

15-18 In re Elk Cross Timbers

EXHIBIT 1

Count	Claim	Plaintiffs	Previously Dismissed/ Plaintiffs Affirmatively Do Not Oppose
1	Negligence	Burger	
		Robertie	
		Ross	
		Sheridan	
		Hoover & Cohen	
		McGovern	
		Warren	
		Narducci	
		Claxton	
		Ernst	
		Kaiser	
		Stidham	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Williams	
		Wolcott	
		Montante	Voluntarily Dismissed Claims (ECF No. 51)
		Denton	
		Turcheck	
		Tuthill	
		Khanna	
		Giovannetti	
Shepherd			
Megerle			
Barker			
Bender	Voluntarily Dismissed Claims (ECF No. 59)		
Mapp	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)		
2	Indiana Consumer Protection Statute	Stidham	
		McGovern	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
3	New Jersey Consumer Fraud Act	All Plaintiffs	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
4	Michigan Consumer Protection Act	McGovern	
		Narducci	
		Claxton	
5	Missouri Merchandising Practices Act	Ross	
6	Illinois Consumer Fraud and Deceptive Business Practices Act	Ernst	
7	Virginia Consumer Protection Act	Wolcott	
8	Montana Consumer Protection Act	Hoover & Cohen	
9	Colorado Consumer Protection Act	Kaiser	
		Turcheck	
		Barker	
		Megerle	
		Tuthill	

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EXHIBIT 1

Count	Claim	Plaintiffs	Previously Dismissed/ Plaintiffs Affirmatively Do Not Oppose
10	North Carolina Unfair and Deceptive Trade Practices Act	Robertie	
		Shepherd	
11	Ohio Product Liability Act	Burger	
12	Ohio Consumer Sales Practices Act	Burger	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
13	New Hampshire Consumer Protection Act	Khanna	
14	Pennsylvania Unfair and Deceptive Acts and Practices	Montante	Voluntarily Dismissed Claims (ECF No. 51)
15	New York General Business Law § 349	Giovannetti	
16	California False Advertising Law	Williams	
17	California Consumer Legal Remedies Act	Williams	
18	Nebraska Unfair and Deceptive Practices	Warren	
19	Iowa Consumer Fraud Law	Sheridan	
		Denton	
		Bender	Voluntarily Dismissed Claims (ECF No. 59)
20	Breach of Express Warranty	Burger	
		Ross	
		Sheridan	
		Hoover & Cohen	
		McGovern	
		Warren	
		Narducci	
		Claxton	
		Ernst	
		Kaiser	
		Stidham	
		Williams	
		Wolcott	
		Montante	Voluntarily Dismissed Claims (ECF No. 51)
		Denton	
		Turcheck	
		Tuthill	
		Khanna	
		Giovannetti	
		Bender	Voluntarily Dismissed Claims (ECF No. 59)
Barker			
Megerle			
Shepherd			
Mapp			

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Count	Claim	Plaintiffs	Previously Dismissed/ Plaintiffs Affirmatively Do Not Oppose
21	Breach of Implied Warranties	Burger	
		Robertie	
		Ross	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Sheridan	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Hoover & Cohen	
		McGovern	
		Warren	
		Narducci	
		Claxton	
		Ernst	
		Kaiser	
		Stidham	
		Williams	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Wolcott	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Montante	Voluntarily Dismissed Claims (ECF No. 51)
		Denton	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Turcheck	
		Tuthill	
		Khanna	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Giovannetti	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Bender	Voluntarily Dismissed Claims (ECF No. 59)
Barker			
Megerle			
Shepherd			
Mapp			
22	Negligent Misrepresentation	Burger	
		Robertie	
		Ross	
		Sheridan	
		Hoover & Cohen	
		McGovern	
		Warren	
		Narducci	
		Claxton	
		Ernst	
		Kaiser	
		Stidham	
		Williams	
		Wolcott	
		Montante	Voluntarily Dismissed Claims (ECF No. 51)
		Denton	
		Turcheck	
		Tuthill	
		Khanna	
		Giovannetti	
		Bender	Voluntarily Dismissed Claims (ECF No. 59)
Barker			
Megerle			
Shepherd			
Mapp			

