

MONIER
SLURRY-COATED COLOR TILE

CLAIM
PRESENTATION

Barak, et al. v. Monier Lifetile, LLC, et al.
California Consumer Legal Remedies Act
California Civil Code Section 1750 et seq.

NOTICE OF CLAIM

March 18, 2003 Letter
to Monier Lifetile, LLC

<p>Tim & Bonnie McAdams 4260 Bell Road Auburn, CA 95602</p>	Reference Photograph Fig.9
<p>Gary & Kendalle McCallson 1303 Stonebridge Way Roseville, CA 95661</p>	
<p>Tim & Teresa McCoy 1403 Autumn Court Roseville, CA 95661</p>	
<p>Chuck & Theresa McGilbery 1301 Greenborough Drive Roseville, CA 95661</p>	
<p>Paul and Leslie Mendoza 1307 Holly Hill Court Roseville, CA 95661</p>	
<p>Betty Mitoma 1313 Stonebridge Way Roseville, CA 95661</p>	
<p>Carolyn Monck 1304 Holly Hill Court Roseville, CA 95661</p>	
<p>Steve & Debbi Murray, 1201 Panorama Court Roseville, CA 95661</p>	

<p>Jere Myers 1201 Squire Court Roseville, CA 95661</p>
<p>George Newman 1330 Greenborough Drive Roseville, Ca 95661</p>
<p>Florence T. Perkins 1301 Mossbrook Court Roseville, CA 95661</p>
<p>Mohan S. Rai 1305 Mossbrook Court Roseville, CA 95661</p>
<p>Dorothy Raun 1335 Greenborough Drive Roseville, CA 95661</p>
<p>Charles Robinson 1301 Holly Hill Roseville, CA 95661</p>
<p>Greg Rousos 1324 Stonebridge Way Roseville, CA 95661</p>
<p>Dwight R. & ReKay Rutherford 1407 Hermitage Court Roseville, California 95661</p>

William D. and Karen L. Schult, 1306 Greenborough Drive Roseville, CA 95661
Fred Sires 1323 Blossom Hill Way Roseville, CA 95661
William & Donna Swezey 1202 Harvard Court Roseville, CA 95661
Michael Neal Taylor 1205 Sleepy Hollow Way Roseville, CA 95661
David & Elizabeth Trujillo 1408 Hermitage Court Roseville, CA 95661
Lawrence & Piera Whitlock 7194 Canelo Hills Drive Citrus Heights, CA 95610
Ted & Kim Wittmayer 1325 Homestead Court Roseville, CA 95661
Kenneth & Cindy Wright 1403 Hermitage Court Roseville, CA 95661

Allen & Donna Young 1404 Foxglove Court Roseville, CA 95661
Stanley and Sharon Ziemba 8053 Hoopes Drive Citrus Heights, CA 95610

on behalf of themselves and all others similarly situated, through their undersigned counsel, hereby notify you that, Monier Lifetile LLC (for Monier-Raymond Company, Monier Roof Tile, Inc., Monier Company, Monier, Inc., and Monier Lifetile, LLC, the controlled entity of Boral Industries, Inc., a subsidiary of Boral Ltd., and Lafarge S.A. of France), has violated *California Civil Code* section 1770 by warranting, advertising and selling slurry-coated color roof tile products it knew to be defective and not in conformance with its representations to Plaintiffs and tens or hundreds of thousands of consumers throughout the United States. Specifically, this conduct constitutes the following violations of Section 1770:

1. Monier-Raymond Company, Monier Roof Tile, Inc., Monier Company, Monier, Inc., and Monier Lifetile, LLC have used deceptive representations in connection with their slurry-coated color roof tiles (Section 1770(a)(4));

The MONIER-RAYMOND Company

TRANSFERRABLE FIFTY-YEAR WARRANTY

Monier-Raymond Company warrants unto the registered holder of this certificate that the Monray Roof Tiles supplied to the designated address are free from manufacturing defects and will remain structurally sound for a period of 50 years or will be replaced without cost, provided the tiles have been applied according to the printed installation recommendations issued by the company. This Warranty does not cover damage to the tiles caused by, but not limited to, misapplication, defects or failure of materials used as a roofing base, roof traffic, solid objects falling on the roof, hurricanes, tornadoes, or Acts of God, other than ordinary wear and tear by the elements.

The foregoing is the entire Warranty of the Monier-Raymond Company and is independent of any other warranty made by any other person.

Claims under this Warranty will be honored only if the owner notifies the Monier-Raymond Company promptly after the facts on which the claim is based have become known, and the Monier-Raymond Company has had an opportunity to investigate the claim before any repairs are made. For any correspondence, please refer to the registration number on this certificate.

This Warranty may be transferred to succeeding legal owners of the structure described herein by notifying the Monier-Raymond Company in writing within 90 days of the recorded date of sale or transfer.

This Warranty is expressly in lieu of any other warranties EXPRESSED OR IMPLIED INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, and other obligations or liabilities on the part of the Monier-Raymond Company. The Monier-Raymond Company shall in no event be liable under any circumstances for incidental or consequential damages, or for any damage to any structure, its contents, or its occupants.

