

Dear Kitec Class Members:

The purpose of this email is to add to our July 12, 2007, email regarding the Kitec re-plumb protocol (for a copy of this email, please visit www.plumbingdefect.com). As stated in our July 12th email, Class Counsel is required by law to provide notice to all parties of any re-plumb that occurs within the parameters of the Kitec class action. Further, defense counsel (or their representatives) is entitled to attend and observe the re-plumbs. **Accordingly, for those class members who conduct a re-plumb and/or non-emergency repair of their home, please provide Class Counsel with ten (10) days advance written notice of any such re-plumb or repair. Importantly, failure to provide the required ten (10) day notice will 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 repair is critical to preserve your rights in this litigation.

This written notice must be provided to Class Counsel in one of the following manners:

- Emailed to j.burton@hkj-law.com;
- Mailed to Harrison, Kemp, Jones & Coulthard, 3800 Howard Hughes Pkwy., 17th Floor, Las Vegas, Nevada 89169; or
- Faxed to (702) 385-6001, Attn: James Burton

Class Counsel has made a similar written request of all plumbing companies Class Counsel is aware of that are conducting re-plumb repairs. A copy of that letter is available at www.plumbingdefect.com.

Thank you for your attention to this matter.

Very truly yours,

William L. Coulthard

James T. Burton

Harrison, Kemp, Jones & Coulthard, LLP
3800 Howard Hughes Parkway, 17th Floor
Las Vegas, NV 89169
(702) 341-8585
(702) 385-6001 fax
j.burton@hkj-law.com

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