

**LEGAL NOTICE BY ORDER OF THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WASHINGTON**

If you own or lease a residence or other structure containing certain InSinkErator brand F-201 instant hot water filters used with an instant hot water dispenser, you could get benefits from a class action settlement.

A federal court authorized this notice. This is not a solicitation from a lawyer. You are not being sued.

Si usted posee o alquila una residencia u otra estructura que contiene ciertos filtros de agua caliente instantánea F-201 de la marca InSinkErator utilizados con un dispensador de agua caliente instantáneo, usted podría obtener beneficios de un acuerdo de demanda colectiva. Si desea recibir esta notificación en español, visite nuestra página web o llámenos.

- Plaintiffs brought a lawsuit alleging that InSinkErator and Emerson Electric Company sold certain InSinkErator F-201 filters used in water filtration systems that could crack and leak water. These F-201 filters were designed to be used with instant hot water dispenser systems. InSinkErator and Emerson Electric Company deny that they did anything wrong, and the Court has not decided who is right.
- A settlement has been reached in this case that affects anyone who owns or leases a residence or other structure located in the United States that contains both an installed InSinkErator F-201 Instant Hot Water Dispenser Filtration System and an F-201R filter cartridge manufactured from 2001 through January 31, 2011 (“Old Filter”). The Old Filters are no longer being sold.
- Below is an example image of an InSinkErator F-201R filter cartridge.



- The Settlement, if approved, would provide \$3,800,000 to give benefits to those individuals and entities who, as of January 22, 2018, own or lease a residence or other structure located in the United States that contains both an installed InSinkErator F-201 Instant Hot Water Dispenser Filtration System and an Old Filter, as well as to pay Plaintiffs’ attorneys’ fees, costs, service awards for the Representative Plaintiffs, and the administrative costs of the settlement. The Settlement avoids the further cost and risk associated with continuing the lawsuits; provides for New Replacement Filters or Cash Awards for those who own or lease property containing an Old Filter; and releases further liability.
- **Your legal rights are affected whether you act or don’t act. Read this notice carefully.**
- **En el sitio web, www.F201WaterFilterSettlement.com, hay una notificación completa del acuerdo en Español.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
OPTION	RESULT
SUBMIT A CLAIM	This is the only way to get benefits from the Settlement. You can submit a valid and timely claim online at www.F201WaterFilterSettlement.com , or by mail to F-201 Water Filter Settlement Program, Class Administrator, P.O. Box 25487, Richmond, VA 23260. If you fail to submit a valid and timely claim, you will not be eligible to receive Settlement benefits. The deadline for submitting a claim is December 31, 2020 .
DO NOTHING	You will not receive Settlement benefits and you will give up rights to sue InSinkErator and Emerson Electric Company on your own for the legal claims in this case.
EXCLUDE YOURSELF OR “OPT OUT” OF THE SETTLEMENT	If you ask to be excluded, also known as “opting out,” you will get no benefits from the Settlement, but you may be able to pursue or continue your own lawsuit about the legal claims in this case.
OBJECT	Write to the Court about why you believe the Settlement is unfair.

- These rights and options—**and the deadlines to exercise them**—are explained in this notice.
- **The Court in charge of this case still has to decide whether to finally approve the Settlement. Benefits will be given if the Court approves the Settlement and after any appeals are resolved. Please be patient.**

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BASIC INFORMATION

1. Why is there a notice?

A Court authorized this Notice because you have a right to know about a proposed Settlement of this class action lawsuit and about your options before the Court decides whether to finally approve the Settlement. If the Court finally approves the Settlement and after any objections or appeals are resolved, an administrator appointed by the Court will distribute the benefits that the Settlement allows. Because your rights will be affected by this Settlement, it is extremely important that you read this Notice carefully.

2. What is this class action lawsuit about?

The Court in charge of the case is the United States District Court for the Eastern District of Washington, and the case is a class action known as *Richard Desio et al. v. InSinkErator et al.*, Civ. No 2:15-cv-00346 (E.D. Wa.). The Amended Complaint alleges that Defendants sold certain water filters that contained a defect that can result in a filter failure and resulting flooding of the structures in which they are installed. This case is being brought by Richard Desio and Christopher Gouviea, also known as “Representative Plaintiffs.” The Representative Plaintiffs sued the following entities, also known as “Defendants”: InSinkErator and Emerson Electric Company. The proposed Settlement would resolve all claims in the class action lawsuits.

