

United States District Court of the District of Arizona

If you purchased a Bestway AirJet Spa Pump or Bestway HydroJet Spa Pump with model numbers P05332, P05339, P05711, P05807, P07000, P07001, P05511, P07034, or P07572, you may be entitled to a payment of up to \$75 from a class action settlement.

*A federal court authorized this notice. It is not a solicitation from a lawyer.
You are not being sued. Please do not contact the Court.
Your legal rights are affected whether you act or don't act.
Read this notice carefully.*

Overview

- Bestway customers claimed that certain Bestway spa pumps sold between May 2021 and May 2024 were defective and were subject to a recall conducted in cooperation with the Consumer Product Safety Commission (“CPSC”). Bestway denies that it did anything wrong. The customers and Bestway have reached a proposed settlement to resolve the lawsuit on a class action basis, as described below.
- If you purchased a Bestway AirJet Spa Pump or Bestway HydroJet Spa Pump with model numbers P05332, P05339, P05711, P05807, P07000, P07001, P05511, P07034, or P07572 between May 2021 and May 2024, you may be eligible for a payment from the settlement.
- **IMPORTANT: You must file a claim by October 5, 2026 to get a payment from the settlement, (Read below or see Questions 8-10 for details). To the extent you still have one of the affected products, you must first participate in the CPSC recall to receive benefits due under the Settlement. Please visit <https://bestwayusa.com/recall-and-safety> to participate in the recall, and then return to the fill out a Settlement claim form on the settlement website.** The claim form is available at www.SpaPumpClassActionSettlement.com.
- Questions? Read below or visit www.SpaPumpClassActionSettlement.com or call 1-833-386-6517 for more information.

Your Legal Rights and Options in this Lawsuit

Your legal rights are affected, and you have a choice to make. Your options are explained here.

File a claim	File a claim by October 5, 2026 to request a payment. See Questions 8-10 for details.
Do nothing	Receive no payment and give up the right to sue Bestway for the issues in this lawsuit.
Opt out, receive no payment, and retain your right to sue	To opt out, you must mail a signed, written request for exclusion by October 5, 2026 . See Question 14 for details.

QUESTIONS? VISIT WWW.SPAPUMPCCLASSACTIONSETTLEMENT.COM
OR CALL 1-833-386-6517

Object or comment on the settlement	Object or comment on the settlement by October 5, 2026 . If you object or comment, you can still file a claim and receive a payment. See Question 15 for details.
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Information about the Lawsuit and Class

1. What is this lawsuit about?

The lawsuit concerns customers in the United States who purchased Bestway AirJet Spa Pump or Bestway HydroJet Spa Pump with model numbers P05332, P05339, P05711, P05807, P07000, P07001, P05511, P07034, or P07572 from May 2021 through May 2024 (the “Class Period”).

Plaintiffs allege Bestway sold defective spa pumps that could cause fires. Danielle Harper, Franca Armstrong, and Mandy Islam are the plaintiffs in the filed class action lawsuits against Bestway. The operative complaint in the case is available at www.SpaPumpClassActionSettlement.com. In August, 2024, Bestway recalled the spa pumps in cooperation with the United States Consumer Product Commission and provided customers with replacement pumps or cash payments. Plaintiffs claim that this remedy was insufficient. Bestway denies that it did anything wrong.

Plaintiffs and Bestway have now agreed to a settlement to resolve this lawsuit, as described below. The Court has not decided whether Plaintiffs or Bestway are correct. By agreeing to the settlement, neither Bestway nor Plaintiffs make any admissions regarding the merits of the allegations, claims, or defenses in the cases.

The United States District Court for the District of Arizona is overseeing this lawsuit. The lawsuit is known as *Armstrong et al. v. Bestway (USA) Inc.*, Case No. 2:24-cv-02812-DMF.

2. What is a class action?

In a class action, one or more people sue on behalf of themselves and other people with similar claims. All of these people together make up the Settlement Class and are Settlement Class Members. One court resolves the issues for all Settlement Class Members, except for those who exclude themselves from the Settlement Class.

