

Notice of Certification and Settlement

**If you purchased or owned a dishwasher
manufactured by Whirlpool, you may qualify for
benefits and compensation from a class action
settlement.**

*Includes the following brands: KitchenAid®, Kenmore®, and
Whirlpool®*

The Alberta Court of Queen's Bench authorized this Notice. This is not a solicitation from a lawyer.

www.DishwasherSettlement.com

- A Settlement has been reached in a class action lawsuit against Whirlpool Corporation (“Whirlpool”), Sears Holdings Management Corporation (“Sears Holdings”), and Sears, Roebuck and Co., Inc. (“Sears”), Sears Canada Inc. (“Sears Canada”), Whirlpool Canada Co. (“Whirlpool Canada”) and Whirlpool Canada LP (“Whirlpool Canada LP”) (together, the “Defendants”) regarding certain dishwashers manufactured between October 2000 and January 2006 (“Class Dishwashers”). Whirlpool has also agreed to provide additional benefits to owners of certain other dishwashers — manufactured between 1998 and 2012 — that observed or experienced smoke, flames, fumes, sparks, or electrical arcing from the control console area/electronic control board of their dishwasher (an “Overheating Event”).
- If you are included in the Settlement, you may qualify for a variety of benefits including a rebate on the purchase of a new dishwasher, and reimbursement for expenses incurred due to past or future dishwasher Overheating Events.
- If you are the purchaser or owner of a Class Dishwasher, your legal rights are affected whether you act or don't act. Read this notice carefully.

| YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT | |
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| <p>SUBMIT A CLAIM FORM</p> <p>Deadline: November 25th 2019</p> | <p>The only way to get a rebate for the purchase of a new dishwasher or reimbursement for the repair or replacement of a dishwasher that may have overheated.</p> |
| <p>OPT OUT Deadline: February 8th 2019</p> <p>*Supplemental Opt Out Deadline: July 26th 2019</p> | <p>If you are the purchaser or owner of a Class Dishwasher, this is the only option that allows you to ever be part of another lawsuit against the Defendants about the legal claims resolved by this Settlement relating to Class Dishwashers. If you opt out of this Settlement, you will not be able to get benefits from it.</p> <p>*July 26, 2019, is the Supplemental Opt Out Period for Class Members who own or owned Class Dishwashers highlighted as new models or within expanded serial number ranges on Revised Appendix B</p> |
| <p>OBJECT Deadline: July 26th 2019</p> | <p>The only way to tell the Court that you do not like something about the Settlement.</p> |
| <p>ATTEND THE HEARING</p> <p>[check www.dishwashersettlement.ca for updates]</p> | <p>Ask to speak in the Court about the fairness of the Settlement.</p> <p>The Court will hold a Final Approval Hearing at the Alberta Court of Queen’s Bench, Calgary Courts Centre 601-5th Street SW, Calgary, Alberta, T2P 5P7, on a date to be determined [check this site for updates].</p> |
| <p>Do NOTHING</p> | <p>If you do nothing, you will not receive a new dishwasher rebate, or reimbursement for a past or</p> |

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| | future dishwasher Overheating Event, and you will give up your right to ever be part of another lawsuit against Defendants about the legal claims resolved by this Settlement relating to Class Dishwashers. |
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- These rights and options are explained in this Notice.
- The Court in charge of this case still has to decide whether to finally approve the Settlement. Benefits will be issued if the Court finally approves the Settlement and after any appeals are resolved. Please be patient.

BASIC INFORMATION

1. Why was this notice issued?

The Alberta Court of Queen’s Bench authorized this notice because you have a right to know about the proposed Settlement of this class action lawsuit and about all of your options, before it decides whether to give final approval to the Settlement. This notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, and who may qualify for them.

The Alberta Court of Queen’s Bench is overseeing this class action and the Settlement. The case is known as *Essa v. Whirlpool Corporation*, Court of Queen’s Bench of Alberta, Action No. 1603-10241. The person who sued is called “the Plaintiff” and the companies she sued, Whirlpool, Whirlpool Canada, Sears Holdings, Sears and Sears Canada, are called “the Defendants.”