A class action is a lawsuit in which the claims and rights of many people are decided in a single court proceeding. Representative plaintiffs, also known as “class representatives,” assert claims on behalf of the entire class.

Defendants deny that they did anything wrong and deny that this case is appropriate for treatment as a class action.

3. Why is there a settlement?

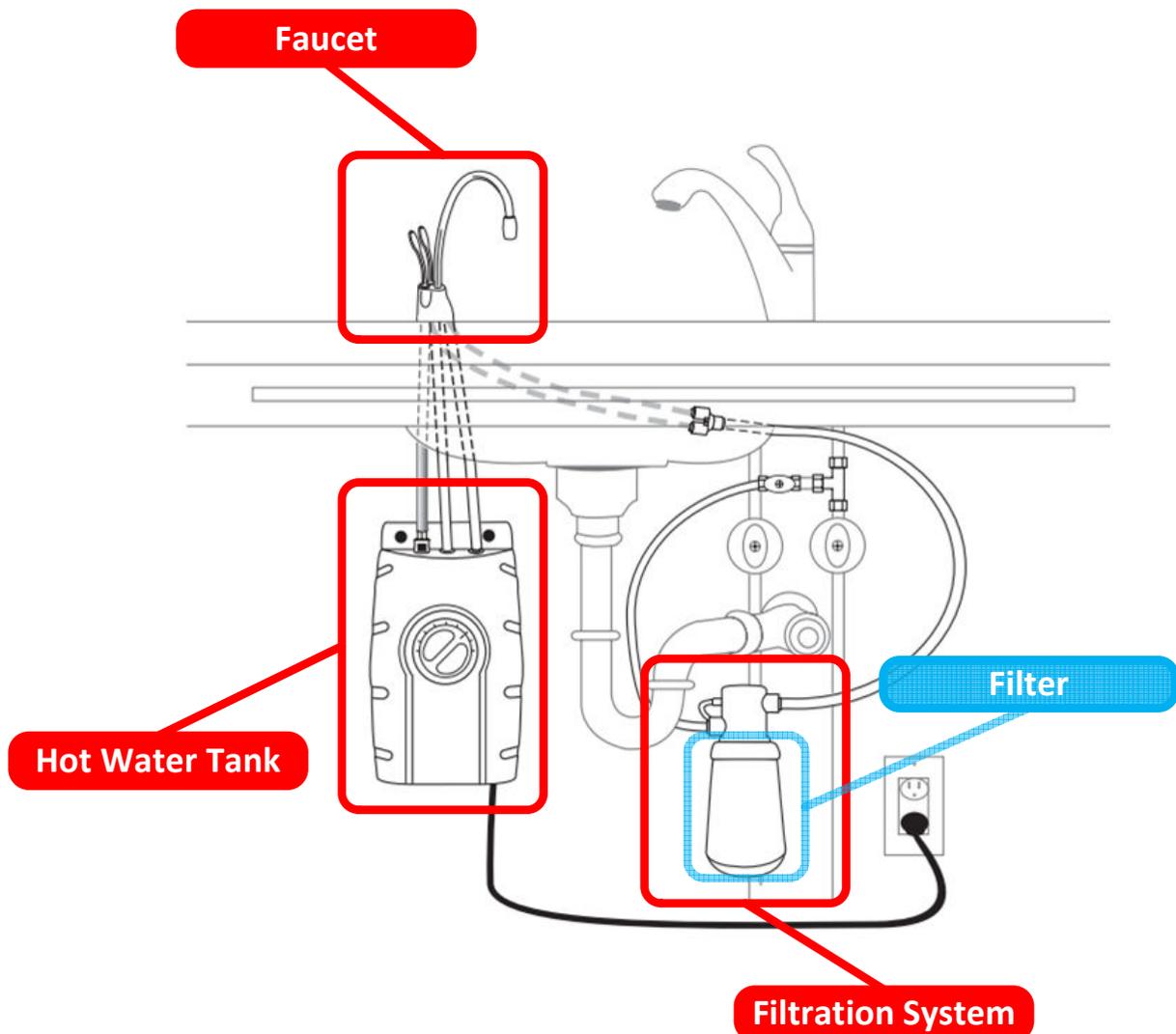
The Court did not decide in favor of the Representative Plaintiffs or Defendants. Both sides agreed to a settlement instead of going to trial. That way, they avoid the cost of a trial, and the people affected will get compensation. The Representative Plaintiffs and their attorneys think the Settlement is best for all Settlement Class Members. The Court in charge of this lawsuit has granted preliminary approval of the Settlement and ordered this Notice be distributed to explain it.

