

Nicole McLeod

Dear Kitec Class Member,

You may have recently received a certified letter from James Carraway, attorney for IPEX, regarding home inspections. It is **critical to protect your rights** that you send in a written request to have your home inspected.

Please find attached, a letter from attorney, J. Randall Jones, explaining the importance of this matter. I have also attached a request for inspection form that you are requested to fill out and email back to me at n.mcleod@hkj-law.com

We will forward your requests to Mr. Carraway's office for handling.

Thank you for your attention to this matter.

Nicole McLeod
Paralegal
Harrison, Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Parkway
Seventeenth Floor
Las Vegas, Nevada 89169
(702) 385-6000
(702) 385-6001 Fax
n.mcleod@hkj-law.com

This e-mail transmission, and any documents, files, or previous e-mail messages attached to it may contain confidential information that is legally privileged. If you have received this transmission in error, please immediately notify us by reply e-mail, by forwarding this to sender, or by telephone at (702) 385-6000, and destroy the original transmission and its attachments without reading or saving them in any manner. Thank you.

8/27/2008

HARRISON, KEMP, JONES & COULTHARD

ATTORNEYS AT LAW

WILL KEMP
J. RANDALL JONES
MARK M. JONES
WILLIAM L. COULTHARD*
RICHARD F. SCOTT†
JENNIFER COLE DORSEY
P. KYLE SMITH
SHAN D. DAVIS
SPENCER H. GUNNERSON
MATTHEW S. CARTER†
CAROL L. HARRIS
AMANDA B. WATSON
JORDAN P. SCHNITZER†

A LIMITED LIABILITY PARTNERSHIP
WELLS FARGO TOWER
3800 HOWARD HUGHES PARKWAY
SEVENTEENTH FLOOR
LAS VEGAS, NEVADA 89169
hkj@hkj-law.com

KIRK R. HARRISON - Of Counsel

TELEPHONE
(702) 385-6000

FACSIMILE
(702) 385-6001
(702) 385-1234

August 21, 2008

*Also licensed in Idaho
†Also licensed in California

Attorney-Client Privileged Communication

RE: IMPORTANT - IMMEDIATE RESPONSE REQUIRED
In Re Kitec Fitting Litigation, Case No. A493302

Dear Homeowner,

This letter is intended to provide class members of the In Re Kitec Fitting Litigation class action with urgent information concerning the recent mailing that was sent to you by Ipex USA, LLC ("Ipex"). If you are not a member of this class action because you have already opted out of the class action or you have received this mailing in error, please disregard this letter.

Recently, our firm provided Ipex with notice under Chapter 40 of the Nevada Revised Statutes that defective brass Kitec plumbing fittings¹ and may be installed within homes in your community. This notice was given to Ipex on behalf of all homes with Kitec fittings in Clark County on behalf of class members who are part of the In Re Kitec Fitting Litigation class action. Under Chapter 40, after notice of a construction defect is given, Ipex must decide whether it wishes to repair this problem or wishes to disclaim liability and litigate. Before Ipex makes this decision, however, it has the right to inspect the alleged defect. Importantly, any homeowner that refuses to allow this inspection will be barred from bringing construction defect claims against Ipex under NRS Chapter 40 in the current action.

Chapter 40 of the Nevada Revised Statutes (NRS) provides extremely valuable rights that the Nevada Legislature passed to protect homeowners like you who find their homes to have construction defects. These rights include the right to attorneys fee's, expert witness fees, and other costs of the suit

¹ As explained within our notice, brass Kitec fittings are defective because they disintegrate and fail when exposed to water because of a well-known chemical reaction called dezincification. Specifically, when brass Kitec fittings are exposed to water, zinc leaches out of the fittings and leaves behind a weak and porous honeycomb of copper and telltale blockage of zinc oxide that inevitably leads to leaks, restricted water flow, and breakage. Brass Kitec fittings therefore not only cause substantial injury to homeowners when they burst and leak, but also impair the ability of a home's plumbing system to effectively operate and provide water to appliances and plumbing fixtures.

August 21, 2008

Page 2

that are often substantial in a construction defect case. Under Chapter 40, homeowners are also protected from certain defenses that might otherwise significantly compromise your ability to recover damages for construction defects without Chapter 40. Should you wish to find out more about how losing your Chapter 40 rights may impact your claims, please visit the website, www.plumbingdefect.com, which Class Counsel maintains to provide information to class members, and click on "Your Chapter 40 Rights."

This is why Ipex has forwarded our Chapter 40 notice to you along with a form to request an inspection of your home. Although Ipex's letter states that you are not required to request an inspection and claims that you will not be precluded from sending future notice to Ipex under Chapter 40, Ipex's letter fails to mention that if you do not request an inspection: 1) you will lose your Chapter 40 claims against Ipex in the current action; 2) you will lose your Chapter 40 claims against Ipex in the *Quintero v. Woodside, et al*, litigation that is currently stayed against Woodside Homes and KB Homes; 3) that Ipex will almost certainly use your failure to respond as justification to not address this construction defect in your home; 4) that you may be barred by applicable statutes of limitations if you attempt to assert Chapter 40 claims against Ipex in the future; and 5) your rights in the ongoing In Re Kitec Fitting Litigation class action may be severely impacted.

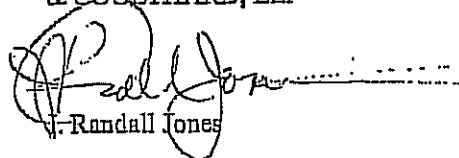
Therefore, it is imperative that you request the inspection that Ipex is offering in order to preserve your Chapter 40 claims in the current actions. Further, if you fail to request this inspection, you may forfeit any right to recovery under Chapter 40 of the Nevada Revised Statutes in the current actions.

To assist homeowners that do wish to request the inspection offered by Ipex, please find a self-addressed postcard enclosed with this letter that requests an inspection. We are sending this postcard to class members in an effort to protect their rights in this litigation. To return the postcard, please fill out your name, address, and contact information and we will ensure that your inspection request is provided to Ipex in order to preserve your Chapter 40 rights.

Thank you for your attention to this matter and please do not hesitate to contact our office if you have any questions or concerns regarding these issues.

Very truly yours,

HARRISON, KEMP, JONES
& COULTHARD, LLP



J. Randall Jones

In Re: Kitec Fitting litigation
Case No. A493302

HOMEOWNERS REQUEST FOR INSPECTION

NAME: _____

ADDRESS: _____

CONTACT NUMBER: _____

I am the owner of the home at the above address. I hereby request that my home be inspected in order to preserve my rights as a homeowner and class member within In Re Kitec Fitting Litigation and a claimant under Chapter 40 of the Nevada Revised Statutes, which include any and all claims to recover the cost of replumbing and repairing my home, securing new warranties for my plumbing system, recovering attorneys' fees, and any other benefits I may be entitled to.

DATE: _____

HOMEOWNER SIGNATURE: _____