

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

In re: Bestway Above-Ground Pools Litigation, No. 1:25-cv-09570

U.S. District Court for the Northern District of Illinois

If you purchased a Bestway above-ground pool between 2008 and 2024 that is 48 inches or taller with compression straps running on the outside of the vertical support legs, you may be entitled to benefits from a class action Settlement.

A Court has authorized this notice.

*You are **not** being sued. This is **not** a solicitation from a lawyer.*

- A \$15,000,000 settlement has been reached in a class action lawsuit against Bestway (USA) Inc. (“Bestway USA”), Bestway Inflatables & Material Corp. (“Bestway Inflatables”), and Bestway (Hong Kong) International Ltd (“Bestway Hong Kong”) (collectively “Bestway” or “Defendants”).
- The settlement relates to an alleged safety defect in Bestway above-ground pool models sold between 2008 and 2024, including Power Steel, Steel Pro and Coleman Power Steel above-ground pools that are 48 inches or taller in height with compression straps running on the outside of the vertical support legs of the pool, which create a potential drowning hazard. The Settlement does not release claims for personal injury or property damage; nor does it release or affect any claims for personal injury or wrongful death and does not limit any rights under the Pool Recall. Without any admission of fault, Defendants have agreed to the Settlement to avoid the costs and risks associated with continuing this case.
- You are part of the Settlement Class if you are a person in the United States, its territories, and/or the District of Columbia who purchased for personal use and not for resale, a Bestway-branded pool 48 inches in height or taller (including Power Steel, Steel Pro and Coleman Power Steel models) with compression straps located outside of the support poles, sold from 2008 through 2024. (“Class Products”)
- Under the terms of the Settlement, all Settlement Class Members who timely submit a Valid Claim Form for the purchase of their Class Product are eligible to receive a Cash Payment.
- Your rights are affected whether you act or do not act. Please read this Notice carefully.

This notice may affect your rights. Please read it carefully.

Questions? Go to www.PoolSettlementBW.com or call 1-855-789-5948

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS		DEADLINE
SUBMIT A CLAIM	The only way to get monetary Settlement benefits is to submit a valid and timely Claim Form for an Approved Claim. You can submit your Claim Form online at www.PoolSettlementBW.com or download the Claim Form from the Settlement Website and mail it to the Settlement Administrator. You may also call or email the Settlement Administrator to receive a paper copy of the Claim Form.	Submitted online or Postmarked by October 30, 2026
OPT-OUT OF THE SETTLEMENT	Get no monetary Settlement benefits. Keep your right to file your own lawsuit against Defendant about the legal claims in this lawsuit.	Postmarked by October 30, 2026
OBJECT TO THE SETTLEMENT	Stay in the Settlement, but tell the Court why you do not agree with the Settlement. You will still be bound by the Settlement if the Court approves it. If you object, you may also file a claim for a payment.	Postmarked by October 30, 2026
DO NOTHING	Get no monetary Settlement benefits. Be bound by the Settlement, and give up the right to sue, continue to sue, or be part of another lawsuit against the Defendants related to the legal claims resolved by this Settlement. Non-participation in this Settlement does not limit any rights under the Pool Recall, which this Settlement does not incorporate nor endorse.	No Deadline

- These rights and options—and the deadlines to exercise them—are explained in this notice.
- The Court must still decide whether to approve the Settlement. There will be no Settlement benefits unless the Court approves the Settlement, and it becomes final.

FOR QUESTIONS ABOUT THE SETTLEMENT OR INSTRUCTIONS ON SUBMITTING A CLAIM, OBJECTING, OR OPTING OUT, PLEASE VISIT WWW.POOLSETTLEMENTBW.COM OR CALL 1-855-789-5948 TOLL-FREE.

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Questions? Go to www.PoolSettlementBW.com or call 1-855-789-5948

BASIC INFORMATION

1. Why is this Notice being provided?

A Court authorized this Notice because you have the right to know about the proposed Settlement of this class action lawsuit and all of your rights and options before the Court decides to grant Final Approval of the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get them.

The Honorable Lindsey C. Jenkins of the United States District Court for the Northern District of Illinois is overseeing this class action. The lawsuit is known as *In re: Bestway Above-Ground Pools Litigation*, No. 1:25-cv-09570 (“Action”). The persons who filed this Action are called the “Plaintiffs” and/or “Class Representatives” and the companies sued, Bestway USA, Bestway Inflatables, and Bestway Hong Kong, are called the “Defendants.”