WHO IS IN THE SETTLEMENT

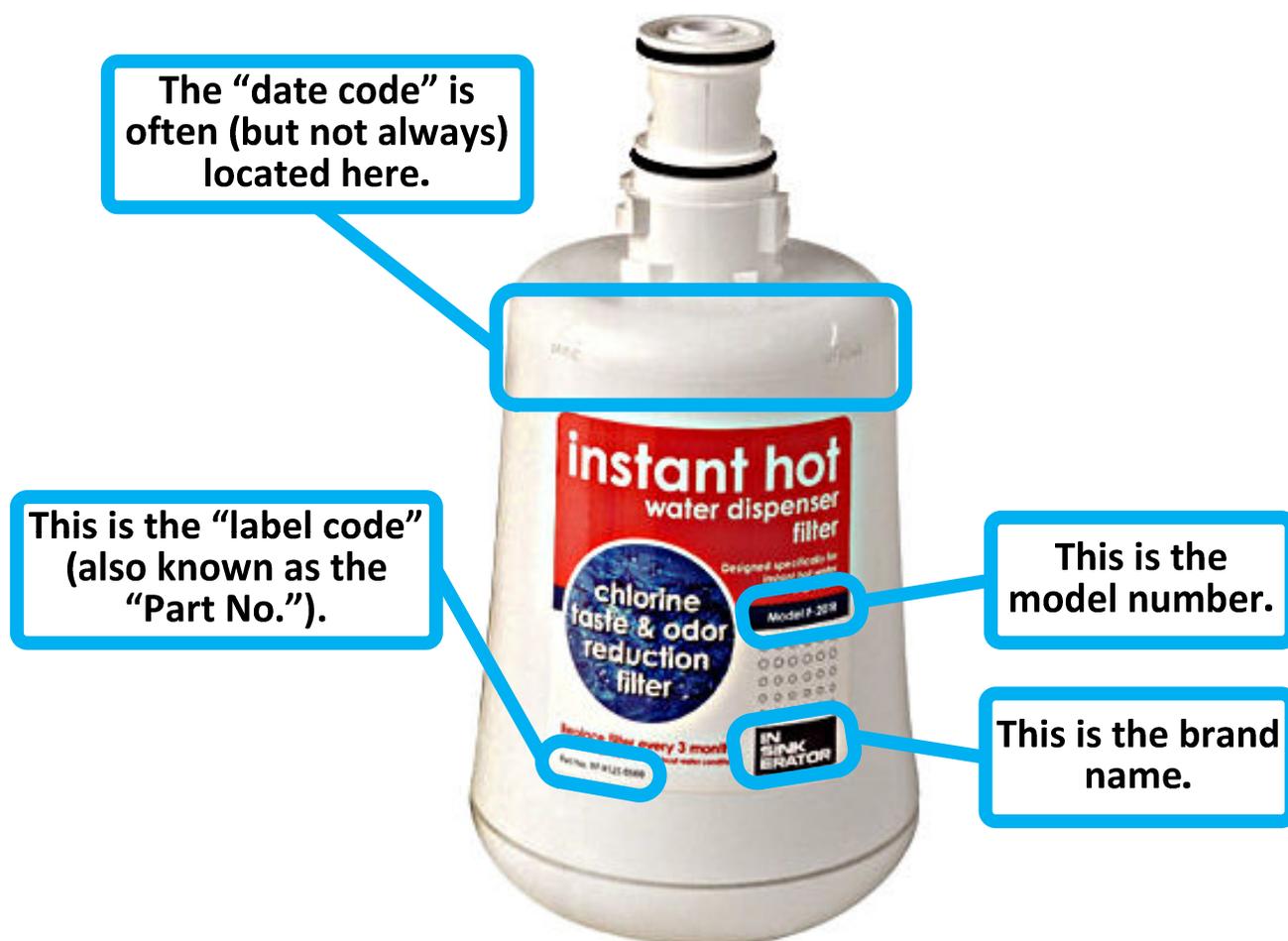
4. How do I know if I am part of the Settlement?