2. Why did I receive this notice?

If you received this notice in the mail, the Defendants’ records indicate that you may have purchased or owned a Whirlpool®, KitchenAid®, or Kenmore® brand dishwasher that was manufactured by Whirlpool between October 2000 and January 2006 and was equipped with an electronic control board (“ECB”) designated by Whirlpool as a “Rush” ECB or a “Rushmore” ECB. These specific dishwashers are referred to as the “Class Dishwashers” throughout this Notice.

3. What is the lawsuit about?

The lawsuit claims that the Class Dishwashers contain defects that may cause the ECB to overheat, ignite, or emit smoke, sparks, or fumes and stop working (an Overheating Event). The lawsuit further claims that the Defendants breached warranties, were negligent, and violated provincial consumer protection statutes in connection with the manufacture and sale of the Class Dishwashers.

The Defendants deny that there is any defect in the Class Dishwashers or that the Class Dishwashers pose any unreasonable safety or fire hazard to consumers. The Defendants also deny that they violated any law or engaged in any wrongdoing.

The Settlement does not include personal injury or property damage claims other than damages to the Dishwasher itself. The Settlement does not release any of these claims.

4. Why is this a class action?

In a class action, one or more people called “Class Representatives” or “Plaintiffs” (in this case, Kristina Essa) sue for all people who have similar claims. Together, these people are called a “Settlement Class” or “Class Members.” One court resolves the legal issues for all Class Members, except for those who exclude themselves from the Settlement Class by opting out.

5. Why is there a Settlement?

The Court did not decide which side was right or whether the Class Dishwashers are defective. Instead, both sides agreed to a Settlement to avoid the costs and risks of further litigation and provide benefits to Class Members. The Settlement does not mean that a Court found that the Defendants broke any laws or did anything wrong. The Class Representative and the lawyers representing her (called “Class Counsel”) believe that the Settlement is in the best interests of all Class Members.

THE SETTLEMENT CLASS—WHO IS INCLUDED

6. Who is included in the Settlement?

The Settlement Class includes all residents in Canada who either: (a) purchased a new Class Dishwasher; (b) acquired a Class Dishwasher as part of the purchase or remodel of a home; or (c), received as a gift a new Class Dishwasher manufactured between October 2000 and January 2006. The Settlement Class consists of two subclasses, the “Past Overheating Subclass” and the “Future Overheating Subclass.” The Past Overheating Subclass includes Settlement Class Members who experienced an Overheating Event within 12 years after the purchase date of the Class Dishwasher, but before May 27th, 2019. The Future Overheating Subclass includes Settlement Class Members who, within 10 years after the purchase date of the Class Dishwasher or within 2 years after May 27th 2019, whichever is later, experience an Overheating Event.

In addition, as part of the Settlement Whirlpool has agreed to provide benefits to owners of certain other Whirlpool-manufactured dishwashers that are not Class Dishwashers if they have experienced, or will in the future experience, an Overheating Event. A list of the model and serial numbers of those other dishwashers is posted on the settlement website, at www.DishwasherSettlement.com. If you owned one of these dishwashers and experienced an Overheating Event within 10 years of the Purchase, or within 2 years of the date of this Notice, whichever is later, you may be eligible to receive full reimbursement of costs incurred to repair or up to \$300 if you replaced the dishwasher, or to receive a cash payment of \$100 or a 30% rebate off the price of a new Whirlpool-manufactured dishwasher. If you experience an Overheating Event in one of these non-Class dishwashers, please contact Whirlpool at 1-877-559-2515. Additional information about the compensation available is also provided in the answer to Question 35.

7. How do I know if I am a Class Member?

To determine if you are a Class Member, you need to verify that your Class Dishwasher model number and serial number is included in the Settlement. Using the model number and serial number, you verify whether you are included by comparing your information to a list of qualifying Class Dishwashers that has been provided at the Settlement Administrator’s website, www.DishwasherSettlement.com.

