IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re PVC Pipe Antitrust Litigation _____ THIS DOCUMENT RELATES TO: *All Direct Purchaser Plaintiff Actions*	Case No. 24-cv-07639 Hon. LaShonda A. Hunt

ORDER (1) PRELIMINARILY APPROVING PROPOSED SETTLEMENT BETWEEN THE DIRECT PURCHASER PLAINTIFF CLASS AND DEFENDANTS ATKORE INC., ATKORE INTERNATIONAL, INC., ATKORE PLASTIC PIPE CORP., ATKORE RMCP, INC., AND ALLIED TUBE & CONDUIT CORPORATION (COLLECTIVELY "ATKORE"); (2) CERTIFYING FOR SETTLEMENT PURPOSES ONLY THE PROPOSED DPP SETTLEMENT CLASS; (3) APPOINTING KAPLAN FOX & KILSHEIMER LLP AS DPP SETTLEMENT CLASS COUNSEL AND BILL WAGNER & SON, INC., VITOLITE ELECTRIC SALES CO. AND HODGES SUPPLY COMPANY AS REPRESENTATIVES FOR THE DPP SETTLEMENT CLASS; (4) APPOINTING JND LEGAL ADMINISTRATION LLC AS DPP SETTLEMENT ADMINISTRATOR AND THE HUNTINGTON NATIONAL BANK AS ESCROW AGENT, (5) APPROVING THE FORM AND CONTENT OF CLASS NOTICE AND THE NOTICE PLAN; AND (6) SETTING SCHEDULE FOR THE DISSEMINATION OF CLASS NOTICE AND FAIRNESS HEARING

THIS CAUSE came before the Court on Direct Purchaser Plaintiffs Bill Wagner & Son, Inc., Vitolite Electric Sales Co., and Hodges Supply Company's ("DPPs") motion for preliminary approval of the proposed settlement with Atkore, (who along with DPPs are collectively referred to in this Order as the "Parties") and other relief (the "Motion," ECF No. 713). DPPs have entered into a Settlement Agreement with Atkore, executed by the Parties on April 28, 2026. Having reviewed the Motion, its accompanying memorandum and supporting declarations, and the exhibits thereto, the Settlement Agreement, and the file, the Court FINDS and ORDERS as follows:

Preliminary Approval of Settlement Agreement

1. Terms used in this Order that are defined in the Settlement Agreement are used as defined in the Settlement Agreement.

2. The Court has jurisdiction over this action and each of the Parties to the Settlement Agreement. Upon review of the record, the Court finds that the proposed Settlement Agreement (including all its material terms and material conditions), which was arrived at by arm's-length negotiations by highly experienced counsel, falls within the range of possible approval and is hereby preliminarily approved, subject to further consideration at the Court's Fairness Hearing. The Court preliminarily finds that the Settlement encompassed by the Settlement Agreement is preliminarily determined to be fair, reasonable, adequate and in the best interests of the DPP Settlement Class, raises no apparent reasons to doubt its fairness, and raises a reasonable basis for presuming that the Settlement and its terms satisfy the requirements of Federal Rules of Civil Procedure 23(c)(2) and 23(e) and due process so that Notice of the Settlement should be given.

Certification of the DPP Settlement Class for Settlement Purposes Only

3. The Court finds that for settlement purposes only, the provisions of Rule 23 of the Federal Rules of Civil Procedure are satisfied, and certifies, for settlement purposes only, a DPP Settlement Class defined as:

> All persons and entities who purchased PVCPs and/or Fittings in the United States and its territories directly from one or more of the Converter Defendants (or from any of the Converter Defendants' parents, predecessors, subsidiaries, or Affiliates) at any time from January 1, 2020 through March 31, 2026 (the "Settlement Class Period"). Excluded from the DPP Settlement Class are Converter Defendants, and their parents, predecessors, subsidiaries, and Affiliates, and all federal government entities and instrumentalities of the federal government.

4. Neither this Order, nor the Settlement Agreement, nor any other Settlement-related document, nor anything contained herein or therein or contemplated hereby or thereby, nor any

proceedings undertaken in accordance with the terms set forth in the Settlement Agreement or herein or in any other Settlement-related document, shall constitute, be construed as, or be deemed to be an admission or concession or any evidence thereof:

a. by Atkore as to the validity of any claim that has been or could have been asserted by the DPPs against Atkore, or as to any liability by Atkore as to any matter set forth in this Order, **or**

b. as to whether any class, in this case or others, may be certified for purposes of: (i) any subsequent settlements between DPPs and other Defendants in this case; and/or (ii) litigation and trial.