Your slurry-coated color roof tiles have been sold through the years with the following representations –

■ That the tiles “are free from manufacturing defects and will remain structurally sound for a period of 50 years” (Monier-Raymond Company Transferable Fifty-year Warranty)

■ That the tiles “are free from manufacturing defects for the life of the building to which they are applied. . .” (MonierLifetile Limited Lifetime, Fully Transferable, Non-Prorated Warranty)

■ “. . . Monray Tiles grow stronger and *more beautiful with every passing year*. MONIER COMPANY Monray® Roof Tile, Tile Doesn't Have to be Round and Red (Copyright © 1977 Monier Company)(*emphasis added*)

■ “Monier-Raymond’s 50 Year Warranty *increases in value every year*.” (Monier-Raymond Company Transferable Fifty-year Warranty, *emphasis added*)

Fifty years is a long time to guarantee anything — especially roofing material. Only an experienced company with well-based confidence in its product can offer this kind of protection.

Monier-Raymond is such a company.

Of the two most common roofing materials available today, one is not guaranteed at all, while the other is guaranteed for considerably less than 50 years and only on a pro-rata basis, so that its value diminishes yearly.

Monier-Raymond’s 50 Year Warranty . . .

- covers full replacement,
- **increases in value every year,**
- can be transferred to succeeding owners,
- is in force for half a century.

Before you decide on a roofing material—look for the warranty. Compare it with the 50 Year Warranty you get with Monray Roof Tiles. And you’ll see why Monray Roof Tile is the choice of discriminating owners.

MONIER-RAYMOND COMPANY

MONRAY ROOF TILE FIFTY YEAR LIMITED PRODUCT WARRANTY

WARRANTY COVERS PERFORMANCE OF INDIVIDUAL ROOF TILES ONLY. MONIER COMPANY CANNOT WARRANT ACCESSORY MATERIALS OR INSTALLATION LABOR PROVIDED BY OTHERS.

FACTS YOU SHOULD KNOW ABOUT MONRAY ROOF TILE

Thank you for choosing Monray Tiles for your roof. The information printed below will help you obtain maximum benefits from this Superior roofing system.

CLASSIC ELEGANCE

A Monray Roof has something in common with all classics—its lasting aesthetic appeal. Your Monray Roof will faithfully retain the classical elegance that has made tile roofs the standard of excellence for centuries while, at the same time, providing important modern advantages.

MODERN TECHNOLOGY

Recent breakthroughs in material formulations and machinery enable the Monier Company to produce classic roof tiles that meet the exacting requirements of architects, builders and inspection agencies. Multi-million dollar factories produce thousands of tile per hour, each to exact specifications ensuring precision fit and maximum weather protection.

FIRE SAFE

Every year many home fires are caused by burning embers falling on combustible roofing materials. Incombustible Monray Tile is designed to guard your family and investment against this type of catastrophe.

LASTING VALUE

Your Monray Tile Roof actually becomes stronger and more durable with age. Most other commonly used roofing materials weaken and deteriorate after constant exposure to sun and rain. Monray's durability saves expensive replacement costs and, if you choose to sell your home, this feature alone will create a faster, more profitable sale.

ROOF TRAFFIC

Roof top traffic can be detrimental to any type of roofing material. While Monray Tiles are extremely strong and well able to withstand the traffic of professional roofers, it is better that others stay off.

As a prudent homeowner protecting your long-term investment in a Monray Roof, you will want to plan ahead to reduce the need for roof traffic. Television and other antennas, air conditioners and Christmas decorations should be

positioned so that installation and repairs can be made without going on the roof.

If it is necessary to remove from your roof such objects as tree limbs, leaves or children's toys, try using a long stick or rake, a lasso, or other tool.

If it is necessary to walk on the roof:

- Wear soft-soled, non-slip shoes.
- Be careful; tiles can be slippery.
- Step only on the lower center of the tile.
- Secure a walkway of plywood, ladders, planks, etc., where heavy roof traffic is necessary.

To help you protect your roof, we have enclosed brief instructions that should be brought to the attention of roof top workers. You may want to post this card in your garage or some other conspicuous place where it can be easily seen.

APPEARANCE

To ensure optimum quality, a surface sealer is sprayed on every tile during the manufacturing process. Within the initial 12-24 month weathering period, the high gloss appearance produced by this coating will gradually soften into a uniform satin finish.

FUNGUS REMOVAL

Your Monray Roof provides extra value if your home is located in one of the Gulf Coast States where accumulations of fungus create unsightly stains. Periodic cleaning and repainting is usually necessary to retain the attractive appearance of a roof. However, because the rock hard glaze applied to each Monray Tile minimizes fungus adhesion, it can easily be washed from the surface with high pressure water spray. Steam cleaning or other expensive treatments are seldom needed to rid your roof of these ugly stains.

SUMMARY

Because of Monray Tiles' built-in durability and decades of proven performance, the Monier Company proudly offers a 50-Year Warranty. To our knowledge, this warranty is the only one of its kind offered in the roofing industry today. Read it carefully. Then complete and mail the registration form.

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■ The tile "actually becomes stronger and *more durable* with age" and "saves you money by eliminating the need for expensive replacement" and "this feature alone will create a faster, *more profitable* sale." (Monier Company, Monray Roof Tile, Facts You Should Know About Monray Roof Tile. "**Lasting Value**," *emphasis added*; see also Monier Company, Facts You Should Know About Monier Roof Tile, "**Classic Elegance**," *emphasis added*.)

■ "... it will *never* lose its basic aesthetic appeal." (Monier Company, Monray Roof Tile, Facts You Should Know About Monray Roof Tile. "**Classic Elegance**," *emphasis added*.)



