

**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*

**NOTICE OF PRESENTMENT OF MOTION**

**TO: ALL COUNSEL OF RECORD (via CM-ECF)**

PLEASE TAKE NOTICE that on June 11, 2025, at 10:00 a.m., or as soon thereafter as counsel may be heard, counsel will appear in person before the Honorable LaShonda A. Hunt, in Courtroom 1425 of the United States District Court for the Northern District of Illinois, Eastern Division, Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, Illinois, and shall present Direct Purchaser Plaintiff Bill Wagner & Son, Inc.’s Motion – Unopposed<sup>1</sup> by Settling Defendant Oil Price Information Service, LLC (“OPIS”) – for (1)

---

<sup>1</sup> OPIS, the Settling Defendant, does not oppose DPP’s motion. Because the Settlement Agreement required the terms of DPP’s settlement with OPIS to remain confidential until this motion was filed, it was not possible to conduct a pre-filing meet-and-confer with other parties. As detailed herein, on May 29, 2025, Interim Lead Counsel wrote to the non-settling Defendants asking them to provide, on a confidential basis, Interim Lead Counsel with their customer lists in order to effectuate individual, direct notice of the settlement to members of the DPP Settlement Class. The non-settling Defendants responded on June 4, 2025 that they were not in a position to evaluate the request for customer lists until after they had seen DPP’s preliminary approval filings and until other issues were resolved, and advised that they intended to inform DPP of their position on the motion once they are able to review the papers. Therefore, as of the time of this filing, Interim Lead Counsel does not know whether the non-settling Defendants will oppose the part of DPP’s motion requesting that the Court order the non-settling Defendants to produce their customer information. If, after reviewing this filing, the non-settling Defendants oppose that part of DPP’s motion, Interim Lead Counsel will, pursuant to this Court’s procedures, promptly confer with non-settling Defendants and submit an agreed proposed briefing schedule with respect to the request that non-settling Defendants produce their customer information in order to facilitate notice.

Preliminary Approval of Proposed Settlement Between the Direct Purchaser Plaintiff Class and Defendant Oil Price Information Service, LLC, (2) Certification, for Settlement Purposes Only, of the Proposed DPP Settlement Class, (3) Appointment of Kaplan Fox & Kilsheimer LLP as Settlement Class Counsel and Bill Wagner & Son, Inc. as Representative of the DPP Settlement Class, (4) Appointment of JND Legal Administration LLC as Settlement Administrator and The Huntington National Bank as Escrow Agent, (5) Requiring the Converter Defendants to Produce to Settlement Class Counsel their Customer Contact Information to Effectuate Reasonable Notice, (6) Approval of the Form and Content of Class Notice and the Notice Plan, and (7) Setting Schedule for the Dissemination of Class Notice and Fairness Hearing.

Dated: June 6, 2025

Respectfully submitted,

By: /s/ Robert N. Kaplan

Robert N. Kaplan

Matthew P. McCahill

Elana Katcher

Brandon Fox

Carihanna Morrison

**KAPLAN FOX & KILSHEIMER LLP**

800 Third Avenue, 38th Floor

New York, New York 10022

Tel: (212) 687-1980

rkaplan@kaplanfox.com

mmccahill@kaplanfox.com

ekatcher@kaplanfox.com

bfox@kaplanfox.com

cmorrison@kaplanfox.com

Gary L. Specks

**KAPLAN FOX & KILSHEIMER LLP**

681 Prestwick Lane

Wheeling, Illinois 60090

Tel: (847) 831-1585

gspecks@kaplanfox.com

*Lead Counsel for the Direct Purchaser Plaintiff Class*

Joseph M. Vanek  
Allison Margolies  
David Germaine  
John P. Bjork  
**SPERLING KENNY NACHWALTER, LLC**  
321 N Clark Street, Suite 2500  
Chicago, Illinois 60654  
Tel: (312) 641-3200  
jvanek@sperlingkenny.com  
amargolies@sperlingkenny.com  
dgermaine@sperlingkenny.com  
jbjork@sperlingkenny.com

Phillip F. Cramer  
**SPERLING KENNY NACHWALTER, LLC**  
1221 Broadway, Suite 2140  
Nashville, Tenn. 37212  
Tel: (312) 641-3200  
pcramer@sperlingkenny.com

James Almon  
**SPERLING KENNY NACHWALTER, LLC**  
1616-D Metropolitan Cir.  
Tallahassee, Florida 32308  
Tel: (850) 942-4334  
jalmon@sperlingkenny.com

*Liaison Counsel for the Direct Purchaser Plaintiff  
Class*

Dianne M. Nast  
Joseph Roda  
Michael Ford  
Michele Burkholder  
**NASTLAW LLC**  
1101 Market Street, Suite 2801  
Philadelphia, Penn. 19107  
Tel: (215) 923-9300  
dnast@nastlaw.com  
jnroda@nastlaw.com  
mford@nastlaw.com  
mburkholder@nastlaw.com

Joshua H. Grabar  
Julia Varano  
**GRABAR LAW OFFICE**  
One Liberty Place  
1650 Market Street, Suite 3600  
Philadelphia, Penn. 19103  
Tel: (267) 507-6085  
jgrabar@grabarlaw.com  
jvarano@grabarlaw.com

*Counsel for Direct Purchaser Plaintiff Bill Wagner &  
Son, Inc.*

**CERTIFICATE OF SERVICE**

I certify that on June 6, 2025, I caused true and correct copies of this Notice to be served on all counsel of record via the Court's CM/ECF system.

/s/ Robert N. Kaplan  
Robert N. Kaplan