2. What is this Action about?

This class action lawsuit alleges Bestway-branded above-ground pools sold between 2008 and 2024, that are 48 inches or taller with compression straps running on the outside of the vertical support legs of the pool, create a potential drowning hazard. The complaint further alleges that the voluntary recall issued by Bestway in conjunction with the United States Consumer Product Safety Commission (“CPSC”) was inadequate because it did not offer a monetary remedy.

Defendants deny that their pools are defective and deny any wrongdoing or liability. The Court has not decided who is right. Instead, Plaintiffs and Defendants have agreed to a settlement to avoid the risk, cost, and time of continuing the Action.

3. Why is the Action a class action?

In a class action, one or more people (called plaintiff(s) or class representative(s)) sue on behalf of all people who have similar legal claims. Together, the people included in the class action are called a “class” or “class members.” If the plaintiffs and defendants reach a settlement, the court resolves the issues for all class members via the settlement, except for those class members who timely opt out (exclude themselves) from the settlement.

The proposed Class Representatives in this lawsuit are Plaintiffs Susana Castro, Pete Piceno, Shannon Gannon, Leah Holloway, Jamie DeSabio, Amy Razzano, Katrina Hill, and Lisa Weeks.

4. Why is there a Settlement?

Plaintiffs and Defendants do not agree about the legal claims made in the Action. The Action has not gone to trial, and the Court has not decided in favor of Plaintiffs or Defendants. Instead, Plaintiffs and Defendants have agreed to settle the Action. The Class Representatives believe the Settlement is best for all individuals in the Settlement Class because of the benefits available to the Settlement Class and the risks and uncertainty associated with continuing the Action.

Questions? Go to www.PoolSettlementBW.com or call 1-855-789-5948

Nothing in this Agreement modifies, limits, or extinguishes the Pool Recall of July 21, 2025, which remains in effect independent of this Settlement, and which is neither endorsed by nor incorporated into this Settlement.

WHO IS INCLUDED IN THE SETTLEMENT?

To see if you will get money from this Settlement, you first have to decide if you are a Settlement Class Member.

5. How do I know if I am part of the Settlement?

The Settlement Class includes all persons in the United States, its territories, and/or the District of Columbia who purchased, for personal use and not for resale, a Bestway-branded pool that is 48 inches or taller in height (including Power Steel and Steel Pro models) with compression straps located outside of the support poles, sold from 2008 through 2024.

6. Are there exceptions to being included in the Settlement?

Yes. Excluded from the Settlement Class are: (1) the presiding judge and immediate family; (2) Defendants and their respective parents, subsidiaries, affiliates, and their current and former officers, directors, employees, agents, and counsel; (3) Persons who timely and properly Opt-Out; (4) successors/assigns of excluded Persons; (5) wholesalers, distributors, or retailers of the Class Products; (6) second-hand purchasers; and (7) Class Counsel.

7. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Settlement Class Member, you may go to the Settlement Website at www.PoolSettlementBW.com, call the Settlement Administrator's toll-free telephone number at 1-855-789-5948, or write to the Settlement Administrator at:

Bestway Settlement Administrator
P.O. Box 1869
Baton Rouge, LA 70821

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

8. What does the Settlement provide?

If the Settlement is approved by the Court, Defendants will pay \$15,000,000 into a Settlement Fund to pay Cash Awards, Notice and Administration Costs, Attorneys' Fees and Costs, and Service Awards. Class Members who submit a Valid Claim in accordance with Section 5.6 of the Settlement Agreement could receive the following payment:

- **Valid Proof of Purchase.** If you provide a Valid Proof of Purchase, you can receive a payment equal to ten percent (10%) of either: (i) the actual price paid as reflected in the Valid Proof of Purchase (e.g., receipt); or (ii) the Average Retail Price of the identified Class Product if no actual purchase price is reflected in the Valid Proof of Purchase.

Questions? Go to www.PoolSettlementBW.com or call 1-855-789-5948

- **Without Valid Proof of Purchase.** Claimants without Valid Proof of Purchase shall receive a Cash Payment of Forty Dollars (\$40.00).

You must submit a timely and signed Valid Claim Form to be eligible to receive a Cash Payment.

9. What am I giving up to receive Settlement benefits or stay in the Settlement Class?

Unless you opt out of the Settlement, you are choosing to remain in the Settlement Class. If the Settlement is approved and becomes final, all Court orders will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against the Released Parties, including Defendants, about the legal issues in this lawsuit that are released by this Settlement. The specific rights you are giving up are called “Released Claims.” This settlement does not limit any rights under the Pool Recall.