Appointment of DPP Settlement Class Counsel, Representatives of the DPP Settlement Class, Settlement Administrator, and Escrow Agent

5. The Court appoints: (i) the law firm of Kaplan Fox & Kilsheimer LLP as Settlement Class Counsel for the DPP Settlement Class, and DPPs Bill Wagner & Son, Inc.; Vitolite Electric Sales Co.; and Hodges Supply Company as Representatives for the DPP Settlement Class; (ii) JND Legal Administration LLC ("JND") as Settlement Administrator; and (iii) The Huntington National Bank as Escrow Agent.

Class Notice and Fairness Hearing

6. The proposed notice plan set forth in the Motion and the supporting declarations complies with Rule 23(c)(2)(B) and due process because it constitutes the best notice that is practicable under the circumstances, including individual direct notice via U.S. mail to all members of the DPP Settlement Class who can be identified through reasonable effort.

a. Identification of members of the DPP Settlement Class shall include use of the Converter Defendants' customer lists that must include the names and mailing addresses for the Settlement Class Period (January 1, 2020 through March 31,

2026). The Converter Defendants previously produced customer information to JND for the period January 1, 2021-May 16, 2025, pursuant to the July 16, 2025 Stipulation and Order Regarding Provision of Customer Information by Non-Settling Defendants to Effectuate Notice of Plaintiffs' Proposed Settlements with Defendant OPIS (ECF No. 358). In light of the expanded DPP Settlement Class and Settlement Class Period, DPP Settlement Class Counsel have consulted with the Converter Defendants and agreed on the provision of expanded customer information for use in effectuating notice.

7. The direct mail notice will be supported by reasonable digital notice to reach potential members of the DPP Settlement Class who could not be individually identified.

8. The attached proposed notice documents: Summary Notice (Exhibit A) and Long Form Notice (Exhibit B), and their manner of transmission, comply with Rule 23(c)(2)(B) and due process because the notices and forms are reasonably calculated to adequately apprise DPP Settlement Class members of: (i) the nature of the action; (ii) the definition of the class certified for settlement purposes only; (iii) the class claims, issues, or defenses; (iv) that a DPP Settlement Class member may enter an appearance through an attorney if the member so desires; (v) that the Court will exclude from the DPP Settlement Class any member who validly requests exclusion; (vi) the deadline and instructions for requesting exclusion; and (vii) the binding effect of a class judgment on members under Rule 23(c)(3). Non-substantive changes, such as typographical errors, may be made to the notice documents by agreement of the Parties without leave of the Court.

Other Provisions

9. If the Settlement Agreement is terminated in accordance with its provisions, or is not approved by the Court or any appellate court, then the Settlement Agreement and all proceedings in connection therewith shall be vacated, and shall be null and void, except insofar as

expressly provided otherwise in the Settlement Agreement, and without prejudice to the *status quo ante* rights of DPPs, Atkore, and the members of the DPP Settlement Class.

10. If the Settlement Agreement is terminated or is ultimately not approved, the Court will modify any existing scheduling orders as necessary to ensure that the DPPs and Atkore will have sufficient time to prepare for the resumption of litigation.

11. The Court hereby sets the below schedule for the dissemination of Class Notice to the DPP Settlement Class, and for the Court's Fairness Hearing, at which time the Court will determine whether the Settlement Agreement should be finally approved as fair, reasonable, and adequate. The Court may order the Fairness Hearing to be postponed, adjourned, or continued. If that occurs, the updated hearing date shall be posted on the settlement website created and maintained by the Settlement Administrator, but other than that website posting, the Parties will not be required to provide any additional notice to members of the DPP Settlement Class.

Event	Timing
Notice Plan Begins	June 26, 2026
Objection and Exclusion Deadline	August 26, 2026
Motion for Final Approval Filings	September 17, 2026
Fairness Hearing	October 1, 2026, at 9:00 a.m.

12. The Court's certification of the DPP Settlement Class as provided herein is without prejudice to, or waiver of the rights of, any Defendant to contest class certification of any class proposed in this case.

13. In aid of the Court's jurisdiction to implement and enforce the proposed settlement, DPPs and all members of the DPP Settlement Class who do not timely and validly request exclusion from the Settlement Agreement shall be preliminarily enjoined from commencing or prosecuting any action or other proceeding involving the Released Claims against the Atkore Released Parties and from asserting any of the Released Claims against the Atkore Released

Parties pending Final Approval of the Settlement Agreement or until such time as this Court lifts such injunction by subsequent order.

DATED: May 13, 2026

ENTERED:

LaShonda A Hunt

LASHONDA A. HUNT
United States District Judge