8. Who isn’t included in the Settlement Class?

The following are not included in the Settlement Class: (1) officers, directors, and employees of the Defendants and their parents and subsidiaries; (2) insurers of Settlement Class Members; and (3) subrogees (someone who has assumed the rights of another person) or all entities that claim to be subrogated to the rights of Settlement Class Members.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

9. What benefits does the Settlement provide?

The Settlement provides cash rebates, reimbursement for Class Dishwasher repairs or replacements due to an Overheating Event, cash payments for Future Overheating Events, and replacement part box stickers that advise Whirlpool- and Sears-authorized Service Technicians and Class Members that customer benefits are available upon verification that an Overheating Event has occurred, and that the Service Technician should contact Whirlpool for authorization.

In addition, Whirlpool has agreed to provide these same benefits to owners of certain other Whirlpool-manufactured dishwashers—dishwashers that are not Class Dishwasher and therefore not otherwise included in the Settlement—that have or will in the future experience an Overheating Event. A list of the model and serial numbers of these dishwashers is posted on the Settlement website, at www.DishwasherSettlement.com.

10. Tell me more about the cash rebates.

Cash Rebates: All members of the Settlement Class are eligible to receive a cash rebate from Whirlpool upon purchase of a new KitchenAid®, Kenmore®, or Whirlpool® brand dishwasher. The rebate for the purchase of new Whirlpool® or Kenmore® brand dishwashers will be 10% off the retail purchase price (excluding sales taxes, delivery fees, and installation charges), unless you received a notice prequalifying you for an enhanced rebate of 15% based on your Class Dishwasher's repair history (described below). The rebate for the purchase of new KitchenAid® brand dishwashers will be 15% off the retail purchase price (excluding sales taxes, delivery fees, and installation charges), unless you received a notice prequalifying you for an enhanced rebate of 20% based on your Class Dishwasher's repair history (described below). Rebates may be used in addition to or incremental to any other sales promotion that Whirlpool, Sears, or any retailer or seller offers towards a new dishwasher. Each Class Member is entitled to one rebate for each Class Dishwasher purchased or owned. For example, if you bought two Class Dishwashers, you are eligible to receive two rebates. You do not need to still possess the dishwasher to receive the rebate.

Enhanced Rebate to Class Members Who Experienced Repair of a Thermal Cut-Off ("TCO") Device: If you experienced a repair to the Thermal Cut-Out ("TCO") device of your Class Dishwasher, you are entitled to an enhanced rebate of 15% off the retail purchase price (excluding sales taxes, delivery fees, and installation charges) of a new Kenmore®, or brand dishwasher or 20% off the retail purchase price (excluding sales taxes, delivery fees, and installation changes) of a new KitchenAid® brand dishwasher. Each Class Member is entitled to one rebate for each Class Dishwasher purchased that experienced a TCO repair regardless of the number of TCO repairs experienced.

11. What are the deadlines to qualify for and receive a cash rebate?

To be eligible under the rebate program, you are required to **register** for the rebate program by the Claims Deadline of November 25th, 2019. A rebate form will be mailed to you within 30 days after the Claims Deadline or Effective Date, whichever is later. Mail your completed rebate form and proof of purchase to the Settlement Administrator or submit it online on the Settlement Website, www.DishwasherSettlement.com. Completed rebate forms and proof of purchase are due no later than 150 days after the Claims Deadline or Effective Date, whichever is later. Thus, you will have five months to make an eligible purchase and submit the rebate form to the Settlement Administrator.

12. Tell me more about the reimbursements for an Overheating Event.

If your Class Dishwasher experienced an Overheating Event, you may be entitled to reimbursement for qualifying repairs or replacements. To qualify for a reimbursement, there must be sufficient documentary proof (such as entries in Whirlpool's or Sears Canada's databases, service tickets, service receipts, or service company records) that within 12 years after Purchase: (a) your Class Dishwasher experienced an Overheating Event; and (b) you repaired or replaced the Class Dishwasher because of the Overheating Event. Prequalified Class Members (Class Members that received a notice with a pre-printed unique claim identification number that begins with the number "2") do not need to submit documentation to support their claim.