10. What are the Released Claims?

The Settlement Agreement in Section 8 describes the Release and the Released Parties, in necessary legal terminology, so please read this section carefully. The Settlement Agreement is available at www.PoolSettlementBW.com or in the public Court records on file in this lawsuit. For questions regarding the Release and what the language in the Settlement Agreement means, you can also contact Class Counsel listed in Question 15 for free, or you can talk to your own lawyer at your own expense. The Released Claims **do not include** claims relating to personal injury, bodily injury, emotional distress, wrongful death, or any other physical or emotional harm allegedly arising from the Class Products, and does not limit any rights under the Pool Recall or release any claims relating to the Pool Recall, including any claims or remedies enforceable through governmental action or administrative process.

HOW TO GET BENEFITS FROM THE SETTLEMENT – MAKING A CLAIM

11. How do I make a claim for Settlement benefits and what is the deadline to submit a claim?

To receive any of the benefits described in Question 8 and detailed further in the Settlement Agreement, you must submit Claim Form, **postmarked or submitted online by October 30, 2026**. Claim Forms may be submitted online at www.PoolSettlementBW.com or printed from the Settlement Website and mailed to the Settlement Administrator at the address on the Claim Form. The quickest way to submit a claim is online. Claim Forms are also available by calling 1-855-789-5948 or by writing to:

Bestway Settlement Administrator
P.O. Box 1869
Baton Rouge, LA 70821

Claim Forms must be submitted online or mailed and postmarked by October 30, 2026.

Questions? Go to www.PoolSettlementBW.com or call 1-855-789-5948

12. What happens if my contact information changes after I submit a Claim?

If you change your mailing address or email address after you submit a Claim Form, it is your responsibility to inform the Settlement Administrator of your updated information. You may notify the Settlement Administrator of any changes by calling 1-855-789-5948 or by writing to:

Bestway Settlement Administrator
P.O. Box 1869
Baton Rouge, LA 70821

13. When will I receive my Settlement benefits?

The Court has scheduled a Fairness Hearing for the Settlement of this case on November 20, 2026, at 10:00 a.m. CT to consider: (1) whether to approve the Settlement; (2) any objections; (3) the requests for Service Payments to the Named Plaintiffs; and (4) the request for an award of Attorneys' Fees and Costs to Class Counsel for their work in this litigation. If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them. Settlement payments cannot be distributed until the Court grants Final Approval of the Settlement and after any appeals are resolved.

The briefs and declarations in support of the Final Approval of the Settlement and the requests described above will be posted on the Settlement Website at www.PoolSettlementBW.com after they are filed. You may ask to appear at the hearing, but you do not have to appear. The date and time of the Fairness Hearing is also subject to modification by the Court. Please review the Settlement Website for any updated information regarding the final hearing.

14. How will I receive my payment?

Class Members who submit a Valid Claim will have several electronic payment options to choose from, or you can elect to receive a check. Please ensure you have provided a current and complete email address if you elected to receive an electronic payment. If you select a paper check, the Settlement Administrator will attempt to send you a check to the physical address submitted on your Claim Form.

THE LAWYERS REPRESENTING YOU

15. Do I have a lawyer in this lawsuit?

Yes, the Court appointed Kevin Laukaitis of Laukaitis Law LLC, and Rachel Soffin of Pearson Warshaw, LLP, as Interim Co-Lead Class Counsel, and an Executive Committee, including Leslie Pescia of Siri Glimstad, Nick Suci of Bryson Harris Suci & DeMay PLLC, Charles D. Moore of Reese, LLP, Jason Sultzer of Sultzer & Lipari, PLLC, and Alec Schultz of Hilgers Graben PLLC to represent you and the Settlement Class for the purposes of this Settlement.

You do not need to hire your own lawyer because Class Counsel works for you. If you want to be represented by your own lawyer, you may hire one at your own expense.

Class Counsel may be contacted at the following addresses and phone numbers:

Questions? Go to www.PoolSettlementBW.com or call 1-855-789-5948

Kevin Laukaitis Laukaitis Law LLC 954 Avenida Ponce De León Suite 205, #10518 San Juan, Puerto Rico 00907 Tel: (215) -789-4462 klaukaitis@laukaitislaw.com	Rachel Soffin Pearson Warshaw, LLP 15165 Ventura Blvd., Suite 400 Sherman Oaks, CA 91403 Tel: (818) 205-2815 rsoffin@pwfirm.com	Leslie Pescia Siri Glimstad 745 Fifth Avenue, Suite 500 New York, NY 10151 T: (212) 532-1091 lpescia@sirillp.com
Nick Suci Bryson, Harris, Suci, Demay PLLC 6905 Telegraph Rd., Suite 115 Bloomfield Hills, MI 48301 Tel: (616) 678-3180 nsuci@brysconpllc.com	Charles D. Moore Reese, LLP 121 N. Washington Ave. 2nd Floor Minneapolis, Minnesota 55401 (212) 643-0500 cmoore@reesellp.com	Jason Sultzer Sultzer & Lipari, PLLC 85 Civic Center Plaza, Suite 200 Poughkeepsie, NY 12601 Tel: (845) 483-7100 sultzerj@thesultzerlawgroup.com
Alec Schultz HILGERS GRABEN PLLC 1221 Brickell Avenue, Suite 900 Miami, FL 33131 aschultz@hilgersgraben.com		