3. Who is in the Settlement Class?

The “Settlement Class” in this case is defined as:

All persons in the United States (including its states, districts or territories) who purchased a Class Product during the Class Period. The Class Products are Bestway AirJet Spa Pump or Bestway HydroJet Spa Pump with model numbers P05332, P05339, P05711, P05807, P07000, P07001, P05511, P07034, or P07572 and “Bestway.” The Class Period is May 2021 through May 2024. Excluded from the Settlement Class are any Judge presiding over the Actions, any members of their families, and Bestway and affiliated entities and their respective officers and directors.

If you received a notice of this settlement by email or mail, Bestway’s or its retail customer’s records indicate that you are in the Settlement Class. However, you are a class member if you fit within the Settlement Class regardless of whether you received notice by mail and/or email.

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People in the Settlement Class are called “Settlement Class Members.”

Information about the Settlement and about Filing a Claim for a Payment

4. What are the terms of the proposed settlement?

The complete terms of the proposed settlement are set forth in the Settlement Agreement, which is available at www.SpaPumpClassActionSettlement.com. This notice provides only a summary of the terms of the settlement. The settlement benefits and other terms are summarized below.

5. What are the benefits of the proposed settlement?

If the settlement is approved and becomes final, Bestway will (1) provide one-year extension to the Bestway Limited Warranty (<https://bestwayusa.com/pages/our-warranties>) to Settlement Class Members who received a replacement pump received in the Spa Pump Recall, as described at Question 7 below; (2) make cash payments of up to \$75 to Settlement Class Members, as described at Questions 8-12 below; (3) pay the costs of distributing notice and settlement payment checks to Settlement Class Members and other costs of administering the settlement; and (4) pay court-awarded attorneys’ fees and expenses of the attorneys appointed by the Court to represent the Class (“Settlement Class Counsel”) and any incentive awards granted to the Plaintiffs. To receive a benefit under the settlement, Class Members must participate in the Spa Pump Recall, unless they are no longer in possession of a Class Product.

6. How do I participate in the Spa Pump Recall?

If you have not participated in the Spa Pump Recall and you still have your Bestway AirJet Spa Pump or Bestway HydroJet Spa Pump in your possession, you must participate in the recall by visiting <https://bestwayusa.com/recall-and-safety>. If you have questions about the Spa Pump Recall, please contact Bestway toll-free at 888-943-2396 from 8 a.m. to 5 p.m. ET Monday through Friday.

7. How do I receive an extension to my warranty?

All Settlement Class Members who received a replacement pump in the Spa Pump Recall will automatically receive a one-year extension to the Bestway Limited Warranty (<https://bestwayusa.com/pages/our-warranties>) for their replacement pump. The value of these extended warranties is estimated to be more than \$8 million. There is no need to file a claim for this benefit.

8. Who is eligible to receive a cash payment?

All Settlement Class Members who received a cash payment in the Spa Pump Recall and submit a valid claim by **October 5, 2026** are eligible to receive an additional cash payment of up to \$75. If you no longer have your Bestway AirJet Spa Pump or Bestway HydroJet Spa Pump in your possession, to be eligible to receive a cash payment of up to \$75, you must submit a valid proof of purchase with your Claim Form.

9. How do I get a cash payment?

You must file a claim by **October 5, 2026** to receive a payment. Please visit the Settlement website to file a claim. If you have not yet participated in the Spa Pump Recall but still have a Bestway AirJet Spa Pump or Bestway HydroJet Spa Pump in your possession, you must first participate in the recall by visiting <https://bestwayusa.com/recall-and-safety>.

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10. How do I file a claim for a payment?

To file a claim please visit www.SpaPumpClassActionSettlement.com.

The deadline to file a claim online is October 5, 2026. The Settlement Administrator will review all claims and determine eligibility.

11. How much will the payment be?

All Settlement Class Members who received a cash payment in the Spa Pump Recall and submit a valid claim by **October 5, 2026** are eligible to receive an additional cash payment of up to \$75. All Settlement Class Members who no longer have their Bestway AirJet Spa Pump or Bestway Hydrojet Spa Pump in their possession but submit a valid claim along with valid proof of purchase by **October 5, 2026** are eligible to receive a cash payment of up to \$75. The total value of the cash payments to the Settlement Class Members is capped at \$2,000,000. The cash payment paid to each Class Member who submits a timely, valid Claim Form will be reduced on a pro rata basis if the total amount of valid claims for additional cash payments submitted to the Settlement Administrator plus incentive awards to the Plaintiffs exceeds \$2,000,000.

For more information, read the Settlement Agreement, which is available at www.SpaPumpClassActionSettlement.com.

