UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Lisa Rouse, Juston Rouse, Jenna Drouin, Nicholas Drouin, Kendra Graybeal, Nichole Edwards, Lucas Edwards, Robert Calamita, Gina Calamita, Nicole Robb, Dave Robb, Clay Whitenack, Andrea Lea Hill Whitenack, Brian Andree, Alexandra Andree, Kyle Witzcak, Brittany Witczak, Mary Jane Gougar, Chris Lorbecki, and Kristina De Broux, *individually, and on behalf of all those similarly situated*,

Plaintiffs,

v.

H.B. Fuller Company and H.B. Fuller Construction Products, Inc.,

Defendants.

File No. 22-CV-2173 (JMB/JFD)

ORDER

David W. Asp and Robert David Hahn, Lockridge Grindal Nauen PLLP, Minneapolis, MN; and David Frederick Hine (*pro hac vice*), Emily St. Cyr (*pro hac vice*), Petra Bergman (*pro hac vice*), Michael Soder (*pro hac vice*), Alexander X. Shadley (*pro hac vice*), and Wesley Reese Abrams (*pro hac vice*), Vorys, Sater, Seymour & Pease LLP, Cincinnati, OH, for Plaintiffs.

Todd Noteboom, William Thomson, Andrew Leiendecker, and Zach Wright, Stinson LLP, Minneapolis, MN; Lorie Skjerven Gildea, Michael T. Vangel, and Laura Rose Hammargren, Greenberg Traurig PA, Minneapolis, MN; Jeremy Root (*pro hac vice*), Stinson LLP, Jefferson City, MO; Courtney Harrison (*pro hac vice*), Stinson LLP, Kansas City, MO; Christopher Dodrill (*pro hac vice*), Greenberg Traurig PA, Dallas, TX; and Robert J. Herrington (*pro hac vice*), Greenberg Traurig, PA, Los Angeles, CA, for Defendants.

This matter is before the Court on Plaintiffs Lisa Rouse's, Juston Rouse's, Jenna Drouin's, Nicholas Drouin's, Kendra Graybeal's, Nichole Edwards's, Lucas Edwards's,

Robert Calamita's, Gina Calamita's, Nicole Robb's, Dave Robb's, Clay Whitenack's, Andrea Lea Hill Whitenack's, Brian Andree's, Alexandra Andree's, Kyle Witzcak's, Brittany Witczak's, Mary Jane Gougar's, Chris Lorbecki's, and Kristina De Broux's (together, Plaintiffs) unopposed Motion for Final Approval of Class Action settlement and Certification of Settlement Classes (Doc. No. 666) and unopposed Motion for Attorney Fees and Reimbursement of Expenses and Class Representative Service Awards (Doc. No. 673) (together, the Motions).

The Motions came before the Court for a Final Approval hearing on October 21, 2026, during which all interested persons were given an opportunity to be heard. (Doc. No. 681.) The Court has considered the Motions and supporting memoranda and declarations, the Settlement Agreement, and, based on all of the files, records, and proceedings, IT IS HEREBY ORDERED THAT:

1. Plaintiffs' Unopposed Motion for Final Approval of Class Action settlement and Certification of Settlement Classes (Doc. No. 666) is GRANTED.

a. The following Settlement Classes are certified for settlement purposes under Federal Rule of Civil Procedure 23(a) and 23(b)(3):

i. **Subclass One:** All homeowners in the United States who had TEC Power Grout manufactured on or before December 2, 2024, installed between December 1, 2016 and June 10, 2026 on residential property they own, or owned, and who replaced the Power Grout or paid to repair damage to their property allegedly caused by such Power Grout, and who are seeking recovery of these repair costs.

ii. **Subclass Two:** All homeowners in the United States who own a home in which Power Grout manufactured on or before December 2, 2024 was installed between December 1, 2016

and June 10, 2026, or who purchased Power Grout manufactured on or before December 2, 2024 during that period.

b. Excluded from the Settlement Classes are the persons an entities identified in Section 3.2 of the Settlement Agreement, including persons who have already received warranty payments from Defendants in excess of the settlement amount; Defendants and their affiliates; distributors of Power Grout; Class Counsel and their employees; judicial officers and their staff; and the immediate family members of the foregoing.

c. The Court finds that the prerequisites of Federal Rule of Civil Procedure 23(a) are satisfied.

d. The Court further finds that the requirements of Rule 23(b)(3) are satisfied for settlement purposes.

e. The Court confirms the appointment of Vorys, Sater, Seymour and Pease LLP and Lockridge Grindal Nauen P.L.L.P. as Settlement Class Counsel under Rule 23(g).

f. The Court confirms the appointment of Plaintiffs Lisa Rouse, Juston Rouse, Jenna Drouin, Nick Drouin, Kendra Graybeal, Nichole Edwards, Lucas Edwards, Robert Calamita, Gina Calamita, Nicole Robb, Dave Robb, Clay Whitenack, Andrea Whitenack, Brian Andree, Alexandra Andree, Kyle Witczak, Brittany Witczak, Kristina De Broux, Mary Jane Gougar, and Chris Lorbecki as Class Representatives.

g. The Court confirms the appointment of Eqiq Class Action & Claims Solutions, Inc. as Class Administrator.

h. The Court approved the Class Notice Plan on July 16, 2026 (Doc. No. 664) and amended that Order on July 24, 2026 (Doc. No. 665). The Class Administrator implemented the Notice Plan as approved.

i. The Court finds that the notice given to the Settlement Classes constituted the best notice practicable under the circumstances, including individual notice to all members who could be identified through reasonable effort, and fully satisfied Federal Rule of Civil Procedure 23(c)(2)(B) and 23(e)(1) and the requirements of due process.

j. On April 10, 2026, the Class Administrator served fifty-seven Class Action Fairness Act Notice Packages on the Attorney General of the United States and the appropriate officials of all fifty states, the District of Columbia, and the United States Territories, in compliance with 28 U.S.C. § 1715(b). (Doc. No. 669 ¶ 6; Doc. No. 669-1; *see also* Doc. No. 650). More than ninety days have elapsed since that service, and no federal or state official has objected to or commented on the Settlement Agreement. The Court may therefore enter final judgment consistent with 28 U.S.C. § 1715(d).

k. Pursuant to Federal Rule of Civil Procedure 23(e)(2), the Court finds the Settlement Agreement fair, reasonable, and adequate.

l. The Class Administrator shall continue to administer the claims process under Sections 5 and 6 of the Settlement Agreement. Within ninety days after the final distribution of settlement funds, Class Counsel and the Class Administrator shall file a post-distribution accounting reporting.

m. Without affecting the finality of this Order and the Judgment, the Court retains jurisdiction over the Parties and the Settlement Classes for purposes of administering, interpreting, enforcing, and effectuating the Settlement Agreement, including the Claims Procedure.

2. Plaintiffs' Unopposed Motion for Attorney Fees and Reimbursement of Expenses and Class Representative Service Awards (Doc. No. 673) is GRANTED.

a. Class Counsel is awarded $26,250,000.00 in attorneys' fees.

b. Class Counsel is awarded $1,845,015.68 for unreimbursed costs and expenses.

c. Each Class Representative household is awarded $20,000.00.

3. This action is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 29, 2026

/s/ *Jeffrey M. Bryan*
Judge Jeffrey M. Bryan
United States District Court