

Important Definitions - Cox vs. Shell Oil, et al.

CLASS MEMBER: All persons and entities that (1) own real property or structures in the United States in which there was installed between January 1, 1978 and July 31, 1995, polybutylene plumbing with acetal insert or metal insert fittings or a polybutylene yard service line; (2) own or previously owned such real property or structures and have already incurred any cost or expense, by reason of leakage from, or from failure, repair, or removal of, all or any portion of such polybutylene plumbing or yard service line which was installed between January 1, 1978 and July 31, 1995; or (3) will own such real property or structures during the term of entitlement to relief under the Settlement Agreement. **Class Member does not include purchasers under a contract for deed or other tenants who are not owners of such real property or structures.**

The definition of the Settlement Class excludes: (1) All persons who, in accordance with the terms of the Settlement Agreement, execute a timely request for exclusion from the Settlement Class; (2) the Defendants; the Released Manufacturers; the parent and any subsidiary, affiliate and controlled entity of any of them; and the officers and directors of each of them; and (3) All parties to *Geno Cox et al. v. Shell Oil Company et al.*, Case No. 662214, and *Robert L. Williams et al. v. Shell Oil Company et al.*, Cases No. 658403, and related combined actions (Cases Nos.

640245, 654709, 656787, 661372, 665521 and 665527) in the Superior Court of the State of California in and for the County of San Diego, and all members of the certified classes in those lawsuits.

DATE OF PB PLUMBING

INSTALLATION: The respective date that a PB Plumbing System or PB Yard Service Line was installed. In the absence of proof of such date, the Date of Installation for a mobile home will be presumed to be the latest of the date of the first state motor vehicle registration, the date of the first consumer sale, or the date of manufacture of such unit. For all other Dwelling Types the Date of Installation will be presumed to be the date of the certificate of occupancy or similar document issued for such unit.

DWELLING TYPE: Any real property or structure, or part thereof as described below, situated in the United States with a PB Plumbing System or a PB Yard Service Line as follows:

A mobile home, or a single-family site-built or modular residence, a single-family dwelling unit in a duplex, triplex, or quadplex dwelling, a single-family unit in a condominium, a single-family townhouse unit in a townhouse development, an apartment in an apartment building or complex, and each part of a commercial or other structure (e.g. a public or

governmental structure, office building, store, shopping center, retail mall, factory, workshop, warehouse, garage, library, auditorium, museum, hospital, club, or public or private school, college or university) occupied by a single tenant or tenant group. When a structure other than a single-family dwelling includes a common area with plumbing service, such as a common area restroom, laundry room, recreation room, clubhouse or communal kitchen, or plumbing servicing more than one unit, each such discrete area or plumbing system shall be considered to constitute an individual unit separate and distinct from the other individual Units in the structure.

Dwelling Type does not include boats, recreational vehicles, travel trailers, or other motorized vehicles or vehicles intended for regular use on public roads, nor shall it include any aspect of any municipal or other water service system upstream from the water company cutoff valve.

ELIGIBLE CLAIMANT: You are an Eligible Claimant if you are a Settlement Class Member, have had a Qualifying Leak as defined below and have not entered into a prior settlement or been subject to a previous verdict.

LEAK: Leak means any verifiable failure in any component of a PB Plumbing System leading to unwanted discharge of water

exclusive of (i) a leak in the first year of any applicable warranty period provided by the unit's builder, contractor or manufacturer; (ii) a leak resulting from abuse of such system or circumstances unrelated to ordinary use of such system, including acts of nature (e.g. earthquake, fire, flood, hurricane, tornado, etc.); (iii) a leak that may be repaired without cutting the wall in or at (a) a valve, or (b) a riser (which is the connecting line from a shut-off valve to a fixture) or an adapter to a fixture; and (iv) a leak in an ice-maker line.

PB PLUMBING SYSTEM: That portion of any potable water distribution system with an Installation Date between January 1, 1978 and July 31, 1995, which is within a structure and is composed of Polybutylene Pipe with acetal or metal insert fittings (or any combination thereof). PB Plumbing System does not include PB Yard Service Line.

PB YARD SERVICE LINE: That portion of any potable water distribution system with an Installation Date between January 1, 1978 and July 31, 1995, which extends from the water company cutoff valve to the transition to the inside plumbing system in or at the structure (excluding the meter) and which is composed of Polybutylene Pipe with or without metal or acetal fittings.

LEAK ELIGIBILITY PERIODS AND FILING DEADLINES

Leaks occurring prior to 8/21/95 must meet the requirements of the table below.

Dwelling Type	Leak Must Occur :	And Must Be Filed:
All Dwelling Types as described in the definition above	Prior to August 21, 1995	By August 21, 1997

Leaks occurring 8/21/95 and after must meet the requirements of the table below.

Dwelling Type	Leak Must Occur:	And Must Be Filed:
Mobile Homes	From August 21, 1995 and within 10 years of PB Plumbing Installation	Within 11 years of PB Plumbing Installation
Yard Service Lines	From August 21, 1995 and within 10 years of PB Yard Service Line Installation	Within 11 years of PB Yard Service Line Installation
Single Units (Single Family, Modulares, Townhomes, Condos, Duplexes, Triplexes and Quads) with Acetal Insert Fittings	From August 21, 1995 and within 13 years of PB Plumbing Installation	Within 14 years of PB Plumbing Installation
Single Units (Single Family, Modulares, Townhomes, Condos, Duplexes, Triplexes and Quads) with Metal Insert Fittings	From August 21, 1995 and within 16 years of PB Plumbing Installation or 1-31-09, whichever is earlier	Within 17 years of PB Plumbing Installation or 5-1-09, whichever is earlier
Apartment Buildings & Commercial or Public Structures with Acetal or Metal Insert Fittings	From August 21, 1995 and within 13 years of PB Plumbing Installation	Within 14 years of PB Plumbing Installation

Consumer Plumbing Recovery Center

August, 2002

Dear Professional:

The \$950 million national class action settlement in Cox v. Shell Oil Company provides relief for qualifying leaks in PB plumbing meeting certain age restrictions. The settlement was approved by the Court in 1995 on behalf of homeowners who have PB plumbing. As mandated by the settlement, periodic notice to consumers is required over a twelve-year period. At this time, we are in the midst of a notification program directed to individuals who may be affected.

You are being notified because you may have professional contact with individuals or entities that may be affected by this class action settlement. Your assistance in informing potential class members of this settlement would be appreciated.

The notice is directed to individuals who purchased a house, mobile home or other structure in the United States after September 12, 1999, that contained plumbing composed of polybutylene pipe with plastic or metal insert fittings ("PB plumbing") when they purchased it. The PB plumbing must have been installed in their structure between January 1, 1978 and July 31, 1995.

Individuals that have PB plumbing may be entitled to free replacement of their plumbing if it has leaked in the past, or leaks in the future. If they purchased their structure after September 12, 1999, they may also have the right to exclude themselves from the class, in which case they will not participate in any of the benefits of the settlement or be bound by it.

For more information on your rights under the settlement, including the official Notice of Class Action and Settlement and the Claim Eligibility Form, please instruct potential class members to visit www.pbpipe.com or to call 1-800-392-7591.

Your cooperation in helping to provide notice is greatly appreciated. If you have any questions, please do not hesitate to contact the Consumer Plumbing Recovery Center at 1-800-392-7591.

Sincerely,
Consumer Plumbing Recovery Center

P.O. Box 869006

• Plano, Texas 75086-9006

• 1-800-876-4698
1-972-424-6996