

DO YOU HAVE OR DID YOU HAVE IKO/CRC/CANROOF ORGANIC ROOFING SHINGLES IN CANADA?

IF SO, YOU COULD BE AFFECTED BY A PROPOSED CLASS ACTION SETTLEMENT.

WHAT IS THE CLASS ACTION ABOUT?

The class action relates to the alleged negligent design and manufacture of IKO/CRC/Canroof asphalt organic shingles (collectively, “IKO Organic Shingles”). Specifically, the representative plaintiff alleges that IKO Organic Shingles were negligently designed and manufactured in a manner that, under normal conditions and usage, would result in premature failure.

IKO Industries Ltd., Canroof Corporation Inc., or I.G. Machine (collectively “IKO”) are the defendants in the class action. IKO denies all of these allegations and asserts that IKO Organic Shingles are free of any defect, and in fact, are good quality roofing materials. However, in order to avoid the significant costs of this litigation and achieve finality in terms of its ongoing obligations, IKO has agreed to a settlement that will resolve the class action. The settlement represents a voluntary resolution of claims. IKO does not admit any wrongdoing or liability.

The class action relates only to organic shingles. The class action does not relate to fiberglass shingles (some of which have been sold under the same brand names as IKO Organic Shingles). IKO Organic Shingles were sold under the following brand names: Chateau, Renaissance XL, Aristocrat, Total, Armour Seal, Superplus, Armour Lock, Royal Victorian, Cathedral XL, Ultralock 25, Armour Plus 20, Armour Tite, Cambridge Ultra Shadow (laminated organic), Cathedral XL, Crowne 30. IKO Organic Shingles have not been manufactured since 2008 and have not been sold since 2010.

The Ontario Court certified the action as a class proceeding. The certified class includes current or former owners or leasees of buildings located in Canada that contain or contained IKO Organic Shingles. See the full legal notice—available online at www.classaction.ca/iko—for the complete class definition.

WHAT ARE THE TERMS OF THE SETTLEMENT?

A settlement has been reached in the class action with the defendants. The settlement is subject to the approval of the Ontario Court. A hearing to approve the settlement will be held on May 9, 2017.

Under the terms of the settlement agreement, the defendants are required to pay CDN\$7,500,000 for the benefit of the settlement class.

You have the right to object to the settlement and can make submissions to the Ontario Court regarding the proposed settlement. To do so, you must act by March 28, 2017. For more information, see Part 10 of the full legal notice, available online at www.classaction.ca/iko.



HOW WILL SETTLEMENT FUNDS BE DISTRIBUTED?

The proposed settlement sets out who is eligible for settlement benefits and how the settlement funds will be distributed. Generally speaking, you are eligible for settlement benefit if you: (i) are a member of the class; (ii) you file a timely claim form; (iii) your IKO Organic Shingles were installed after June 30, 1997; (iv) you have an approved warranty claim and (v) you did not receive IKO’s “Iron Clad” warranty benefits. In limited circumstances, you may also be eligible for settlement benefits if your warranty claim was denied. The amount payable to individual class members depends on a number of factors, including: (i) the number and value of valid claims filed in the class action; (ii) your number of approved bundles, (iii) whether you previously received warranty benefits and (iv) whether and when you experienced qualifying damage. See the full legal notice and settlement agreement—available online at www.classaction.ca/iko—for more information.

The settlement agreement also sets out the process for applying for settlement funds. Assuming that the settlement is approved by the Ontario Court, a further notice will be sent by email to persons who have registered to receive updates and posted online at www.classaction.ca/iko. If you did not receive this notice by email, you should register to receive updates online at www.classaction.ca/iko. If you do not have email, please contact Siskinds LLP at 1-800-461-6166 ext 2446.



WHO IS COUNSEL FOR THE CLASS AND HOW ARE THEY BEING PAID?

Siskinds LLP, a law firm based in London, Ontario, is counsel for the class. Siskinds will be seeking court approval of legal fees of up to 25% of the settlement funds, plus disbursements and applicable taxes, to be paid out of the settlement funds.

QUESTIONS? For more information or to register for updates about the settlement and process for applying for settlement funds, visit www.classaction.ca/iko.