The Settlement provides relief for all Settlement Class Members, who are described as all persons or entities who, as of January 22, 2018, own or lease a residence or other structure located in the United States that contains both an installed InSinkErator F-201 Instant Hot Water Dispenser Filtration System and an Old Filter. An Old Filter is an F-201R filter cartridge manufactured from 2001 through January 31, 2011. Old Filters are no longer being sold.

If you aren't sure if you have a filter that is covered by this settlement, you can look in the cabinet under the sink with the dispenser to see the brand and model of the filter.



You may be a Settlement Class Member if the filter installed in your system looks like the one below.



Your F-201R filter is an Old Filter if it was manufactured before February 2011.

Your F-201R filter should have some additional identifying markings on it. If you look at the filter, you should be able to locate a series of letters and numbers, either printed (in what may look like a dot matrix type print), or physically stamped into the filter itself. This information should start with the letter "C", followed by six numbers. There may be a hyphen between the last two numbers. For example, it could read C111802 or it could read C12360-1. This information can be hard to see, so you may want to look at your filter under the light from multiple angles. The Claim Form will ask that you provide this information.

5. Are there exceptions to being included in the Settlement?

Yes. The following are *not* included in the Settlement:

- All persons or entities who experience or experienced property damage caused by the failure of an Old Filter before or on January 22, 2018;
- All persons or entities who initiated legal proceedings regarding an Old Filter other than this Lawsuit before January 22, 2018;
- The presiding Judge(s) and their immediate families; and
- All persons or entities who properly opt out of the Settlement Class by following the procedures set by the Agreement.

If you have questions about whether you are a Settlement Class Member, or are still not sure whether you are included in the Settlement, you can call the Claims Administrator toll-free at **1-833-FILTER5 (1-833-345-8375)** or visit **www.F201WaterFilterSettlement.com** for more information.

THE SETTLEMENT BENEFITS - WHAT YOU GET

6. What does the Settlement provide?

The Settlement provides a total settlement amount of \$3,800,000, which will be used to create a Settlement Fund to provide Settlement benefits to Settlement Class Members, Plaintiffs' attorneys' fees, a service award to the Representative Plaintiffs, costs, expenses, and settlement administration. There are two types of Settlement benefits for Settlement Class Members: (1) Replacement Benefits and (2) Property-Damage Benefits.

Settlement Class Members seeking Replacement Benefits can ask for either (1) a New Replacement Filter for each Old Filter possessed by the Settlement Class Member (up to a maximum of three) or (2) a Cash Award of \$15 per Old Filter possessed by the Settlement Class Member (up to a maximum of \$45). Settlement Class Members who experience property damage caused by the failure of an Old Filter that occurs between January 22, 2018 and September 30, 2020 may alternatively seek Property-Damage Benefits in the form of a Cash Award. The amount of that Cash Award will be the percentage of the Settlement Class Member's property damage expenses set out in the table below, except that the amount may be adjusted up or down (depending on the number and type of claims received in this program) to use the entire Settlement Fund (but no Settlement Class Member can receive more than 100% of his, her, or its property damage expenses):

Year of Manufacture of the Old Filter	% of Property Damage Expenses Eligible to be Recovered
2001	2.5 %
2002	2.5%
2003	5%
2004	7.5%
2005	10%
2006	15%
2007	20%
2008	25%
2009	30%
2010	35%
January 1, 2011 through January 31, 2011	40%

A Settlement Class Member who receives Replacement Benefits may not also receive Property-Damage Benefits. Any residual amount remaining after all the payments included in the Settlement are made that would be economically unfeasible to distribute will be donated to a non-profit, Consumers Union.