Fig 1



Fig 2

■ That "a surface sealer is sprayed on every tile during the manufacturing process" and "the high gloss appearance produced by this coating will *gradually soften into a uniform satin finish*." (Monier Company, Monray Roof Tile, Facts You Should Know About Monray Roof Tile. "**Appearance**," *emphasis added*.)



Fig 3



Fig 4

■ "[Because of] the *rock hard glaze* applied to each Monray tile prevents the penetration of fungus ... steam cleaning or *other expensive treatments are seldom needed* to rid your roof of these ugly stains." (Monier Company, Monray Roof Tile, Facts You Should Know About Monray Roof Tile. "**Fungus Removal**," *emphasis added*.)

MONIER ROOF TILE

FIFTY YEAR LIMITED PRODUCT WARRANTY

Warranty Covers Performance of Individual Roof Tiles Only.
Monier Company Cannot Warrant Accessory Materials or
Installation Labor Provided by Others.

Monier Company of this certificate installed at the 50 years from bustible, not be of wither provide, with investigation, only for any of the tile or of the installation not commendation cracking or of materials used (5) damage to objects falling other Acts of C

The foregoing Monier Company shall in no eve incidental or c ages to any s Some states d incidental or i limitation may

FACTS YOU SHOULD KNOW ABOUT MONIER ROOF TILE

Thank you for choosing Monier Tiles for your roof. The information printed below will help you obtain maximum benefits from this Superior roofing system.

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Every year many home fires are caused by burning embers falling on combustible roofing materials. Incombustible Monier Tile is designed to guard your family and investment against this type of catastrophe.

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MODERN TECHNOLOGY

Recent breakthroughs in material formulations and machinery enable the Monier Company to produce roof tiles that meet the exacting requirements of architects, builders and inspection agencies. Multi-million dollar factories produce thousands of tiles per hour, each to exact specifications ensuring precision fit and maximum weather protection.

LASTING VALUE

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ROOF TRAFFIC

Roof top traffic can be detrimental to any type of roofing material. While Monier Tiles are extremely strong and well able to withstand the traffic of professional roofers, it is better that others stay off.

As a prudent homeowner protecting your long-term investment in a Monier Roof, you will want to plan

ahead to reduce the need for roof traffic. Television and other antennas, air conditioners and Christmas decorations should be positioned so that installation and repairs can be made without going on the roof.

If it is necessary to remove from your roof such objects as tree limbs, leaves or children's toys, try using a long slick or rake, a lasso, or other tool.

IF IT IS NECESSARY TO WALK ON THE ROOF:

- WEAR SOFT-SOLED, NON-SLIP SHOES.
- BE CAREFUL: TILES CAN BE SLIPPERY.
- STEP ONLY ON THE LOWER CENTER OF THE TILE.
- SECURE A WALKWAY OF PLYWOOD, LADDERS, PLANKS, ETC., WHERE HEAVY ROOF TRAFFIC IS NECESSARY.

APPEARANCE

To ensure optimum quality, a surface sealer is sprayed on every tile during the manufacturing process. Within the initial 12-24 month weathering period, the appearance produced by this coating will gradually soften into a uniform natural finish.

FUNGUS REMOVAL

Your Monier Roof provides extra value if your home is located in one of the Gulf Coast States where accumulations of fungus create unsightly stains. Periodic cleaning and repainting is usually necessary to retain the attractive appearance of a roof. However, because the surface finish applied to each Monier Tile minimizes fungus adhesion, it can be washed from the surface with high pressure water spray. Steam cleaning or other expensive treatments are seldom needed to rid your roof of these ugly stains.

SUMMARY

Because of Monier Tiles' built-in durability and decades of proven performance, the Monier Company proudly offers a 50-Year Warranty. To our knowledge, this warranty is the only one of its kind offered in the roofing industry today. Read it carefully. Then complete and mail the registration form.



Fig 5



Fig 6

■ *"lasting aesthetic appeal" and "will faithfully retain the classical elegance. . ."* (Monier Company, Facts You Should Know About Monier Roof Tile, "Classic Elegance," *emphasis added*)



Fig 7

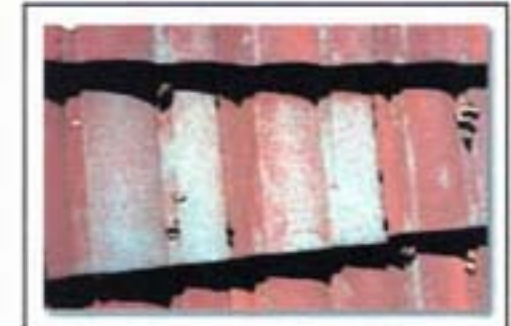


Fig 8

■ That "a surface sealer is sprayed on every tile during the manufacturing process" and "the high gloss appearance produced by this coating will *gradually soften into a uniform natural finish.*" (Monier Company, Facts You Should Know About Monier Roof Tile, "Appearance," *bold emphasis added to reflect change from the earlier advertisement*)

■ "[Because] the *surface finish* applied to each Monier Tile minimizes fungus adhesion . . . [n]o steam cleaning or *expensive repainting is ever needed* to rid your roof of these ugly stains." (Monier Company, Facts You Should Know About Monier Roof Tile, "Fungus Removal," *bold emphasis added to reflect change from earlier advertisement*)

■ "[D]ecades of proven performance . . ." (Monier Company, Facts You Should Know About Monier Roof Tile, "Summary," *emphasis added*)

Each year we receive an ever-increasing number of inquiries about tile roofs in general and Monray Tile in particular. If you are contemplating the purchase of a new home, commercial building or a new roof for your current home, you may be interested in reviewing some of the more frequently asked questions and our answers.