12. How and when will payments be sent?

Settlement payments will be issued to eligible Settlement Class Members by mailed check or electronic payment after the settlement is approved and becomes final.

Your Other Rights and Options

13. What happens if I do nothing?

By doing nothing, you are staying in the Settlement Class but you will not receive any payment. If you received a replacement pump in the Spa Pump Recall, you will automatically receive a one-year extension to the Bestway Limited Warranty (<https://bestwayusa.com/pages/our-warranties>) for your replacement pump. You also will give up the right to sue Bestway about the issues in this lawsuit. You will also be legally bound by all of the orders that the Court issues and judgments that the Court makes in this class action.

14. How do I exclude myself (opt out) from the Settlement Class?

To exclude yourself from the Settlement Class, you must mail a written request for exclusion to Bestway Spa Class Action Settlement ATTN: Exclusion Request, PO Box Number 25191, Santa Ana, CA 92799-9958.

To be effective, your request for exclusion must be postmarked by no later than **October 5, 2026**, and must include the following information:

1. your full name and current mailing address;

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2. a clear statement that you wish to be excluded from the Settlement Class and do not wish to be a Class Member;
3. the name of this lawsuit: *Armstrong et al. v. Bestway (USA) Inc.*, Case No. 2:24-cv-02812-DMF; and
4. your signature or the signature of an individual authorized to act on your behalf.

Requests for exclusion must be specific to individual Settlement Class Members, and Settlement Class Members cannot request exclusion as a class or group.

15. How do I object or comment?

If you are a Settlement Class Member, and have not excluded yourself from the Settlement Class, you can comment on or object to the settlement, Settlement Class Counsels' request for attorneys' fees and litigation expenses, and/or the request for incentive awards to the Plaintiffs who brought this lawsuit. To object or comment, you must send to counsel (as specified below) and file with the Court a written objection/comment including the following:

1. your full name and current mailing address;
2. the name of this lawsuit: *Armstrong et al. v. Bestway (USA) Inc.*, Case No. 2:24-cv-02812-DMF;
3. a statement, sworn under penalty of perjury, attesting to the fact that (i) you purchased one or more of the Class Products during the Class Period, (ii) describing the model Class Product (i.e., Bestway AirJet Spa Pump or Bestway HydroJet Spa Pump), and (iii) the date and location of purchase;
4. proof of purchase of a Class Product, such as through a photograph of the Class Product or, if you no longer have the Class Product, a receipt or email confirmation of the purchase;
5. a written statement of all grounds for the objection accompanied by any legal support for such objection;
6. copies of any papers, briefs, or other documents upon which the objection is based and are pertinent to the objection;
7. the name, address, bar number, and telephone number of your attorney, if you are represented by an attorney;
8. a list of all other objections submitted by you or your attorney to any class action settlements submitted in any court of the United States in the previous five (5) years, including the full case name, the jurisdiction in which it was filed and the docket number. If you or your attorney have not objected to any other class action settlements in the United States in the previous five (5) years, you shall affirmatively so state in the objection.

To be considered by the Court, your comment or objection must be filed with the Court through the Court's CM/ECF system (or any other method in which the Court accepts filings, if any), no later than **October 5, 2026**. You must also serve on Class Counsel and Defense Counsel as follows:

Class Counsel at:

Stuart J. Guber, Esq.
Paul J. Doolittle, Esq.
POULIN | WILLEY
ANASTOPOULO, LLC
32 Ann Street
Charleston, SC 29403

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stuart.guber@poulinwilley.com
paul.doolittle@poulinwilley.com

Joel D. Smith
Yeremey Krivoshey
Aleksandr “Sasha” Litvinov
SMITH KRIVOSHEY, PC
867 Boylston Street, 5th Floor, Ste 1520
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Defense Counsel at:

Jeffrey Margulies
Eva Yang
NORTON ROSE FULBRIGHT US LLP
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Note that you can ask the Court to deny approval of the settlement by filing an objection, but you cannot ask the Court to order a different settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object. You have the right to consult with your own attorney, at your own expense, before deciding how best to proceed.

If you object and wish to appear at the final approval hearing, you must file with the Clerk of the Court and serve upon all counsel designated above, a Notice of Intention to Appear at the Final Fairness Hearing. The Notice of Intention to Appear must include copies of any papers, exhibits or other evidence and the identity of witnesses that you (or your counsel) intend to present to the Court in connection with the Final Fairness Hearing.