HOW YOU GET SETTLEMENT BENEFITS

7. How and when can I get Settlement benefits?

Settlement Class Members must submit a valid and timely claim to receive a Settlement benefit. Claims may be submitted electronically at www.F201WaterFilterSettlement.com. Settlement Class Members also may download and print a Claim Form from the website and send the Claim Form and any supporting documentation or information by mail to:

**F-201 Water Filter Settlement Program
Class Administrator
P.O. Box 25487
Richmond, VA 23260**

The type of Settlement benefit the Settlement Class Member seeks determines what the Settlement Class Member should submit when filing a claim:

Settlement Benefit Sought	What Must You submit?
New Replacement Filter	A complete Claim Form in which you affirm that you own or lease a residence or other structure with an installed F-201 system and Old Filter.
\$15 Cash Award per Old Filter	A complete Claim Form in which you (a) affirm that you own or lease a residence or other structure with an installed F-201 system and Old Filter; and (b) establish identification of each Old Filter by providing the date code, molding code, or label code from the Old Filter.
Property-Damage Cash Award	<ol style="list-style-type: none"> 1. A complete Claim Form in which you (a) establish that you own or lease a residence or other structure with an installed F-201 system and Old Filter; and (b) establish identification of each Old Filter by providing the date code, molding code, or label code from the Old Filter; 2. Proof of your ownership/rental of the residence or other structure identified in the Claim Form; 3. Proof that your residence or other structure suffered property damage caused by the failure of an Old Filter; and 4. Proof of out-of-pocket expenses paid to repair the property damage.

All claims must be filed online or postmarked by December 31, 2020.

You cannot submit your Claim Form and accompanying materials by telephone. If you change your address after filing a claim, you should notify the Class Administrator of your new address by sending written notice of your change of address to the Claims Administrator at the address above.

New Replacement Filters will be issued by the Class Administrator as claims are received and approved, starting on the date of this notice.

Cash Awards for replacement filters will be issued by the Class Administrator if the Court approves the Settlement, and will not begin until at least after any appeals are resolved. Please be patient.

Cash Awards for property damage and out of pocket expenses will be issued by the Class Administrator if the Court approves the Settlement, and will not begin until at least after any appeals are resolved. Further, to ensure an equitable distribution of the Settlement Fund among Settlement Class Members, the Class Administrator will not provide these types of cash payments until it has at least a year's worth of claims data.

The Court will hold a hearing on February 6, 2018 to decide whether to approve the Settlement. If the Settlement is approved, appeals may still follow. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. Please be patient.

8. What am I giving up to get Settlement benefits or stay in the Settlement Class?

If you are a Settlement Class Member, unless you exclude yourself, that means that you cannot sue, continue to sue, or be part of any other lawsuit about the legal issues in *this* case, and all of the decisions and judgments by the Court will bind you.

If you remain a Settlement Class Member, you will be unable to file your own lawsuit involving all of the claims described and identified below, and you will release the Released Parties (as defined in Section 2.27 of the Settlement Agreement) from any liability for them.

Remaining in the Settlement Class means that you, as well as your respective assigns, heirs, executors, administrators, successors and agents, will release, resolve, relinquish and discharge each and all of Released Parties (as defined by Section 2.27 of the Settlement Agreement) from any and all claims, causes of action, suits, obligations, debts, demands, agreements, promises, liabilities, damages, losses, controversies, costs, expenses, and attorneys' fees of any nature whatsoever, whether based on any federal law, state law, common law, territorial law, foreign law, contract, rule, regulation, any regulatory promulgation (including, but not limited to, any opinion or declaratory ruling), common law or equity, whether known or unknown, suspected or unsuspected, asserted or unasserted, foreseen or unforeseen, actual or contingent, liquidated or unliquidated, punitive or compensatory, as of the date of the Final Approval Order, that arise out of or relate in any way to Old Filters.

Remaining in the Settlement Class also means that you further agree that you will not institute any

action or cause of action (in law, in equity or administratively), suits, debts, liens, or claims, known or unknown, fixed or contingent, which you may have or claim to have, in state or federal court, in arbitration, or with any state, federal or local government agency or with any administrative or advisory body, arising from or reasonably related to the Released Claims.

The Settlement Agreement (available at www.F201WaterFilterSettlement.com) provides more detail regarding the release and describes the Released Claims and the Released Parties with specific descriptions in necessary, accurate legal terminology, so read it carefully. You can talk to the law firms representing the Settlement Class for free or you can, at your own expense, talk to your own lawyer if you have any questions about the Released Parties or the Released Claims or what they mean.

The release does not apply to Settlement Class Members who timely exclude themselves from the Settlement.

