

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re PVC Pipe Antitrust Litigation

This Document Relates to:

Direct Purchaser Class Plaintiffs

Case No. 1:24-cv-07639

Hon. LaShonda A. Hunt

UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS PAGES

Direct Purchaser Plaintiff Bill Wagner & Son, Inc. (“DPP”) through its undersigned counsel, intends to file a Motion—Unopposed¹ by Settling Defendant Oil Price Information Service, LLC (“OPIS”)—for Preliminary Approval of Settlement with Defendant OPIS and Related Relief (“Motion for Preliminary Approval”), and hereby moves this Court by unopposed motion for entry of an Order granting it leave to file a brief in support of the Motion for Preliminary Approval not to exceed 20 pages. In support, DPP states the following:

1. On May 5, 2025, Direct Purchaser Plaintiffs (“DPPs”) filed a Notice of Settlement

¹ OPIS, the Settling Defendant, does not oppose DPP’s motion. Because the Settlement Agreement required the terms of DPP’s settlement with OPIS to remain confidential until this motion was filed, it was not possible to conduct a pre-filing meet-and-confer with other parties. As detailed in the accompanying brief, on May 29, 2025, Interim Lead Counsel wrote to the non-settling Defendants asking them to provide, on a confidential basis, Interim Lead Counsel with their customer lists in order to effectuate individual, direct notice of the settlement to members of the DPP Settlement Class. The non-settling Defendants responded on June 4, 2025 that they were not in a position to evaluate the request for customer lists until after they had seen DPP’s preliminary approval filings and until other issues were resolved, and advised that they intended to inform DPP of their position on the motion once they are able to review the papers. Therefore, as of the time of this filing, Interim Lead Counsel does not know whether the non-settling Defendants will oppose the part of DPP’s motion requesting that the Court order the non-settling Defendants to produce their customer information. If, after reviewing this filing, the non-settling Defendants oppose that part of DPP’s motion, Interim Lead Counsel will, pursuant to this Court’s procedures, promptly confer with non-settling Defendants and submit an agreed proposed briefing schedule with respect to the request that non-settling Defendants produce their customer information in order to facilitate notice.

with Defendant Oil Price Information Service, LLC (“OPIS”), ECF No. 283.

2. DPP now seeks to move for preliminary approval of the settlement with OPIS.

3. In order to fully and completely explain the justification for the preliminary approval of the settlement with OPIS, DPP requires additional pages in excess of the 15 pages under Local Rule 7.1 of the Local Rules of the United States District Court for the Northern District of Illinois.

4. While DPP will make every effort to be as concise as possible, it requests up to 20 pages for the brief in support of the Motion.

WHEREFORE, for the above reasons, DPP respectfully requests this Court enter an Order granting it leave to file a brief in support of its Motion, not to exceed 20 pages.

Dated: June 6, 2025

Respectfully submitted,

By:/s/ Robert N. Kaplan

Robert N. Kaplan

Matthew P. McCahill

Elana Katcher

Brandon Fox

Carihana Morrison

KAPLAN FOX & KILSHEIMER LLP

800 Third Avenue, 38th Floor

New York, New York 10022

Tel: (212) 687-1980

rkaplan@kaplanfox.com

mmccahill@kaplanfox.com

ekatcher@kaplanfox.com

bfox@kaplanfox.com

cmorrison@kaplanfox.com

Gary L. Specks

KAPLAN FOX & KILSHEIMER LLP

681 Prestwick Lane

Wheeling, Illinois 60090

Tel: (847) 831-1585

gspecks@kaplanfox.com

Lead Counsel for the Direct Purchaser Plaintiff Class

Joseph M. Vanek
David Germaine
John P. Bjork
Allison Margolies
SPERLING KENNY NACHWALTER, LLC
321 N Clark Street, Suite 2500
Chicago, Illinois 60654
Tel: (312) 641-3200
jvanek@sperlingkenny.com
dgermaine@sperlingkenny.com
jbjork@sperlingkenny.com
amargolies@sperlingkenny.com

Phillip F. Cramer
SPERLING KENNY NACHWALTER, LLC
1221 Broadway, Suite 2140
Nashville, Tenn. 37212
Tel: (312) 641-3200
pcramer@sperlingkenny.com

James Almon
SPERLING KENNY NACHWALTER, LLC
1616-D Metropolitan Cir.
Tallahassee, Florida 32308
Tel: (850) 942-4334
jalmon@sperlingkenny.com

Liaison Counsel for the Direct Purchaser Plaintiff Class

Dianne M. Nast
Joseph Roda
Michael Ford
Michele Burkholder
NASTLAW LLC
1101 Market Street, Suite 2801
Philadelphia, Penn. 19107
Tel: (215) 923-9300
dnast@nastlaw.com
jnroda@nastlaw.com
mford@nastlaw.com
mburkholder@nastlaw.com

Joshua H. Grabar
Julia Varano
GRABAR LAW OFFICE

One Liberty Place
1650 Market Street, Suite 3600
Philadelphia, Penn. 19103
Tel: (267) 507-6085
jgrabar@grabarlaw.com
jvarano@grabarlaw.com

*Counsel for Direct Purchaser Plaintiff Bill Wagner &
Son, Inc.*

CERTIFICATE OF SERVICE

I certify that on June 6, 2025, I caused true and correct copies of this Motion to be served via the Court's CM/ECF system on all counsel of record.

/s/ Robert N. Kaplan
Robert N. Kaplan