- Reimbursement for Paid Qualifying Repairs: If you are a Prequalified Class Member, or if you provide sufficient documentary proof that you actually paid some out-of-pocket cost for a Qualifying Repair (parts or labour), you will be reimbursed for the amount that documentary proof shows you paid for parts and labour, up to the full cost of the Qualifying Repair. If you provide sufficient documentary proof of a paid repair, but the proof does not show the amount paid, you will receive \$200.
- Reimbursement for Paid Qualifying Replacements: If you are a Prequalified Class Member, or if you provide sufficient documentary proof that you paid for a replacement dishwasher as a result of an Overheating Event, Whirlpool will reimburse the out-of-pocket costs paid up to \$300 for a Whirlpool-built replacement dishwasher (e.g., a KitchenAid®, Kenmore®, Whirlpool®, or Maytag®-brand dishwasher) and up to \$200 for a non-Whirlpool replacement dishwasher.

Class Members who already received compensation or a voluntary benefit from Whirlpool or Sears will not receive a double payment; only previously unreimbursed expenses will be compensated.

13. What is the deadline to submit a Claim Form for a Past Overheating Event?

You will have up to the Claims Deadline of November 25th, 2019, to submit a Claim Form for a Settlement payment for a past Overheating Event.

14. Tell me more about the benefits available to Future Overheating Subclass Members.

If you are member of the Settlement Class and you experience an Overheating Event within 10 years after Purchase of your Class Dishwasher, or within 2 years after May 27th, 2019, whichever is later, you should contact the Settlement Administrator to report the Overheating Event. You will be eligible to receive either a \$100 cash payment or a 30% rebate off the purchase price of your choice of a new KitchenAid®, Kenmore®, or Whirlpool® brand dishwasher. To receive a cash payment as a Future Overheating Subclass Member, you will be required to sign a short release form.

15. What is the deadline to submit a Claim Form for a Future Overheating Event?

All claims for future Overheating Events by Settlement Class Members must be submitted within 120 days after the Overheating Event has occurred, and the Overheating Event must itself occur by no later than 10 years after Purchase of your Class Dishwasher, or within 2 years after May 27th, 2019, whichever is later.

16. Tell me more about the Sticker Program.

In addition to the compensation listed above, Whirlpool will affix a sticker to the individual parts boxes containing replacement service parts for Rushmore and Rush electronic control boards. The sticker will advise Whirlpool- and Sears-authorized Service Technicians and Class Members who have experienced an Overheating Event that they may be entitled to a customer benefit upon verification that an Overheating Event has occurred, and that the Service Technician should contact Whirlpool in that regard for authorization.

HOW TO GET BENEFITS—SUBMITTING A CLAIM FORM

17. How many benefits can I receive?

If you qualify, you may receive a benefit for each Class Dishwasher that you purchased or received. You must submit a separate Claim Form for each Class Dishwasher. If you bought one Class Dishwasher and experienced an Overheating Event, you are entitled to make a claim for both a cash rebate off the purchase of a new dishwasher and a cash reimbursement payment for a Qualifying Repair or Qualifying Replacement.

18. How do I get a cash rebate or other benefit to which I may be entitled?

You must complete and submit a Claim Form by November 25th, 2019 either on-line or via Canada Post. Claim Forms are available for download and submission at www.DishwasherSettlement.com. They also are available by contacting the Settlement Administrator at 1-866-808-1334 or support@dishwasherSettlement.com or by writing a letter to the Dishwasher Settlement Claims Administrator, P.O. Box 4454, Toronto Station A

25 The Esplanade
Toronto, ON M5W 4B1.

19. I had an Overheating Event in my Class Dishwasher, how do I get cash reimbursement?

You must complete and submit a Claim Form, including requested documentation, by November 25th, 2019 either online or via Canada Post. Claim Forms are available for download and submission at www.DishwasherSettlement.com, by calling 1-866-808-1334, or writing to support@dishwashersettlement.com or to the Dishwasher Settlement Administrator,
P.O. Box 4454, Toronto Station A
25 The Esplanade
Toronto, ON M5W 4B1

20. How do I get cash reimbursement if my Class Dishwasher experiences an Overheating Event in the future?

If you have a Class Dishwasher Overheating Event in the future, you must complete and submit a Claim Form online or via Canada Post within 120 days after your Dishwasher overheated and no later than 10 years after Purchase of your Class Dishwasher, or within 2 years after May 27th, 2019, whichever is later. Claim Forms are available for download and submission at www.DishwasherSettlement.com, by calling 1-866-808-1334, or writing to support@dishwashersettlement.com or to the Dishwasher Settlement Administrator,
P.O. Box 4454, Toronto Station A
25 The Esplanade
Toronto, ON M5W 4B1

