

Dear Kitec Class Members:

You are receiving this email as a result of registering your email address on www.plumbingdefect.com or otherwise providing Class Counsel with your email address. The purpose of this particular email is to provide a courtesy reminder to all Kitec class members regarding the Kitec re-plumb protocol.

Ten (10) day advance written notice of any Kitec re-plumb repair:

As previously stated in earlier emails (copies of which are available at www.plumbingdefect.com), Class Counsel is required by Court order to provide notice to all parties in the Kitec litigation of any re-plumb repair that occurs at Kitec class members' homes. Further, defense counsel and/or their representatives are entitled to attend and observe the re-plumbs. **Accordingly, for those class members who conduct a re-plumb and/or non-emergency plumbing repair of their home, please provide Class Counsel with ten (10) days advance written notice of any such repair or re-plumb. Failure to provide the required notice may subject the homeowner to possible exclusion from any recovery in the Kitec litigation due to spoliation of evidence arguments being asserted by defending parties.** Thus, advance written notice to Class Counsel of any plumbing repairs is critical to preserve your rights in this litigation.

Defense Counsel attendance at Kitec re-plumb repairs:

Defense counsel and/or their representatives are authorized by Court order to attend and observe any Kitec re-plumb repair. Please require that each representative that attends use the "Sign-In/Sign-Out" sheet available on www.plumbingdefect.com each time they enter and leave the home. Also, please request that any representative provide you with a business card or some form of identification stating which party he/she represents. These representatives are allowed to attend and observe the Kitec re-plumb repairs only. They are not, however, allowed to discuss any aspect of the Kitec lawsuit with you and/or the repair contractor(s). These defense counsel representatives are also not allowed to interrupt the plumbers from their work. Furthermore, they are not to take any water samples, Kitec plumbing parts or any other materials from your home. Should any of this occur, please contact Class Counsel immediately.

Providing Class Counsel with information on completed Kitec re-plumb repairs:

For those class members who conduct a re-plumb and/or non-emergency repair, please keep all records, receipts, invoices, etc. of the re-plumb repair work. Please also retain a few of the removed Kitec brass fittings. At the conclusion of the re-plumb repair, please provide Class Counsel with the information requested below. Please be advised that this information is **only required of class members who have already had a re-plumb repair**. In most instances, such a repair would have been paid for by the homeowner at the homeowner's own expense. The requested information is as follows:

- (1) Homeowner name;
- (2) Address of home;
- (3) Name of community where home is located and name of builder;
- (4) Documentary confirmation (one invoice or receipt) from plumbing company stating that home had the Kitec plumbing system and how much total re-plumb repair cost (including paint and drywall repair);
- (5) Date re-plumb repair occurred;
- (6) Date of Kitec fitting failure, if any; and
- (7) The total cost for the re-plumb repair.

The ten (10) day advance written notice of any Kitec re-plumb repair and the responses to the seven requests above should be provided to Class Counsel in one of the following ways:

- Emailed to n.mcleod@hki-law.com
- Mailed to 3800 Howard Hughes Pkwy, 17th Floor, Las Vegas, NV 89169; or
- Faxed to 385-6001, Attn: Nicole McLeod.

Thank you for your attention to these matters.

Very truly yours,

William L. Coulthard

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(702) 385-6001 fax

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.