do not allege that this fact was confidential, nor could it have been — the increase would be public knowledge three months before it was instituted. EUPs then allege that [REDACTED]

[REDACTED] — though, again, EUPs do not allege that these follow-on price increases were confidential, and on the contrary allege that [REDACTED] *Id.* ¶¶ 206-08. Plaintiffs' sole complaint, then, is that Kraloy raised prices, and others followed. Such allegations of parallel conduct are not sufficient to state a claim under *Twombly*. 550 U.S. at 554 (“The inadequacy of showing parallel conduct or interdependence, without more, mirrors the ambiguity of the behavior: consistent with conspiracy, but just as much in line with a wide swath of rational and competitive business strategy unilaterally prompted by common perceptions of the market.”).

Indeed, Plaintiffs' allegations regarding Multi Fittings' price increases are largely inconsistent with their conspiracy allegations. For example, although information sharing is at the heart of their complaint, Plaintiffs repeatedly acknowledge that [REDACTED]

[REDACTED] NCSP Compl. ¶ 228; *see also id.* ¶¶ 258 [REDACTED]

[REDACTED] 339 [REDACTED]

[REDACTED] 461 [REDACTED]

[REDACTED] And Plaintiffs repeatedly allege that [REDACTED]

[REDACTED] *See, e.g.*, NCSP Compl. ¶¶ 247 [REDACTED]

Third, not only do NCSPs and EUPs fail to plausibly allege that Multi Fittings conspired with its competitors, they also fail to plausibly allege that any Multi Fittings employee had any improper conversations with Ms. Todd. For example, EUPs allege that [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] *See* EUP Compl. ¶¶ 414-15. But while the EUPs allege that [REDACTED] they acknowledge [REDACTED]

[REDACTED] and allege only that [REDACTED]

[REDACTED] *See id.* [REDACTED]

[REDACTED] much less plead facts suggesting that it would have appeared improper. *See id.*

Finally, NCSPs and EUPs allege that Multi Fittings shares some personnel with IPEX, and uses IPEX personnel as their sales representatives. *See* EUP Compl. ¶ 65, n.19; NCSP Compl. ¶ 232. But plaintiffs fail to plausibly allege that any IPEX employee engaged in anticompetitive conduct — let alone on behalf of Multi Fittings. As above, merely sharing a corporate family will not suffice. *In re Capacitors Antitrust Litig.*, 106 F. Supp. 3d at 1068. And the only other conduct alleged by IPEX personnel on behalf of Multi Fittings is: [REDACTED]

[REDACTED]

[REDACTED] NCSP Compl. ¶ 232, and [REDACTED] (i.e., well before the alleged price increases at issue in this case), [REDACTED]

[REDACTED] EUP Compl. ¶ 233. Neither suggests participation in a conspiracy.

## CONCLUSION

All claims against Silver-Line and Multi Fittings should be dismissed.

Dated: October 30, 2025

*/s/ Robert Milne*

Robert Milne (admitted *pro hac vice*)  
Bryan Gant (admitted *pro hac vice*)  
David H. Suggs (admitted *pro hac vice*)  
Kristen O'Shaughnessy (admitted *pro hac vice*)  
**WHITE & CASE LLP**  
1221 Avenue of the Americas  
New York, NY 10020  
Tel: (212) 819-8200  
rmilne@whitecase.com  
bgant@whitecase.com  
dsuggs@whitecase.com  
kristen.oshaughnessy@whitecase.com

Carolyn Pelling Gurland (Bar No. 6274399)  
**WHITE & CASE LLP**  
111 South Wacker Drive, Suite 5100  
Chicago, IL 60606  
Tel: (312) 881-5405  
carolyn.gurland@whitecase.com

*Counsel for Defendants Multi Fittings  
Corporation and Silver-Line Plastics LLC*