21. What rights am I giving up by getting benefits and staying in the Settlement Class?

Unless you opt out, you are staying in the Settlement Class. If the Settlement is approved and becomes final, all of the Court's orders will apply to you and legally bind you. Generally, that means you won't be able to sue, continue to sue, or be part of any other lawsuit against the Defendants or other released parties ("Releasees") for the legal issues and claims resolved by this Settlement. **Personal injury claims or claims for damage to property other than to the Dishwasher itself are not affected or released by this Settlement.** The specific rights you are giving up are called Released Claims (see Question 22).

22. What are the Released Claims?

The claims that you are releasing, the "Released Claims," are all claims for economic loss relating to the use and performance of the Class Dishwashers, arising out of the Settlement Class Members' purchases or uses of the Class Dishwashers. The released parties, also called "the Releasees," are the Defendants, together with their

respective predecessors and successors in interest, parents, subsidiaries, affiliates, and assigns; (b) each of their respective past, present, and future officers, directors, agents, representatives, servants, employees, lawyers, and insurers; and (c) all distributors, retailers, and other entities who were or are in the chain of design, testing, manufacture, assembly, distribution, marketing, sale, installation, or servicing of the Class Dishwashers. The Settlement is expressly intended to cover and include all such claims, actions, and causes of action for economic losses or damages dealing whatsoever with the Class Dishwashers. **However, the Released Claims do not include any claims for property damage, other than to the Dishwasher itself, or personal injury.**

The complete Settlement Agreement describes the Released Claims in necessary legal terminology. Please read it carefully. A copy of the Settlement Agreement is available at www.DishwasherSettlement.com. If you have questions about the Released Claims or what they mean, you can talk to the lawyers at one of the law firms listed below for free or you can, of course, talk to your own lawyer at your own expense.

THE LAWYERS REPRESENTING YOU AND THE SETTLEMENT CLASS

23. Do I have a lawyer in this case?

Yes. The Court appointed Klein Lawyers LLP, James H. Brown & Associates and Guardian Law Group, as Class Counsel, to represent you and other Class Members in this class proceeding. Together these law firms are called Class Counsel. You may ask questions of Class Counsel about the Action and the Settlement and will not be charged for this information. If you want to retain your own lawyer, you may hire one at your own expense.

24. How will these lawyers be paid?

Class Counsel will ask the Court to award them up to \$600,000 plus applicable taxes (GST and PST) for Class Counsels' fees, plus reimbursement of the litigation expenses and costs they incurred in the amount of \$90,000. If approved, Whirlpool will *separately* pay these fees, costs and expenses. These amounts will *not* reduce the amount of benefits available to Class Members. In addition, the Defendants also have agreed to pay the Settlement Administrator's expenses, including the costs of mailing the Settlement Notices and distributing any payments owed to Settlement Class Members as part of the Settlement.

OPTING OUT OF THE CLASS ACTION

If you want to keep the right to sue or continue to sue Defendants about the legal claims in this lawsuit relating to Class Dishwashers, and you don't want to receive benefits from this Settlement, you must take steps to opt out of the Class Action.

25. How do I get out of the Settlement?

To opt out of the Class Action, you must complete and send to the Settlement Administrator an Opt-Out Form available at www.DishwasherSettlement.com or a letter stating: "I want to opt out of the Settlement Class in *Essa v. Whirlpool Corporation*, Court of Queen's Bench of Alberta, Action No. 1603-1024". Your Opt-Out Form or letter must include your full name, current address, date of birth, your signature, and the date you signed it. To be valid, your Opt-Out Form must be sent to the Settlement Administrator at the address below with a postmark no later than February 8th, 2019. (*July 26, 2019, is the Supplemental Opt Out Period for Class Members who own or owned Class Dishwashers highlighted as new models or within expanded serial number ranges on Revised Appendix B).

Settlement Administrator
P.O. Box 4454, Toronto Station A
25 The Esplanade
Toronto, ON M5W 4B1
1-866-808-1334

26. If I opt out, can I still get benefits from this Settlement?

No. If you opt out, you are telling the Court that you don't want to be part of the Settlement Class in this Settlement. You can only get Settlement benefits if you stay in the Settlement Class and submit a valid Claim Form for benefits as described above.

