

WHIRLPOOL, KITCHENAID AND KENMORE CLASS ACTION SETTLEMENT NOTICE OF CERTIFICATION, SETTLEMENT AND CLAIMS PROCESS

READ THIS NOTICE CAREFULLY AS A SETTLEMENT MAY AFFECT YOUR RIGHTS

If you live in Canada and own or owned a Whirlpool®, Kenmore®, or KitchenAid® brand dishwasher manufactured by Whirlpool between October 2000 and January 2006 and containing either a “Rushmore” or “Rush” electronic control board (the “Dishwashers”), then you may be affected by a national settlement that has been reached in a Class Action with respect to past or future overheating events in the Dishwashers. The Defendants maintain that the Dishwashers are safe and reliable and that they were designed with built-in safety features to contain rare overheating events inside the dishwasher. The Alberta Court of Queen’s Bench has not decided who is right. Instead, the parties have agreed to settle the Class Action. The settlement has received preliminary approval from the Alberta Court of Queen’s Bench. Subject to final approval, the following benefits may be available as a result of the settlement;

- (a) Certain past expenses related to repairing a Dishwasher; or
- (b) Partial reimbursement for purchasing a replacement dishwasher; and
- (c) A cash rebate on the purchase of a new Whirlpool®, Kenmore®, or KitchenAid® brand dishwasher.

The settlement may provide benefits for Class Members, who own or owned certain Dishwashers, whether or not their Dishwasher experienced an overheating event. For more information about the Dishwashers (including a list of model and serial numbers), the Class Action, and the settlement, please visit www.DishwasherSettlement.com.

APPLYING FOR SETTLEMENT BENEFITS

To be eligible for settlement benefits, a properly completed claim form must be filed together with any required supporting documents by no later than June 10, 2019 (except for future overheating events). Claims that are not made within the deadline will not be eligible for compensation. Claims should be filed using the online claims process at www.DishwasherSettlement.com. If you do not have internet access and wish to file a claim, a claim form may be requested from the Settlement Administrator by telephone at: 1-866-808-1334, and claims may be submitted by regular mail or by courier to the Settlement Administrator.

CLAIMS BAR DEADLINE

The deadline to file a claim for benefits as a result of this settlement is June 10, 2019 (except for future overheating events).

OPTING OUT OF THE CLASS ACTION

If you own or owned a Dishwasher and do not want to be a part of the Class Action, you can exclude yourself by submitting a completed Opt Out Form to the Settlement Administrator. Visit www.DishwasherSettlement.com for more information on how to submit an Opt Out Form and the deadline to submit.

OBJECTING TO THE SETTLEMENT

If you remain part of the Class Action, but want to object to the settlement, or to Class Counsel’s request for lawyers’ fees, you must notify the Settlement Administrator by February 8, 2019. The final approval hearing will be held on Friday, March 8, 2019, at 2 p.m. You or your lawyer (if you choose to hire one) may appear at the hearing. Visit www.DishwasherSettlement.com for more information on the process for objecting to the settlement.

THE LAWYERS FOR THE CLASS MEMBERS

The following law firms act on behalf of the Class Members:

Guardian Law Group
324 4th Ave, S.E.
Calgary, AB T2G 1C9

James H. Brown & Associates
2400, 10123 – 99 Street
Edmonton, AB T5J 3H1

Klein Lawyers LLP
#400, 1385 West 8th Avenue
Vancouver, BC V6H 3V9

MORE INFORMATION

For more information, please visit the Settlement Administrator’s website at www.DishwasherSettlement.com, or contact the Settlement Administrator by telephone at 1-866-808-1334.

This notice contains only a summary of the settlement agreement and you are encouraged to review the complete settlement agreement, which is available online at www.jameshbrown.com and www.guardian.law and www.callkleinlawyers.com and www.DishwasherSettlement.com.