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Article published August 7, 2015

Slippery Rock School District sues roofing companies

SLIPPERY ROCK — Several law firms representing the Slippery Rock School District have filed a class-action lawsuit in federal court alleging that three Ohio-based companies have been knowingly selling defective roofing systems.

The complaint lists Tremco of Beachwood, Ohio, Weatherproofing Technologies of Beachwood, Ohio, and RPM International of Medina, Ohio, as defendants.

"Tremco knew since mid-2005 that its BURmastic roofing systems, which were installed over insulation board, had a strong potential to fail, and that many of these installed systems were, indeed, failing," the lawsuit complaint reads.

The district entered into contracts with the defendants to have roofing installed at Slippery Rock High School and Moraine Elementary School.

School district officials could not be reached for comment.

The complaint does not specify the amount of damages that the district will seek, but it does list the total amount of damages for the full class as more than \$5 million. The case was filed in U.S. District Court in Pittsburgh.

The sale of defective products is identified in the claim as negligence, fraud, breach of contract, breach of express warranty and breach of implied warranty.

It also claims that the companies committed fraud by misrepresenting their products. The defendants sold products labeled as "premium" that were equal in composition to less expensive products labeled as "generic" or "economy," according to the suit.

A Tremco spokesman said in an e-mail, "We have not received service of that lawsuit from the claimant, but are confident that the negative allegations you mention regarding our products or pricing are based upon inaccurate information," he said.

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Tremco Inc., other companies sued over allegedly defective roofing materials

Robbie Hargett (/author/robbie-hargett)
Aug. 17, 2015, 11:19am (/stories/2015/aug)

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PITTSBURGH (Legal Newsline) - Slippery Rock Area School District is suing building materials manufacturers for selling allegedly defective materials.

The district, individually and for all others similarly situated, filed a class action complaint Aug. 4 in U.S. District Court for the Western District of Pennsylvania against Tremco Inc., Weatherproofing Technologies Inc., and RPM International Inc., alleging fraud, intentional misrepresentation, fraudulent concealment and negligence.

The claim alleges that the defendants sold overpriced Slippery Rock roofing materials marketed as "superior" or "premium" but were instead equal in quality to generic products. It also alleges the defendants sold roofing materials with known defects. The district purchased materials from the defendants for

new roofing on Moraine Elementary School and Slippery Rock High School.

The plaintiff seeks monetary damages and injunctive relief, plus court costs.

The plaintiff and class members are represented by D. Aaron Rihn of Robert Peirce and Associates in Pittsburgh; Jason Medure and Michael Bonner of Medure Bonner Bellissimo Peirce & Daley in New Castle, Pa.; N. Scott Carpenter and Rebecca Bell-Stanton of Capenter & Schumacher P.C. in Plano, Texas (pending pro hac vice); and Joseph S. Bellissimo of Bellissimo & Peirce in New Castle.

U.S. District Court for the Western District of Pennsylvania case number: 2:15-cv-01020-JFC.