1. Q: "We heard that a tile roof is very heavy and would require a lot of additional support."
A: It's certainly true that tile roofs are heavier than most other roofing materials; that's one of the reasons they last so long. However, architects and builders tell us that the majority of homes constructed today would require either no additional support or could be adequately braced for little additional cost. It is more difficult to determine the additional structural requirements, if any, of older homes because the wall framing is covered. A qualified professional should be consulted.

2. Q: "I would love to have a tile roof, but doesn't cost a lot more than other kinds of roofing products?"
A: A Monray Roof costs about the same as either wood shakes, or shingle roofs and approximately two times more than a lightweight asphalt shingle roof. However, you should ask a real estate appraiser about the difference in resale values between a "low cost" roof and one made of tile. Besides the obvious aesthetic appeal of tile, the reason resale values are higher is the fact that roof tiles will probably last the entire life of the building; thus, a new owner will not have to worry about costly re-roofing.

3. Q: "How long does a tile roof really last?"
A: We don't know. That may sound strange, but there are tile roofs in such places as Rome, Greece, and China that are thousands of years old and are still going strong. Since tiles do not "wear out" as a result of normal exposure to the elements as do most other roofing products, we generally say that the individual tiles will last at least throughout the life of the building, provided they are not subjected to physical damage.

4. Q: "What about damage? Can you walk on a tile roof?"
A: Yes. Professional tile applicators do it every day. As with all other roofing materials, however, it is certainly best to avoid it if possible. We include a list of suggestions in every Homeowners' Information Kit as to how to walk on a Monray Roof when necessary.

5. Q: "If tile roofs are so good, why don't we see more of them?"
A: Take a trip outside of the North American Continent, and you will. The rest of the world has always depended upon roof tiles to provide protection for a maximum period of time. Only in North America where our natural resources have plentiful and inexpensive could the theory of the replaceable roof have flourished for so long. However, the time seems to be at hand when the depletion of oil and wood reserves are causing rapid escalation in the cost of other roofing products, and when rapid inflation is making long-term home ownership more attractive than ever before. This, in turn, is creating a great deal of interest in long-lasting tile roofs.

- PHOENIX, ARIZONA 85045
- CORONA, CALIFORNIA 91720
- STOCKTON, CALIFORNIA 95206
- LAKELAND, FLORIDA 33802
- HONOLULU, HAWAII 96813
- PORTLAND, OREGON
- DUNCANVILLE, TEXAS 75137
- HOUSTON, TEXAS 77022

- 1632 South 51st Avenue • PHONE 602/268-2288
- 1745 Sampson Avenue • PHONE 714/737-3888
- 5506 S. Harlan Rd., P.O. Box 6037 • PHONE 208/982-1473
- 5105 U.S. Hwy. 92 East, P.O. Box 1763 • PHONE 813/688-8381
- 222 Kouss Street • PHONE 808/524-8550
- Write to Stockton, CA office • PHONE 503/472-5923
- 686 Big Stone Gap Road • PHONE 214/259-5233
- 123 Berry Road • PHONE 713/692-5947

GENERAL OFFICES
1001 North Balfavia, P.O. Box 6567, Orange, CA 92668

6. Q: "What's the difference between concrete tile and clay tile?"
A: An excellent roofing tile can be made from both materials. Because concrete tiles gain their desired strength without the necessity of extreme heat used in the firing of clay products, concrete tiles can be manufactured at a lower cost and to closer tolerances. The exclusive Monier manufacturing process permits the addition of interlocking joints, as well as built-in weather checks and attachment lugs.

7. Q: "I would like to enjoy all the advantages that tile roofs offer, but the home I plan to build is going to be in the American Colonial style and would not look right with a Mediterranean style roof. Do you offer tiles that don't look Spanish?"
A: Yes, indeed. We fully understand that we must provide colors that blend with or provide the proper accent to any architectural style. In addition to traditional Spanish shapes and colors, Monray Tiles are available in shake, contemporary, and slate designs. For some time now we have been promoting the slogan that roof tiles need not be round nor red.

8. Q: "You mention that Monray Tiles are available in a wide range of colors and that a tile roof lasts indefinitely. Will the color last as long as your tile?"
A: Red tiles will remain red and brown tiles will remain brown, et cetera. One thing that will probably happen, however, is a softening of the color due to an accumulation of airborne particles and oxidation. This is the same type of occurrence that takes place on any exposed colored surface that cannot be polished or cleaned regularly as we do with our family car.

9. Q: "Why should I specify Monray Tiles over any other brand of roof tiles?"
A: That's an easy one; no other brand of roof tile can offer the combination of advantages offered by Monray. A few of our most important features are:

1. Wide range of vivid accent or natural-color blends.
2. Permanent color glaze resists fungus and requires no resurfacing.
3. High pressure extrusion process makes tile almost impervious to wear by the elements.
4. Built-in weather bars and water-lock features provide greatest resistance to wind-blown moisture.
5. Built-in anchoring devices provide safe attachment at any pitch.
6. All tiles lay flat on roof providing maximum stability.
7. Engineered attachment systems available for high-wind areas.
8. Customer service and production centers located nationwide.