16. How will Class Counsel be paid?

Class Counsel will file a motion asking the Court to award a reasonable proportion of the Settlement Fund as payment of any reasonable attorneys' fees and costs. Class Counsel may apply for attorneys' fees not to exceed one-third (33 1/3%) of the Settlement Amount, exclusive of Settlement Administration Costs and Service Awards. Class Counsel may also seek a Cost Reimbursement of reasonable litigation costs incurred in prosecuting the Action through final approval, subject to the Court's approval. The Court may award less than the amount requested.

Class Counsel will also request approval of service awards of Two Thousand Five Hundred Dollars (\$2,500.00) to each of the Class Representatives, in addition to any Cash Payment they may receive on an Approved Claim.

If awarded by the Court, the Settlement Administrator will pay attorneys' fees, litigation expenses, and service awards out of the Settlement Fund.

Class Counsel's motion for attorneys' fees, litigation expenses, and service awards will be made available on the Settlement Website at www.PoolSettlementBW.com before the deadline for you to object to or opt out of the Settlement.

OPTING OUT OF THE SETTLEMENT

If you are a Settlement Class Member and want to keep any right you may have to sue or continue to sue the Released Parties on your own based on the legal claims raised in this lawsuit or released by the Released Claims, then you must take steps to get out of the Settlement. This is called opting out of the Settlement.

Questions? Go to www.PoolSettlementBW.com or call 1-855-789-5948

17. How do I opt out of the Settlement?

To opt out of the Settlement, you must timely mail written notice, or submit electronically on the Settlement Website, a request to opt out. The written notice must include the following information:

- (1) The name of the proceedings titled *In re: Bestway Above-Ground Pools Litigation*, No. 1:25-cv-09570.
- (2) Your full name, telephone, and current address.
- (3) Contain a statement that you purchased a Class Product.
- (4) Contain a clear statement that you wish to be excluded from the Settlement Class, such as the following example: “I request to be excluded from the Settlement Class in *In re: Bestway Above-Ground Pools Litigation*.”
- (5) Your physical signature as a Settlement Class Member.

If you exclude yourself, you are stating to the Court that you do not want to be part of the Settlement. You will not be eligible to receive a payment if you exclude yourself. You may only exclude yourself – not any other person. Any Settlement Class Member who does not file a timely Request for Exclusion will lose the opportunity to exclude himself or herself from the Settlement and will be bound by the Settlement. **You cannot opt out by telephone.**

Your request for exclusion must be submitted **online** at www.PoolSettlementBW.com or via **U.S. mail** at the address below:

Bestway Settlement Administrator
Exclusions
P.O. Box 1869
Baton Rouge, LA 70821

If submitted electronically, the opt-out must be submitted no later than **11:59 p.m. CT on or before October 30, 2026.**

If submitted by U.S. mail, the written request to opt-out must be postmarked no later than **October 30, 2026.**

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Settlement Class Members or multiple Settlement Class Members where an opt out has not been signed by each and every individual Settlement Class Member will not be allowed.

18. If I opt out can I still get anything from the Settlement?

No. If you opt out, you will not be entitled to receive any Settlement benefits, but you will not be bound by any judgment in this lawsuit. You can only get Settlement benefits if you stay in the Settlement and submit a Valid Claim.

19. If I do not opt out, can I sue Defendants for the same thing later?

No. Unless you opt out, you give up any right to sue Defendants and other Released Parties for the legal claims this Settlement resolves and Releases relating to the Action. You must opt out of the lawsuit to start or continue with your own lawsuit or be part of any other lawsuit against Defendants or other Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

Questions? Go to www.PoolSettlementBW.com or call 1-855-789-5948

COMMENTING ON OR OBJECTING TO THE SETTLEMENT

20. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class Member, you can choose (but are not required) to object to the Settlement if you do not like it or a portion of it. You can give reasons why you think the Court should not approve it. The Court will consider your views.

