

# CERTAINTEED FIBER CEMENT SIDING CLASS ACTION

## Legal Notice

**If you are resident in Canada and own a home, residence, building, or other structure located in Canada on which CertainTeed WeatherBoards Fiber Cement Siding (the “Siding”) was installed on or before July 1, 2016, your rights could be affected by a proposed national class action settlement with CertainTeed Corporation (“CertainTeed”).**

### The CertainTeed Action

Class action lawsuits were commenced in Alberta and British Columbia against CertainTeed alleging that the Siding is defective and subject to cracking, bowing, buckling warping, delamination and shrinkage. The actions were certified as class proceedings on September 21, 2016 in BC and on October 3, 2016 in Alberta.

### The Settlement

Although CertainTeed denies liability, it has reached a national settlement with the plaintiffs (the “Settlement”). The Settlement is subject to approval of the Court in Alberta and British Columbia. CertainTeed will pay CAD \$7.25 million (the “Gross Settlement Amount”) for the benefit of the Settlement Class Members (defined below) in exchange for a full release of claims against it and its related entities (this may affect your rights under the warranties provided by CertainTeed).

If the Settlement is approved, the Class Lawyers will ask the Courts to approve the deduction of certain amounts (collectively, the “Court Approved Expenses”) from the Gross Settlement Amount, including costs incurred to distribute this notice and process opt-out requests, comments and objections (see below), a counsel fee of up to 18% of the recovered amounts, plus applicable taxes and disbursements.

### Who Are The Settlement Class Members?

You are a Settlement Class Member if you own a home, residence, building, or other structure that had Siding installed on or before July 1, 2016.

All Settlement Class Members are affected by this notice.

### Settlement Approval Hearings

A hearing to consider approval of the Settlement, a counsel fee of up to 18% of the recovered amounts, plus applicable taxes and Court Approved Expenses will be heard on **January 31, 2017 at 2:00 p.m.** at the Court of Queen’s Bench of Alberta in Edmonton and on **February 17, 2017 at 10:00 a.m.** at the Supreme Court of British Columbia in Vancouver. Anyone can attend the hearings, but if you wish to speak to the Court, please advise one of the Class Lawyers.

If you wish to provide written comment on or objection to the Settlement, you must do so by delivering same to the Class Lawyers by **December 30, 2016**. Comments or objections will be provided to the Court for consideration in whether to approve or reject the Settlement.

### Participating in the Settlement

If you fall within the Settlement Class and wish to participate in the Settlement, you do not need to do anything at this time.

### Opting Out of the Class Proceedings

The deadline to opt out of the Settlement is **December 30, 2016**.

By opting out, you are choosing **not** to take part in the Settlement.

Settlement Class Members who opt out will not be bound by the Settlement or the releases in the Settlement, but will also not be entitled to share in any of the proceeds that may become available as part of the Settlement.

### Consequences of Not Opting Out

Settlement Class Members who **do not opt out** will be bound by the Settlement and the releases in it, and will be entitled to share in any of the proceeds that may become available to Settlement Class Members as part of the Settlement.

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FOR MORE INFORMATION on the status of the approval hearing, how to opt out of the Settlement, comment or object to the Settlement, or to view the Settlement, visit [www.CertainTeedSettlement.ca](http://www.CertainTeedSettlement.ca) which will be periodically updated with information on the Settlement approval process.

The CLASS LAWYERS are James H. MacMaster and Chelsea D. Hermanson of Branch MacMaster LLP and can be reached at:

- Email: [chermanson@branmac.com](mailto:chermanson@branmac.com)
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This Notice is approved by the Alberta Court of Queen's Bench  
and the Supreme Court of British Columbia.