Should you have a question regarding Monray Roof Tile or Monier-recommended installation procedures, write or call any of our customer service centers.

Dear Monier,

I would like a tile roof.
Could you please tell me...



Fig 9



Fig 10

"High pressure extrusion process makes tile almost impervious to wear by the elements." (Monray Roof Tile by Monier Company, Dear Monier, Could you please tell me..., **Frequently Asked Questions, No. 9(3.)** (*Why should I specify Monray Tiles over any other brand of roof tiles?*))

"Permanent color glaze . . . requires no resurfacing." (Monray Roof Tile by Monier Company, Dear Monier, Could you please tell me..., **Frequently Asked Questions, No. 9(2.)** (*Why should I specify Monray Tiles over any other brand of roof tiles?*))(emphasis added)

The tiles "do not 'wear out' as a result of normal exposure to the elements as do most other roofing products . . ." (Monray Roof Tile by Monier Company, Dear Monier, Could you please tell me..., **Frequently Asked Questions, No. 3** (*How long does a tile roof really last?*))

"Red tiles will remain red and brown tiles will remain brown, et cetera. One thing that will probably happen, however, is a softening of the color due to an accumulation of airborne particles and oxidation. This is the same type of occurrence that takes place on any exposed colored surface that cannot be polished or cleaned regularly as we do with our family car." (Monray Roof Tile by Monier Company, Dear Monier, Could you please tell me..., **Frequently Asked Questions, No. 8** (*Will the color last as long as your tile?*))(emphasis added)



An Open Letter from the Monier Company:

LIFE CYCLE COSTING : A VERY "BASIC" IDEA

All of a sudden, more material specifiers are taking a new look at an old concept before deciding upon the products and/or systems they use. The "old concept" referred to is called "Life Cycle Costing". Life Cycle Cost or value, rates every aspect of the material or system, not just a small part. Not only the original costs of material and labor, but additional factors such as performance, appearance and maintenance, are combined to determine the total life cost.

The factors, such as inflation, shortages and consumerism, that have created this concern, have hit the roofing industry particularly hard. It's more important than ever before to determine the true cost or value of the various roofing alternatives available today.

The fact is, a temporary roof starts costing somebody money from day one. Even if expensive maintenance or re-roofing costs are postponed to burden a new owner, such costs are generally reflected in a lower resale price. And, who knows to what levels spiraling material and labor costs will rise over the next few years. One thing is certain, a few extra dollars spent today on a permanent roof (such as Monray Tiles) pale in comparison to the costs involved in the maintenance or replacement of temporary roofs.

We believe that the current popular phrase, "getting back to basics" refers to "building smart", not "building cheap". From the response of architects, designers, builders and homeowners across America, it seems a lot of people feel the same way.

Of course, the traditional features which, for centuries, have made tile the world's most popular roofing material make "building smart" very easy. Aesthetics, incombustibility and unequalled protection from the elements combine to greatly increase the structure's value both monetarily and in personal satisfaction.

Consider Life Cycle Costing when next you specify roofing materials. Ask us for installation details, color availability and applied cost estimates for any location in America. Write or call collect. Who knows, you just might like what you hear.

Very truly yours,

MONIER COMPANY

MONIER COMPANY • P.O. BOX 5567 • 1091 NORTH BATAVIA STREET • ORANGE, CALIFORNIA 92666 • 714/538-8822
SALES OFFICES: Phoenix, AZ • Corona, Stockton, CA • Lakeland, FL • Ewa Beach, HI • Portland, OR • Dallas, Houston, TX

■ "The extremely dense base and *virtually impenetrable color glaze* prevents weight gain from moisture absorption." (MONIER Monray Roof Tile Roma '600' Woodtone Series M-120 REV. 8-2/82; also cited in M.100 Rev./6-82, *emphasis added*)

■ "[Monier] Tile is an internationally recognized premium roofing product providing the unexcelled qualities of *timeless beauty* . . . Setting the standard for roofing excellence." (MONIER Monray Roof Tile 7.7/Mon. 7shn/MON (M.100 Rev./6-82, *emphasis added*)



Fig 11

■ "The subtle artistry of MonierLifeTile is complemented by an *unsurpassed durability* to withstand the elements, which not only assures peace of mind, but actually creates a roofscape that *becomes more beautiful through the years*." MONIER LifeTile (Our Collection of Northern California)(*emphasis added*)

■ "Aesthetics, incombustibility and unequalled protection from the elements combine to greatly increase the structure's value both monetarily and in personal satisfaction." Monier Company, Monray Roof Tile, An Open Letter from the Monier Company, Life Cycle Costing: A Very "Basic" Idea

■ "For a lifetime of protection, classic style and *lasting value*, the informed professional or discriminating homeowner will look to the innovative solutions of MonierLifetile, the nation's leading manufacturer of concrete roof tile." MONIER LifeTile (Our Collection of Northern California)(*emphasis added*)

Tile is too heavy...
Tile is too expensive...

You too can enjoy the
benefits of an economical
Monier tile roof... Right!

MONIER
Fireproof Roof Tile

Reroof
with Monier Tile
Anything else
is a compromise

**Reroofing with beautiful
Monier concrete roof tiles
is easy and economical.**

Avoid the cost and inconvenience of repairing damage to the interior of your home and roof caused by roof leaks. Here are some of the benefits.