16. What claims will be released by this Settlement?

If you are in the Settlement Class definition and do not exclude yourself from the Settlement Class, and the Settlement is approved and becomes final, the Settlement will be legally binding on you and you will be bound by all judgments entered in the case. In exchange for the settlement benefits, you will release all claims against Bestway and its affiliates listed in the Settlement Agreement concerning the Class Products. The Settlement Agreement, available at www.SpaPumpClassActionSettlement.com, describes the claims you are releasing (giving up) by staying in the Settlement Class. This Settlement Agreement expressly exempts claims for personal injuries and property damage (other than damage to the Class Product), which are not being released.

17. Do I have a lawyer in this class action?

Yes. The Court has appointed the following attorneys and law firms to represent the Settlement Class Members. Together, these lawyers are called “Settlement Class Counsel.”

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OR CALL 1-833-386-6517

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You do not have to pay the Settlement Class Counsel for their time or expenses incurred in this case out of your pocket. Instead, Settlement Class Counsel will petition the Court for an award of their fees and expenses, which will be paid by Bestway (see Question 18).

The Court has also appointed Plaintiffs Danielle Harper, Franca Armstrong, and Mandy Islam as class representatives to represent the Settlement Class.

18. How will the lawyers be paid?

Settlement Class Counsel will file a motion on or before July 2, 2026 asking the Court to award them attorneys’ fees and reimbursement of litigation expenses up to \$807,591.00. The attorneys’ fees and expenses awarded by the Court will be the only payment to Settlement Class Counsel for their efforts in achieving the settlement and for their risk in undertaking this representation on a wholly contingent basis. In addition, Settlement Class Counsel will ask the Court on or before July 2, 2026 to award each of the Plaintiffs representing the Settlement Class a service award of \$2,500 to compensate them for their efforts and commitment on behalf of the Settlement Class in this lawsuit.

The Court will determine the amount of attorneys’ fees, expenses, and incentive awards to award. Settlement Class Counsel’s application for attorneys’ fees, expenses, and incentive awards will be available at www.SpaPumpClassActionSettlement.com when it is filed. Any unawarded attorney’s fees, expenses, or incentive awards will be distributed pro rata to each Settlement Class Member who submits a valid claim for a cash payment.

19. Should I hire my own lawyer for this case?

You do not need to hire your own lawyer because Settlement Class Counsel represents you and the other members of the Settlement Class already. However, you have the right to hire your own lawyer. If you want your own lawyer separate from Settlement Class Counsel, you will have to pay for that lawyer.

The Court's Final Approval Hearing

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

The Court will hold a final approval hearing at **9:00 a.m. on November 4, 2026** in the United States District Court of the District of Arizona, Sandra Day O'Connor U.S. Courthouse, Courtroom 501, 401 West Washington Street, Phoenix, Arizona, 85003. The hearing may be moved to a different time without additional notice and/or may be held remotely or telephonically. Please check www.SpaPumpClassActionSettlement.com for updates or changes.

At the final approval hearing, the Court will consider whether the settlement should be approved as fair, reasonable, and adequate. The Court will also consider Settlement Class Counsel's application for attorneys' fees, expenses, and service awards to the Plaintiffs. If there are objections, the Court will consider them. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take.

21. Do I have to come to the hearing?

No. Settlement Class Counsel will answer questions the Court may have. But, you are welcome to come at your own expense. If you submit an objection, you do not have to come to the Court to talk about it. So long as you submitted your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

22. May I speak at the hearing?

You may ask the Court for permission to speak at the Final Fairness Hearing. You cannot speak at the hearing if you exclude yourself from the Settlement Class.

Getting More Information

23. Where can I get more information?

More information can be found at www.SpaPumpClassActionSettlement.com. That website includes important case deadlines, links to case documents including the full Settlement Agreement and the complaint in this lawsuit, and other information about the lawsuit and the settlement. You can also get more information by calling 1-833-386-6517, or by contacting Settlement Class Counsel at info@skclassactions.com.

You can also get additional information about the lawsuit by accessing the Court docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Arizona, Sandra Day O'Connor U.S. Courthouse, 401 West Washington Street, Phoenix, Arizona, 85003, between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Court holidays.