

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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**IN RE: CERTAINTeed FIBER CEMENT  
SIDING LITIGATION**

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**MDL DOCKET NO. 2270**

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**This Motion relates to:**

**ALL CASES**

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**PLAINTIFFS’ UNOPPOSED MOTION FOR PRELIMINARY APPROVAL  
OF CLASS ACTION SETTLEMENT**

Plaintiffs Steve Clavette, Chad Epsen, Monique Orioux, Chris Thames, Gwen Weithaus, Steven Weidmeyer, Richard Tesoriero, Michael Patota, John Robards, Barbara Robards, and Koreen Grube (“Plaintiffs”), through their undersigned counsel, respectfully file this unopposed Motion for Preliminary Approval of Class Action Settlement, and move the Court for an order:

1. Finding the terms of the parties’ proposed Settlement Agreement fair, reasonable and adequate and granting preliminary approval to the proposed class action settlement;
2. Preliminarily certifying the following Settlement Class pursuant to Fed. R. Civ. P. 23(b)(3) for purposes of administering the proposed Settlement:

All individuals and entities that owned, as of September 30, 2013, homes, residences, buildings, or other structures located in the United States, on which CertainTeed Weatherboards Fiber Cement Siding, Lap Siding, Vertical Siding, Shapes, Soffit, Porch Ceiling, and 7/16” Trim was installed on or before September 30, 2013 (the “Settlement Class”).

3. Appointing Plaintiffs Steve Clavette, Chad Epsen, Monique Orioux, Chris Thames, Gwen Weithaus, Steven Weidmeyer, Richard Tesoriero, Michael Patota, John Robards, Barbara Robards, and Koreen Grube as Class Representatives;

4. Appointing Interim Lead Counsel Michael McShane of Audet & Partners, LLP and H. Laddie Montague, Jr. of Berger & Montague, P.C. as Lead Counsel for the Class;

5. Appointing BMC Group as the Claims Administrator to provide notice to the Settlement Class and administer the Settlement;
6. Approving as to form and content the proposed Class Notices and Claim Forms; and directing that notice of the proposed Settlement Agreement be provided to the Settlement Class in accordance with the provisions of the Settlement Agreement; and
7. Scheduling a Final Approval Hearing to consider whether to grant final approval of the proposed Settlement Agreement.

Plaintiffs set forth their reasons in support of this motion in a memorandum of law filed herewith. A proposed Preliminary Approval Order is also being filed concurrently with this motion.

Dated: September 30, 2013

BERGER & MONTAGUE, P.C.

/s/ H. Laddie Montague, Jr.

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