- **Non-flammable**
Monier tile catches a fire and does not burn. Home protection and lower insurance costs too.
- **Beauty**
Monier tile comes in a variety of colors and shapes to complement any design or architectural style.
- **Cost**
Monier tile can be less expensive than many other roofing materials on an installed basis.
- **Warranty**
Monier tile has a 50-year limited product warranty.
- **Roof Support**
Monier tile can be installed on most roofs without the need for expensive structural reinforcement.

Introduction to Question & Answer section

One of the most important and expensive decisions facing a homeowner today involves the roof when repair or replacement is required.

The simplest way to find out if reroofing is necessary is to contact Monier or a Monier approved reroofing contractor. However, if you want to conduct an easy inspection yourself to identify visible signs of trouble, here's what to look for:

Water spots on your ceiling or signs of dampness to the insulation in your attic indicate serious trouble. It means that water is coming in through your roof and probably has been for some time. The cause may be flashing or the roof covering itself which has been damaged or has simply deteriorated with age.

• **Reveal further damage to rafters, plywood, ceilings, insulation, carpets and furniture by calling for a complete evaluation of once.**

Roofing material breaking/no longer pliable.

When material such as asphalt shingles begins to curl or break or snap off, it means that the hot sun has drawn the oil and moisture from the product leaving it dry and no longer pliable. Cracks develop allowing water to seep through the roof and into the attic below.

• **Don't patches on an asphalt shingle roof when the granules have washed away, is another sign of a roof in trouble.**

Wood shake or shingle splitting.

As the material ages, accelerated by the hot sun and wind, the wood becomes dry and brittle. The ends begin to curl up and splinter and crack when you walk on them. Once this happens, they are no longer waterproof.

• **Remember that wooden roofs are considered a fire hazard because they are so flammable, many municipalities are banning their use to protect homeowners from the potential fire danger.**

To arrange for more literature, information and a free roof evaluation, with no obligation, return the enclosed

Here are some frequently asked Questions on reroofing

- Q** Are Monier Roof Tiles fireproof?
A Monier Roof Tiles have a Class "K" fire rating, the highest rating obtainable from the authorities. Monier tiles do not burn and are completely incombustible affording excellent protection. Some insurance companies charge lower premiums on homes with fire-retardant roofing.
- Q** The friend that a tile roof is heavy and may require additional support?
A It's true that tile roofs are generally heavier than other roofing materials. That's one of the reasons why they last so long. As a general rule of thumb, most roof structures will adequately handle the additional weight of tile. However, we all want to be sure of this. Consequently, it is recommended that a Monier Approved Re-Roofing Contractor be called in to evaluate your roof and determine whether or not additional strengthening will be required.
- Q** "Could I have Monier tile applied on my present roof?"
A Whether you currently have asphalt shingles, wood shake, wood shingle, a rock roof or any other covering, we have devised reroofing procedures that are tailor made to take care of each. These methods are based on simplicity, economy and performance of the finished product.
- Q** I would love to reroof with Monier Tile, but doesn't it cost a lot more than other roofing materials?
A Obviously each roof is different and has to be treated on its merits. But Monier tile is installed at very competitive pricing when utilizing the approved reroofing systems. For example, the cost of fire-retardant wood shake is about twice that of Monier tile. Let a Monier Approved Re-Roofing Contractor give you a bid. You will be pleasantly surprised.
- Q** How will Monier tile affect the resale value of my home?
A This is where you get true value from your investment. Any real estate appraiser will tell you that the condition of the entire life of the building, a prospective new owner will not have to worry about the additional cost and aggravation of reroofing.
- Q** How long will a Monier Tile roof really last?
A We don't know and that may sound strange! But, there are concrete tile roofs in Rome, Greece and China that are thousands of years old and still in good shape. Monier tiles are made of concrete and it is a fact that concrete actually gets stronger as it ages. Consequently Monier tiles will not "wear out" like other materials. We generally say that our tiles will last the life of the building on which they are placed and to back it up we provide you with our 50-year limited product warranty.
- Q** I would like to enjoy the benefits of Monier Tile but have the American Colonial or Mediterranean or Spanish or some other style roof. Do you have the tile shapes and colors that complement my roof style?
A Monier offers the widest selection of tile shapes and