27. If I don't opt out, can I sue the Defendants for the same claims later?

No. Unless you opt out, you are giving up the right to sue the Defendants for the claims that this Settlement resolves and releases (see Question 22). You must opt out from *this* Settlement Class to start or continue with your own lawsuit or be part of any other lawsuit.

OBJECTING TO THE SETTLEMENT

You can tell the Court if you don't agree with the Settlement or any part of it.

28. How do I tell the Court if I don't like the Settlement?

If you do not exclude yourself from the Settlement, you may object to it. You can give reasons why you think the Court should not approve it. The Court will consider your views before making a decision. To do so, you or your lawyer must provide a written objection and supporting papers. Your objection must contain: (1) the name of this lawsuit (*Essa v. Whirlpool Corporation*, Court of Queen's Bench of Alberta, Action No. 1603-10241); (2) your full name and current address; (3) whether you bought, own or owned a KitchenAid®, Kenmore®, or Whirlpool® brand Dishwasher manufactured between October 2000 and January 2006; (4) the serial number and model number of your Dishwasher; (5) the specific reasons for your objection; (6) any evidence and

supporting papers (including, but not limited to, all briefs, written evidence, and declarations) that you want the Court to consider in support of your objection; (6) your signature; (7) the date of your signature; and (8) if you plan to appear and speak at the Final Approval Hearing, on your own or through your own lawyer, a statement indicating that it is your intention to appear at the Final Approval Hearing.

You must mail your written objection to the Settlement Administrator at the address shown below. The Settlement Administrator will provide it to Class Counsel and to the Defendants for filing with the Court before the Final Approval Hearing:

| |
|--|
| Settlement Administrator |
| P.O. Box 4454, Toronto Station A 25 The Esplanade Toronto, ON M5W 4B1 |

Your written objection must be mailed with a postmark no later than July 26th, 2019.

29. What is the difference between objecting and opting out of the Settlement?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object only if you stay in the Settlement Class (do not opt out). Opting out is telling the Court that you don't want to be part of the Settlement Class. If you opt out, you cannot object because the Settlement no longer affects you.

THE FINAL APPROVAL HEARING

The Court will hold a Final Approval Hearing to decide whether to approve the Settlement. You may attend and you may ask to speak at the hearing, but you don't have to.

30. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing at the Alberta Court of Queen's Bench, Calgary Courts Centre 601-5th Street SW, Calgary, Alberta, T2P 5P7, on a date to be determined [check this site for updates] to: (a) approve the settlement as fair and reasonable and in the best interests of the class; and (b) approve Class Counsels' fees and disbursements. If there are objections, the Court will consider them. The Court will listen to people who have asked to speak at the hearing (see Question 28). This hearing may be continued or rescheduled by the Court without further notice to the Settlement Class.

31. Do I have to come to the hearing?

No. Class Counsel is working on your behalf and will answer any questions the Court may have about the Settlement. But, you are welcome to come at your own expense. If you file an objection to the Settlement, you don't have to come to Court to talk about it. As long as you provided your written objection on time, signed it and provided all of the required information (see Question 28) the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

32. May I speak at the hearing?

Yes. You may ask the Court to speak at the Approval Hearing. To do so, you must provide to the Settlement Administrator a written notice of your intent to appear at the Final Approval Hearing in *Essa v. Whirlpool Corp. et al.* You must include your name, address, telephone number, and signature. If you plan to have your own lawyer speak for you at the hearing, you must also include the name, address and telephone number of the lawyer who will appear. See question 28.

IF YOU DO NOTHING

33. What happens if I don't do anything?

If you do nothing, you won't get any benefits from this Settlement. If the Court approves the Settlement, you will be bound by its terms, and you will give up your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendants and the other Releasees about the legal issues or claims resolved and released by this Settlement relating to Class Dishwashers.

