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15 **UNITED STATES DISTRICT COURT**
 16 **NORTHERN DISTRICT OF CALIFORNIA**

18 JASON TRABAKOOLAS SHEILA
 19 STETSON, JACK WHEELER, CHRISTIE
 MOONEY AND KEVEN TURNER
 individually and on behalf of all others similarly
 20 situated,

Plaintiffs,

21 v.

22 WATTS WATER TECHNOLOGIES, INC.,
 23 WATTS REGULATOR CO., AND
 24 WOLVERINE BRASS, INC.,

Defendants.

Case No. 3:12-cv-01172-WHO (EDL)

**STIPULATION AND ORDER
 EXTENDING CLAIM PAYMENT
 DISBURSEMENT DATE**

Honorable William H. Orrick III

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs,
2 through Class Counsel, and Defendants Watts Water Technologies, Inc., Watts
3 Regulator Co. (“Watts”) and Wolverine Brass, Inc. that the date by which the
4 Settlement Claims Administrator (Epiq Systems or “Epiq”) shall make an initial
5 disbursement for claims under Paragraphs 114b and 115c.4 of the Settlement
6 Agreement may be extended from September 4, 2015 to October 26, 2015.

7 This stipulation is based on the following facts:

8 1. This Court entered its Final Order and Judgment finally approving the
9 Settlement Agreement in this class action on August 5, 2014. The class consists of all
10 persons who owned or leased a residence located in the United States that contained a
11 Toilet Connector manufactured or sold by Watts. Under Paragraphs 114 and 115 of
12 the Settlement Agreement, all claims for the replacement of Toilet Connectors and all
13 claims for property damage that arose from January 1, 2009 to January 1, 2012 must
14 be submitted within one year after the Final Order and Judgment, or by August 5,
15 2015. Property damage claims arising after January 1, 2012 may be submitted at any
16 time within the five-year Damage Claim Period.

17 2. Under Paragraphs 114b and 115c.4 of the Settlement Agreement, the
18 Claims Administrator is directed to pay, within thirty days or by September 4, 2015,
19 for those replacement and property damage claims submitted by August 5, 2015.

20 3. Based on its experience, Epiq anticipates that a number of additional
21 claims will be submitted at or near the August 5, 2015 first-year deadline. Based on
22 its experience in this case, Epiq has found that a sizeable percentage of the claim
23 submissions are deficient in or more respects; in those cases, a defect letter is sent to
24 the claimant identifying the deficiency and providing the claimant an opportunity to
25 correct it. Those deficient claims that are submitted at or near the August 5, 2015
26 deadline could not be paid by September 4, 2015 because there would not be
27 sufficient time to send defect letters, evaluate responses and then process and conduct
28 quality control review of the payment awards. In addition, it would not be possible to

1 accurately calculate the amount of the awards, including any authorized hold-back,
2 until the full set of approved property damage claims is known.

3 4. Epiq has proposed an alternative schedule that would (a) allow for the
4 orderly and efficient processing of all property damage claims submitted by August 5,
5 2015, (b) provide time to send out defect letters that give claimants thirty days to
6 correct any claim deficiencies, (c) evaluate the responses and corrections to the claims
7 and (d) permit the accurate determination of any hold-backs that may be necessary in
8 light of all the claims. Under this schedule, the disbursement date for all property
9 damage claims submitted within one year after the Final Order and Judgment would
10 be October 26, 2015.

11 5. The extended deadline would not apply to replacement claims that are
12 submitted by August 5, 2015 and approved by August 17, 2015. These approved
13 replacement claims, submitted by individual homeowners, will be paid by September
14 4, 2015. Any deficient replacement claims that are corrected by September 30, 2015
15 will be paid by October 26, 2015. This schedule would potentially enlarge the number
16 of replacement claims that are paid.

17 6. If this Stipulation is approved by the Court, property damage claimants
18 will be notified by email or postcard of the new disbursement date and the reason for
19 the extension. In addition, the settlement website will be modified to note the changed
20 disbursement date, and this Stipulation and Order will be added to the site.

21 7. The extension of the disbursement date as requested in this Stipulation
22 only applies to the first year of the Damage Claims Period and the Replacement
23 Claims Period. The parties and Epiq do not expect that an extension of subsequent
24 disbursement dates during the remainder of the five-year Damage Claim Period will
25 be necessary. The proposed schedule does not impact the timing of Watts'
26 contributions to the Common Fund.

27
28 IT IS SO STIPULATED.

1
2 Dated: July 20, 2015

DAVID S. MacCUIISH
TODD BENOFF
LINDSAY G. CARLSON
ALSTON & BIRD LLP

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4
5 /s/ David S. MacCuish

David S. MacCuish
Attorneys for Defendants WATTS REGULATOR
CO., WATTS WATER TECHNOLOGIES, INC. and
WOLVERINE BRASS, INC.

6
7
8 Dated: July 20, 2015

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& BENDESKY, P.C.

DANIEL E. GUSTAFSON
GUSTAFSON GLUEK PLLC.

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14 /s/ Patrick Howard

PATRICK HOWARD
Attorneys for Plaintiffs

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17 Signature Attestation

18 I, David S. MacCuish, am the ECF User whose ID and password are being used
19 to file this Stipulation and [Proposed] Order Extending Claim Payment Disbursement
20 Date. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that Patrick Howard of
21 Salta, Mongeluzzi, Barrett & Bendesky, P.C. has concurred in this filing.
22

23 Dated: July 20, 2015

/s/ David S. MacCuish

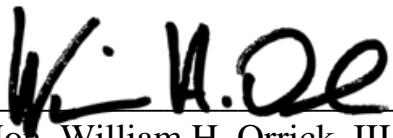
ORDER

The Court, having considered the foregoing Stipulation, HEREBY ORDERS:

1. The date by which the Claims Administrator shall make payments for replacement and property damage claims properly submitted by August 5, 2015 shall be October 26, 2015.

2. Property damage claimants shall be notified by email or postcard of the change in the disbursement date to October 26, 2015. In addition, the settlement website shall note the new disbursement date, and this Order shall be posted on the site.

Dated: July 22, 2015



Hon. William H. Orrick III
United States District Judge

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