- your style of architecture. You can choose from the Villa, Roma, Classic, Flat, Shake and Slate styles.
- Q** Will the color last as long as the tile?
A Yes, the color will last as long as the tile. The color is baked into the tile and is not subject to fading or weathering.
- Q** Can I walk on a tile roof without damaging it?
A Yes, Professional roofing contractors do it every day. As with all other roofing materials it is best to avoid it if possible. However, if you must, you should know where and how to walk. Our Re-Roofing Contractor would be happy to advise. If there is going to be a great deal of traffic, then the walk way should be protected. In any event, call for advice.
- Q** Will a tile roof improve the insulation capabilities of my home?
A Yes, it will. The approved installation methods for reroofing with Monier Tile have been specifically designed to create a dead air space below the tile which acts as an effective barrier against heat or cold.
- Q** Why should I use Monier Approved Re-Roofing Contractor?
A Monier jealously guards its reputation and the integrity of its products. Although the contract for installation is directly between you and the roofing contractor, Monier wants the best for you. Consequently, Monier Re-Roofing Contractor are a carefully selected team of competent professionals who have demonstrated that they have the resources, experience and ability to perform adequately. Secondly, they must successfully complete specialized reroofing training to give them and their employees the necessary knowledge relative to the approved reroof methods of installation. Thirdly, Monier Approved Re-Roofing Contractor will warrant their workmanship for two full years.
- Q** Why should I choose Monier Tile?
A No other manufacturer or brand of tile can offer the combination of advantages offered by Monier. After all, Monier has been successfully manufacturing concrete roof tiles world-wide for over 60 years. We're the largest producer in the U.S. A few of our more important features are:
- Fireproof** - Rated Class "K" by authorities. Does not burn.
 - Wide Range of Shapes** - Monier offers the widest selection of shapes and profiles available anywhere. There is a tile to enhance any style of architecture.
 - Beautiful Colors** - Widest range of colors available from bright Spanish Mission to rich natural wood tones.
 - Quiet & Easy to Install** - Monier offers proven installation systems, approved by all code bodies.
 - Less Costly** - Due to durability of Monier Tiles, most economical product to use on life-cycle-cost basis.
 - Durable** - Carries 50-year limited product warranty.
 - Improved Resale Value of Home** - Always looks good.

■ "Red tile remain red and brown tiles remain brown." Monier Fireproof Roof Tile, Reroof with Monier Tile. Anything else is a compromise!, Here are some frequently asked Questions on reroofing, (Q: "Will the color last as long as the tile?")



Fig 12

■ "Improved Resale Value of House – Always looks good, *permanent color.*" Monier Fireproof Roof Tile, Reroof with Monier Tile. Anything else is a compromise!, Here are some frequently asked Questions on reroofing, (Q: "Why should I choose Monier Tile?") (*emphasis added*)



Fig 13



Fig 14

■ "Any real estate appraiser will tell you that tile enhances the resale value of your property. Because the tile will last the entire life of the building, a prospective new owner will not have to worry about the additional cost and aggravation of reroofing. In addition the monier tile adds elegance and beauty to the property." Monier Fireproof Roof Tile, Reroof with Monier Tile. Anything else is a compromise!, Here are some frequently asked Questions on reroofing, (Q: "How will Monier Tile affect the resale value of my home?")

Owner Information

Congratulations!

Your home is being protected by the finest, most popular roofing material in the world. Tile roofs manufactured and installed thousands of years ago in China, Rome and Greece are still on the job today. Though your building may not last thousands of years, you and each succeeding owner will not have to face the prospect of replacing a roofing product deteriorating from normal exposure to sun, moisture and extreme temperature variations. Indeed, concrete tiles which make up your roof may be expected to outlast the building they protect.

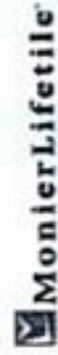
The International Conference of Building Officials, publishers of the Uniform Building Code has established various testing and performance criteria as a sound basis for determining whether building materials and application methods are fit for their intended use. MonierLifetile will pass established strength and moisture absorption tests indefinitely, surpassing continuous protection from the elements.

The warranties of almost all manufactured products are accompanied by a list of "do's and don'ts" which if followed, help extend the life of the product. MonierLifetiles need no care at all. In fact, our only suggestion to maximize your benefits is to stay away from your roof. If that is not practical, follow the precautions listed on the backcover notice included in this packet and post the notice in your garage so that any contractor that you may have working on your home in the future may read them as well.

After constant exposure to the elements, the color surface of your roof will usually appear somewhat lighter than when it is first installed. This effect is caused by surface oxidation, the same process that dulls all exposed surfaces that we are unable to wash and polish as we do our family car.

On very dark tiles, some temporary light patterning may be caused by efflorescence. This is a natural process seen in sidewalks and brick walls when alkaline deposits gravitate to surfaces exposed by moisture. As the surface of each of our tiles is treated to minimize efflorescences, such occurrences are rare and should completely disappear after additional exposure.

Thank you for choosing a MonierLifetile roof. We know you'll be pleased with its beautiful appearance, fire safety and long life.

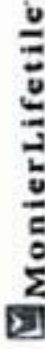


AMERICA'S #1 SELLING ROOF TILE

1-800-571-TILE

Phoenix • Arizona
Glendora • California
Lakewood • California
Irvine • California
San Bernardino • California
Stockton • California
Denver • Colorado

Enjoy America's #1 Selling Roof Tile -
You've Made a Great Investment!



AMERICA'S #1 SELLING ROOF TILE

1-800-571-TILE

© 1999 MonierLifetile RR258-8/99

Congratulations On Your New Roof!

You and your contractor specified roofing your home with MonierLifetile Concrete Tiles and we'd like to tell you why:

- MonierLifetile products pass the most severe "Class A" Fire Testing.
- MonierLifetile products carry a Limited Lifetime Fully Transferable Warranty.
- MonierLifetile products make your home more energy efficient year-round.
- MonierLifetile products are designed to withstand high wind, rain, freeze-thaw and hail.
- MonierLifetile products are beautiful and available in a full range of colors and styles that harmoniously complement the design of your home.
- MonierLifetile products are a practical investment that add substantially to the value of your property.
- MonierLifetile products are limited maintenance roofing products actually translating into lower product lifecycle costs.