EXCLUDING YOURSELF FROM THE SETTLEMENT

9. How do I exclude myself from the Settlement?

If you do not want to receive a New Replacement Filter or Cash Award from this Settlement, and you want to keep the right to sue or continue to sue on your own about the legal issues in this case, then you must take steps to exclude yourself from the Settlement. Sometimes excluding yourself is referred to as “opting out” of the Settlement Class.

To exclude yourself from the Settlement, you must send a letter by mail saying that you want to be excluded from *Desio et al. v. InSinkErator et al.*, Civ. No 2:15-cv-00346 (E.D. Wa.). You must include your full name and address (printed), and sign your name. You must also include a statement that you wish to be excluded from the Settlement. If you are being represented by an attorney for excluding yourself, your attorney must sign his or her name as well. Your letter requesting exclusion must be postmarked no later than January 22, 2018 to:

**F-201 Water Filter Settlement Program
Class Administrator
P.O. Box 25487
Richmond, VA 23260**

If you ask to be excluded, you will not get a New Replacement Filter or Cash Award, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to sue (or continue to sue) in the future about the legal claims in this case.

If you do not exclude yourself and the Settlement is finally approved, you give up any right to sue the Released Parties (as defined in the Settlement Agreement) on any of the claims that this Settlement resolves. If you have a pending lawsuit over these claims, speak to your lawyer in that case

immediately. You must exclude yourself from this Class to continue your own lawsuit.

You cannot exclude yourself by telephone or by email. You cannot exclude yourself by mailing a request to any location other than the address above or after the deadline. You must sign your letter requesting exclusion. A lawyer cannot sign for you. No one else can sign for you. If you opt out, your name will appear in the Court's records to identify you as someone not bound by the Settlement.

EXCLUSION LETTERS THAT ARE NOT POSTMARKED ON OR BEFORE JANUARY 22, 2018 WILL NOT BE HONORED.

THE LAWYERS REPRESENTING YOU

10. Do I have a lawyer in this case?

The Court appointed the following law firms to represent you and other Settlement Class Members:

Joseph G. Sauder, *Admitted Pro Hac Vice*
MCCUNEWRIGHT, LLP
555 Lancaster Ave
Berwyn, PA 19312
Telephone: (610) 200-0580
jgs@mccunewright.com

Bruce D. Greenberg, *Admitted Pro Hac Vice*
LITE DEPALMA GREENBERG, LLC
570 Broad Street, Suite 1201
Newark, NJ 07102
Telephone: (973) 623-3000
bgreenberg@litedepalma.com

These lawyers are called Class Counsel. You will not be charged for these lawyers' services. If you want to be represented by your own lawyer, you may hire one at your own expense.

11. How will the lawyers and class representatives be paid?

Class Counsel will ask the Court to approve payment of up to 25% of the Settlement Fund to compensate them for attorneys' fees for investigating the facts, litigating the case, and negotiating the Settlement. Class Counsel will ask the Court to approve payment of up to \$6,500 to compensate them for their expenses. Class Counsel will also request an award of a service payment of \$2,000 to the

Class Representatives, in compensation for their time and effort. The Court may award less than these amounts. These payments, along with the costs of administering the Settlement, will be made out of the Settlement Fund.

Class Counsel will file an application for an award of attorney's fees and costs ("Fee and Cost Application"), with all supporting documentation, by December 6, 2017. After Class Counsel files the Fee and Cost Application with the Court, the Class Administrator will post a copy of it to the "Documents" page of the settlement website, www.F201WaterFilterSettlement.com/Documents.aspx, where you will be able to view, download, and print the Fee and Cost Application. Any objection to Class Counsel's Fee and Cost Application may be mailed, and must be postmarked no later than January 22, 2018. You can object by sending a letter addressed to the Court at the address listed in the next section of this Notice. In your letter you must state that you object. Be sure to include your full name, address, and proof of ownership of an Old Filter, and to state the reasons that you object to the proposed award, or to the amount of the proposed award.

OBJECTING TO THE SETTLEMENT

12. How do I tell the Court that I do not think the Settlement is fair?

You can tell the Court that you do not agree with the Settlement or some part of it.