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Count	Claim	Plaintiffs	Previously Dismissed/ Plaintiffs Affirmatively Do Not Oppose
23	Fraudulent Misrepresentation	Burger	
		Robertie	
		Ross	
		Sheridan	
		Hoover & Cohen	
		McGovern	
		Warren	
		Narducci	
		Claxton	
		Ernst	
		Kaiser	
		Stidham	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Williams	
		Wolcott	
		Montante	Voluntarily Dismissed Claims (ECF No. 51)
		Denton	
		Turcheck	
		Tuthill	
		Khanna	
		Giovannetti	
Bender	Voluntarily Dismissed Claims (ECF No. 59)		
Barker			
Megerle			
Shepherd			
Mapp			
24	Fraudulent Concealment/ Omission	Burger	
		Robertie	
		Ross	
		Sheridan	
		Hoover & Cohen	
		McGovern	
		Warren	
		Narducci	
		Claxton	
		Ernst	
		Kaiser	
		Stidham	
		Williams	
		Wolcott	
		Montante	Voluntarily Dismissed Claims (ECF No. 51)
		Denton	
		Turcheck	
		Tuthill	
		Khanna	
		Giovannetti	
Bender	Voluntarily Dismissed Claims (ECF No. 59)		
Barker			
Megerle			
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EXHIBIT 1

Count	Claim	Plaintiffs	Previously Dismissed/ Plaintiffs Affirmatively Do Not Oppose
25	Violation of Magnuson Moss Warranty Act	Burger	
		Robertie	
		Ross	
		Sheridan	
		Hoover & Cohen	
		McGovern	
		Warren	
		Narducci	
		Claxton	
		Ernst	
		Kaiser	
		Stidham	
		Williams	
		Wolcott	
		Montante	Voluntarily Dismissed Claims (ECF No. 51)
		Denton	
		Turcheck	
		Tuthill	
		Khanna	
		Giovannetti	
		Bender	Voluntarily Dismissed Claims (ECF No. 59)
Barker			
Megerle			
Shepherd			
Mapp			
26	Strict Products Liability: Defective Design & Manufacture	Burger	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Ross	
		Sheridan	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Hoover & Cohen	
		McGovern	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Warren	
		Narducci	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Claxton	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Ernst	
		Kaiser	
		Stidham	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Williams	
		Wolcott	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Montante	Voluntarily Dismissed Claims (ECF No. 51)
		Denton	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Turcheck	
		Tuthill	
		Khanna	
		Giovannetti	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Bender	Voluntarily Dismissed Claims (ECF No. 59)
		Barker	
Megerle			
Shepherd	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)		
Mapp	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)		

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EXHIBIT 1

Count	Claim	Plaintiffs	Previously Dismissed/ Plaintiffs Affirmatively Do Not Oppose
27	Unjust Enrichment (Pleading in the alternative)	Burger	
		Robertie	
		Ross	
		Sheridan	
		Hoover & Cohen	
		McGovern	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Warren	
		Narducci	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Claxton	Plaintiffs do not oppose GAF's MTD (ECF No. 61-1)
		Ernst	
		Kaiser	
		Stidham	
		Williams	
		Wolcott	
		Montante	Voluntarily Dismissed Claims (ECF No. 51)
		Denton	
		Turcheck	
		Tuthill	
		Khanna	
		Giovannetti	
		Bender	Voluntarily Dismissed Claims (ECF No. 59)
Barker			
Megerle			
Shepherd			
Mapp			
28	Declaratory Judgment	Burger	
		Robertie	
		Ross	
		Sheridan	
		Hoover & Cohen	
		McGovern	
		Warren	
		Narducci	
		Claxton	
		Ernst	
		Kaiser	
		Stidham	
		Williams	
		Wolcott	
		Montante	Voluntarily Dismissed Claims (ECF No. 51)
		Denton	
		Turcheck	
		Tuthill	
		Khanna	
		Giovannetti	
		Bender	Voluntarily Dismissed Claims (ECF No. 59)
Barker			
Megerle			
Shepherd			
Mapp			