Boca Raton • Florida
Pompano Beach • Florida
Lake Wales • Florida
Kaplan • Hawaii
Henderson • Nevada
Key • Texas
Tucson • Washington

■ "Monier Lifetile products are *limited maintenance* roofing products actually translating into *lower product lifecycle costs*." Monier Lifetile, Congratulations On Your New Roof! © 1999 MonierLifetile RR258-8/99 (and currently at www.monierlifetile.com) (*emphasis added*)

■ "Monier Lifetile products are a *practical investment* that add substantially to the value of your property." Monier Lifetile, Congratulations On Your New Roof! © 1999 MonierLifetile RR258-8/99 (and currently at www.monierlifetile.com) (*emphasis added*)

■ "Monier Lifetiles *need no care at all*. In fact, our only suggestion to maximize your benefits is to stay away from your roof." Monier Lifetile, Owner Information, © 1999 MonierLifetile RR258-8/99 (and currently at www.monierlifetile.com) (*emphasis added*)



Fig 15

■ "After constant exposure to the elements, the color surface of your roof will usually appear *somewhat lighter* than when initially installed." Monier Lifetile, Owner Information, © 1999 MonierLifetile RR258-8/99 (and currently at www.monierlifetile.com) (*emphasis added*)

Welcome to MonierLifetile on the Web. As the nation's leading manufacturer of concrete roof tile products, we're pleased to present you on-line tools to visualize the possibilities of our product on your project, whether it's a single family reroof, a target tract of homes, or anything in between.



MonierLifetile.com : Professionals : Company Info : General FAQ

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General FAQ

Q. How long have you been in business?

Monier since 1965, Lifetile since 1962. In August of 1997, the two companies merged. MonierLifetile is now the leading manufacturer of concrete roof tile in the US.

Q. What are some advantages of a MonierLifetile roof?

The primary advantage is the aesthetic appeal versus all other products. It comes with limited lifetime, fully transferable warranty and it's the last roof you'll ever buy for your home. MonierLifetile products come in several profiles and colors to meet consumer needs.

Q. What do the MonierLifetile part numbers mean?

See "MonierLifetile Intelligent Part Number Information" located within the price sheet

Q. Can I get samples?

We suggest you use product literature to make your initial selection. Samples may be obtained at our preferred distributors or by calling (800) 571-TILE or (800) 2RE-ROOF you would like to view local installations of a particular product a MonierLifetile Sales Representative would be glad to contact you.

Q. Do you have "specific tile" in "specific colors"?

Our current product line is depicted in our collection brochures. We don't manufacture custom colors.

Q. Where can I purchase roof tile?

You can purchase roof tile from a distributor in your area. If you aren't familiar with local distribution, please contact a local MonierLifetile Sales Representative.

Q. How much does the tile cost?

There is a wide price range based on product selection and location. Because we don't sell directly to consumers, the best source of pricing information would be a local distributor or roofing contractor.

Q. Who installs the product?

A MonierLifetile sales representative may be able to provide you with a list of roofing contractors in your area that install our product. We typically recommend three contrac

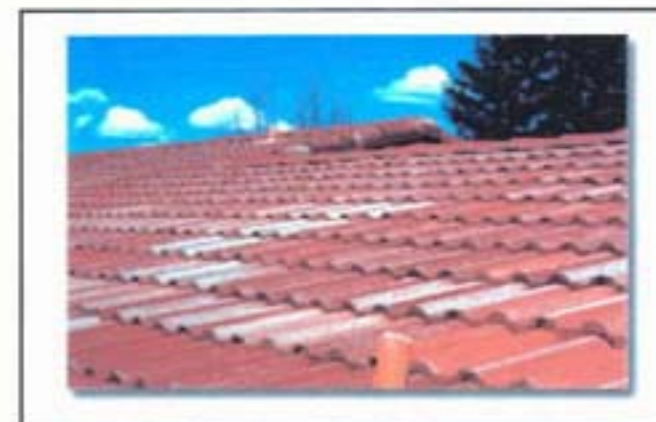


Fig 16



Fig 17

■ "The primary advantage is the aesthetic appeal versus all other products" and "it's the last roof you'll ever buy . . ." MonierLifetile.com, General FAQ, What are some advantages of a MonierLifetile roof?

The admission that the “weathering process gradually does wear the color away” is in direct contradiction to your advertising and sales representations that the tiles have “*permanent color*” and “*need no care at all*,” that they will “*grow . . . more beautiful with every passing year*,” that “it will *never* lose its basic aesthetic appeal,” and that they have “*timeless beauty*” and will “enhance[] the resale value of your property.”

The changes in your warranty over the years are an admission that you had knowledge that your earlier representations were false and misleading. Notwithstanding this knowledge, you did not conduct an adequate notice or retrofit campaign, you failed to provide notice that over time the color would be lost from the tile, you have failed to uniformly honor your warranty terms on product sold with warranties that did not exclude the loss of color, and you have failed to correct the defect. Presumably, under your interpretation of your current warranty, a slurry-coated color tile could lose its color on the first day after installation and the company would have no warranty obligation and it wouldn’t be considered a manufacturing defect. Moreover, while your later warranties exclude color loss, they do not exclude tile loss. In fact, what is happening to the tiles is that the cementitious slurry-coating has become friable and cement is being lost from the tile. See Appendix A (Laboratory Photographic Examination).

It is the lost cement that is carrying away the color. None of your warranties exclude this loss. In fact, your own technical team’s response admits that the warranties do cover loss of physical properties.