GETTING MORE INFORMATION

34. What if I feel like I need more information about what I should or should not do?

This Notice summarizes the Settlement. More details are in the Settlement Agreement, available at www.DishwasherSettlement.com. If you have questions you may contact the Settlement Administrator at

P.O. Box 4454, Toronto Station A
25 The Esplanade

Toronto, ON M5W 4B1, support@dishwashersettlement.com, or 1-866-808-1334, or visit Class Counsel's websites. If you wish to communicate directly with Class Counsel, you may contact them at the address or phone number listed on their website.

35. What compensation is available to owners of Whirlpool-manufactured dishwashers that are not Class Dishwashers but who experienced, or will in the future experience, control board Overheating Events?

As part of the settlement Whirlpool has also agreed to provide benefits to owners of certain other Whirlpool-manufactured dishwashers who have experienced, or who will in the future experience, an Overheating Event. A list of those other dishwasher model and serial numbers is posted on the settlement website, at www.DishwasherSettlement.com.

Benefits to For Past Overheating Events

If your dishwasher experienced an Overheating Event (damage to the ECB causing it to overheat, ignite, or emit smoke, sparks, or fumes and stop working) in the past within 12 years of Purchase of the dishwasher, you may be entitled to reimbursement for amounts you paid to repair or replace the dishwasher. To qualify for any compensation described in this section, you must provide sufficient documentary proof that within 12 years after Purchase: (a) your dishwasher experienced an Overheating Event, and (b) that you repaired or replaced the dishwasher because of the Overheating Event. Sufficient documentary proof that you experienced an Overheating Event includes a claim form declaration that you experienced an Overheating Event within 12 years after Purchase of your dishwasher. Sufficient documentary proof that you repaired or replaced your dishwasher due to an Overheating Event includes entries in Whirlpool's or Sears' databases, service tickets, service receipts, or service company records. Prequalified Owners need not submit documentation supporting a claim. You are prequalified if you received a notice with a pre-printed unique claim identification number that begins with the number "2".

Reimbursement for Paid Qualifying Repairs: If you received a notice informing you that you are a Prequalified Owner, or if you provide sufficient documentary proof that you actually paid some out-of-pocket cost for a Qualifying Repair, you will be reimbursed for the amount that documentary proof shows you paid for parts and labour, up to the full cost of the Qualifying Repair. If you provide sufficient documentary proof of a paid repair, but the proof does not show the amount paid, you will receive \$200.00.

Reimbursement for Paid Qualifying Replacements: If you received a notice informing you that you are a Prequalified Owner, or if you provide sufficient documentary proof that you paid for a replacement dishwasher as a result of an Overheating Event, Whirlpool will reimburse the out-of-pocket costs paid up to \$300 for a Whirlpool-built replacement dishwasher (e.g., a Whirlpool®, KitchenAid®, Kenmore®, or Maytag® brand dishwasher) and up to \$200 for a non-Whirlpool replacement dishwasher.

Dishwasher owners who already received compensation or received a voluntary benefit from Whirlpool or Sears will not receive double payment; only previously unreimbursed expenses will be reimbursed.

Deadline to Submit Claim Forms for Reimbursement for a Past Overheating Event: You will have up to the Claims Deadline of November 25th, 2019, to submit a Claim Form for a settlement payment for a past Overheating Event.

Compensation for Future Overheating Events: If your dishwasher experiences an Overheating Event within 10 years after Purchase, or within 2 years after May 27th,

2019, whichever is later, you should contact the Settlement Administrator or call Whirlpool at 1-877-559-2515 to report the Overheating Event. You will be eligible to receive either a \$100 cash payment or a 30% rebate off the purchase price of a new KitchenAid-, Kenmore-, or Whirlpool-brand dishwasher, at your option. To receive a cash payment or rebate for a future Overheating Event, you will be required to sign a short release form.

Deadline to Submit a Claim for Future Overheating Events: All claims for future Overheating Events must be submitted within 120 days after the Overheating Event has occurred, and the Overheating Event must itself occur by no later than 10 years after Purchase of your Class Dishwasher, or within 2 years after May 27th, 2019, whichever is later.

**DO NOT WRITE OR CALL THE COURT, WHIRLPOOL, SEARS, OR ANY APPLIANCE
RETAILER, DEALER, OR AGENT FOR INFORMATION ABOUT THE SETTLEMENT
OR THIS LAWSUIT.**