If you are a Settlement Class Member, you can object to the Settlement if you do not think the Settlement is fair. You can state reasons why you think the Court should not approve it. The Court will consider your views. To object, you must do so in writing stating you object to the proposed Settlement in *Desio et al. v. InSinkErator et al.*, Civ. No 2:15-cv-00346 (E.D. Wa.). In the written Objection, you must state your full name and address, affirm ownership of an Old Filter, and establish identification of the Old Filter by providing a photograph of the Old Filter and stating the date code, molding code, or label code from the Old Filter. The written Objection must also state the specific reasons for your objection and indicate whether you intend to appear at the Final Approval Hearing on your own behalf or through counsel. Any documents supporting the objection must also be attached to the objection. The objection must also identify any other objections to class action settlements that you or your counsel have filed within the last five (5) years, including the case name(s) and docket number(s). On your objection, you must also sign your name. If you are being represented by an attorney for your objection, your attorney must sign his or her name as well. **Your objection to the Settlement must be postmarked no later than January 22, 2018.**

The objection must be mailed to:

**Clerk of Court
U.S. District Court, Eastern District of Washington
P.O. Box 1493
Spokane, WA 99210**

Copies of the objection must be mailed to each of the following:

Class Counsel:

Joseph G. Sauder, *Admitted Pro Hac Vice*
MCCUNEWRIGHT, LLP
555 Lancaster Ave
Berwyn, PA 19312
Telephone: (610) 200-0580
jgs@mccunewright.com

Bruce D. Greenberg, *Admitted Pro Hac Vice*
LITE DEPALMA GREENBERG, LLC
570 Broad Street, Suite 1201
Newark, NJ 07102
Telephone: (973) 623-3000
bgreenberg@litedepalma.com

Counsel for InSinkErator and Emerson Electric Company:

Stephen M. Lamberson, WSBA #12985
Jeffrey R. Galloway, WSBA #44059
ETTER, MCMAHON, LAMBERSON, VAN WERT & ORESKOVICH, P.C.
618 West Riverside Avenue, Suite 210
Spokane, WA 99201
Telephone: (509) 747-9100
lambo74@ettermcmahon.com

Aaron D. Van Oort, *Admitted Pro Hac Vice*
Shane A. Anderson, *Admitted Pro Hac Vice*
FAEGRE BAKER DANIELS
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402-3901
Telephone: (612) 766-7000
aaron.vanoort@faegrebd.com
shane.anderson@faegrebd.com

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself (also known as opting out) is telling the Court that you do not want to be included in the Settlement. If you exclude yourself, you cannot object because the Settlement no longer affects you.

THE COURT'S FAIRNESS HEARING

13. When and where will the Court decide whether to approve the Settlement?

The Court will hold a hearing to decide whether to approve the Settlement. This Fairness Hearing will be held at 10:30 a.m. on February 6, 2018 in Spokane at the U.S. District Court for the Eastern District of Washington, **920 West Riverside Ave, Spokane, WA 99201**. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check the website for updates. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and whether to award attorneys' fees, expenses, and service awards as described above, and in what amounts. If there are objections, the Court will consider them. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long it will take the Court to issue its decision. It is not necessary for you to appear at this hearing, but you may attend at your own expense.

14. May I speak at the hearing?

In order for you to speak at the hearing, you must file an objection and satisfy the terms of the Settlement for filing an objection.

IF YOU DO NOTHING

15. What happens if I do nothing at all?

If you do nothing and are a Settlement Class Member, you will not receive a New Replacement Filter or Cash Award after the Court approves the Settlement and any appeals are resolved. In order to receive a New Replacement Filter or Cash Award, you must submit a valid and timely Claim Form. Unless you exclude yourself, you will be bound by the terms and conditions of the Settlement and you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit about the legal issues in this case, ever again.

GETTING MORE INFORMATION

16. How do I get more information?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement by calling the Claims Administrator toll-free at 1-833-FILTER5 (1-833-345-8375); writing to: F-201 Water Filter Settlement Program, Class Administrator, P.O. Box 25487, Richmond, VA 23260; or visiting the website at www.F201WaterFilterSettlement.com, where you will find answers to common questions about the Settlement, a Claim Form, plus other information to help you determine whether you are a Settlement Class Member and whether you are eligible for a New Replacement Filter or Cash Award.

Please do not write or telephone the Court for information about the settlement or this lawsuit.

En el sitio web, www.F201WaterFilterSettlement.com, hay una notificación completa del acuerdo en Español.