The objection must also include all of the following information:

- (i) Identify the case name and number.
- (ii) The Settlement Class Member's full name, current mailing address, telephone number, and email address (if available).
- (iii) Provide information sufficient to reasonably verify Settlement Class membership (such as approximate purchase date, retailer, model, or other identifying information reasonably available to the objector)
- (iv) A statement that states with specificity the grounds for the objection.
- (v) A statement as to whether the objection applies only to the objector, to a specific subset of the class, or to the entire class.
- (vi) Include any documents supporting the objection.
- (vii) A statement regarding whether the Settlement Class Member (or their attorney) intends to appear at the Final Approval Hearing.
- (viii) The signature (or electronic equivalent) of the Settlement Class Member or the Settlement Class Member's attorney.
- (ix) If the objector is represented by counsel or received assistance from counsel, the objection must also identify the attorney and provide the attorney's name, address, telephone number, and email address.

To object, you must mail or file via the Court's ECF system a timely, written objection stating that you object. To be timely, Settlement Class Members must electronically file via the Court's ECF system, or deliver to the Clerk of the Court, by mail, express mail, or personal delivery, a written notice of objection at the following address:

United States District Court, Northern District of Illinois
Clerk's Office
Dirksen U.S. Courthouse
ATTN: Bestway Settlement Objections
219 S. Dearborn Street Chicago, IL 60604

Objections must be **postmarked (if mailed) or electronically filed with the Court by October 30, 2026.**

You or your attorney may speak at the Fairness Hearing about your objection. To do so, you must include a statement in your objection indicating that you or your attorney intend to appear at the Fairness Hearing, as well as a description of any evidence the objecting Settlement Class Member may offer at the Fairness Hearing and copies of any exhibits the objecting Settlement Class Member may introduce at the Fairness Hearing.

Any Settlement Class Member who fails to file and serve timely a written objection and notice of his or her intent to appear at the Fairness Hearing, as detailed above, shall not be permitted to object to the approval of the Settlement at the Fairness Hearing and shall be foreclosed from seeking any review

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of the Settlement or the terms of the Agreement by appeal or other means, and will be bound by all the terms of the Settlement Agreement and by all proceedings, orders, and judgments in the lawsuit.

21. What is the difference between objecting and asking to opt out?

Objecting is simply telling the Court you do not like something about some aspect of the Settlement. You can object only if you stay in the Settlement Class (meaning you do not opt out of the Settlement). Opting out of the Settlement is telling the Court you do not want to be part of the Settlement Class or the Settlement. If you opt out, you cannot object to the Settlement.

THE COURT'S FINAL APPROVAL HEARING

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

The Court will hold a Final Approval Hearing on **November 20, 2026, at 10:00 a.m. CT** before the Honorable Lindsey C. Jenkins of the United States District Court for the Northern District of Illinois, 219 South Dearborn Street, Courtroom 2119, Chicago, IL 60604.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate and decide whether to approve the Settlement, Class Counsel's application for attorneys' Fee Awards and Service Awards. If there are objections, the Court will consider them. The Court will also listen to Settlement Class Members who have asked to speak at the hearing.

Note: The Court may opt to hold the hearing in person, via Zoom, or via conference call, or may determine that a hearing is not necessary. Additionally, the date and time of the Final Approval Hearing are subject to change. These details and any changes will be posted at www.PoolSettlementBW.com.

23. Do I have to attend to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you mail an objection, you do not have to attend the Final Approval Hearing to speak about it. As long as you mail your written objection on time, the Court will consider it.

24. May I speak at the Final Approval Hearing?

Yes, provided you have properly submitted an objection using the process described above, you can (but do not have to) participate and speak for yourself at the Final Approval Hearing. This is called making an appearance. You also can have your own lawyer speak for you, but you will have to pay for the lawyer yourself.

If you want to appear, or if you want your own lawyer instead of Class Counsel to speak for you at the Final Approval Hearing, you must follow all of the procedures for objecting to the Settlement listed in Question 20 above—and specifically include a statement whether you and your lawyer will appear at the Final Approval Hearing.

IF YOU DO NOTHING

25. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will not receive any monetary Settlement benefits, and you will give up rights explained in the “Opting Out of the Settlement” section of this notice, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against any of the Released Parties, including Defendants, about the legal issues in this lawsuit that are released by the Settlement Agreement relating to the Action. You will not give up any rights under the Pool Recall solely by failing to act under this Settlement.

GETTING MORE INFORMATION

26. How do I get more information?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement. The Settlement Agreement and other related documents are available at www.PoolSettlementBW.com, by calling 1-855-789-5948 or by writing to:

Bestway Settlement Administrator
P.O. Box 1869
Baton Rouge, LA 70821

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT’S CLERK’S OFFICE
REGARDING THIS NOTICE.**

Questions? Go to www.PoolSettlementBW.com or call 1-855-789-5948