

## LEGAL NOTICE

**If you own a Trex brand decking or railing product manufactured in Trex's Fernley, Nevada plant between January 1, 2002 and December 31, 2007, you may be eligible for benefits from a class action settlement.**

Para una notificación en Español, visite [www.trex.com/legal/classactionsettlement.aspx](http://www.trex.com/legal/classactionsettlement.aspx)  
o llame 1-866-241-4396.

A nationwide settlement has been reached in a class action lawsuit in which the plaintiffs allege that certain Trex composite decking and railing material is susceptible to surface flaking.

### **Who is Included?**

If you own a Trex decking or railing product manufactured between January 1, 2002 and December 31, 2007 in Trex's Fernley, Nevada plant that is exhibiting surface flaking, you may be included in the settlement. You may send in a claim form to request certain benefits, or you can exclude yourself from the settlement. The U.S. District Court for the Northern District of California authorized this notice and will have a hearing to decide whether to approve the settlement. Get a detailed notice at [www.trex.com/legal/classactionsettlement.aspx](http://www.trex.com/legal/classactionsettlement.aspx) or by calling 1-866-241-4396.

### **How Do You Ask For Benefits?**

You may receive benefits only if you fill out a claim form and your Trex deck is affected by surface flaking. The claim form is available online, or you can call 1-866-241-4396. The claim form must be (1) postmarked within the warranty period applicable to your product; or (2) for a supplemental labor payment related to a prior compensated claim, postmarked within six (6) months from the last date that Notice was sent by Trex or published by the notice provider. The final deadline will be posted on the website once it is known. You can also call the toll free number.

### **What Does the Settlement Provide?**

If you meet the settlement criteria, Trex will provide replacement decking or railing product and a partial labor payment determined on a formulaic basis of 18 cents/linear foot of replacement product. If you have made a prior compensated claim to Trex for surface flaking, but received nothing (or less than \$225) to pay for labor-related costs, you will receive a non-redundant labor payment

determined on a formulaic basis of 18 cents/linear foot of replacement product up to (but not exceeding) \$225.

### **What Are Your Other Rights**

If you fall within the class definition, you may remain in the class by doing nothing and be bound by the release and judgment in the lawsuit. If you do not want to be bound by the settlement, you must exclude yourself at least 60 days from the last date that Notice is sent by Trex or published by the notice provider. The detailed notice explains how to exclude yourself.

Any Opt Out request must be filed with the Clerk of the Court and sent by first-class mail to Defendant's counsel and Class Counsel postmarked on or before the end of the Opt-Out Period. You must mail a letter requesting exclusion to the U.S. District Clerk, U.S. Courthouse, 280 South 1st Street, San Jose, CA 95113 and Class Counsel for Plaintiffs and Counsel for Defendant. For the addresses of Class Counsel and Counsel for Defendant, go to the website [www.trex.com/legal/classactionsettlement.aspx](http://www.trex.com/legal/classactionsettlement.aspx) or call 1-866-241-4396.

If you do not exclude yourself from the settlement, you may object to it by filing an objection with the Court Clerk and sending it to Defendant's Counsel and Class Counsel, postmarked not later than 21 days before the date set for the Final Settlement Hearing.

The Court will hold a hearing in this case, *Ross v. Trex Company, Inc.*, No. 5:09-cv-00670-JW, on October 30, 2009 to consider whether to approve the Settlement and Class Counsel's request for fees, costs, and expenses of \$1.25 million (excluding interest). Class Counsel will also ask for a payment of \$7,500 to each Class Representative. You or your lawyer may ask to attend the hearing.

For more information, go to the website [www.trex.com/legal/classactionsettlement.aspx](http://www.trex.com/legal/classactionsettlement.aspx) or call 1-866-241-4396.