News Concerning Recent Subrogation & Recovery Issues

Plumbing systems that incorporate brass fittings manufactured by Zurn are likely to cause water damage and mold infestation in residences, according to a group of Minnesota homeowners who recently filed a class action lawsuit in Minnesota federal court against Zurn Pex, Inc. and Zurn Industries, Inc., the fittings manufacturers.


The PEX plumbing system is a non-copper system developed after the popular polybutylene pipe system proved to be failure-prone. The PEX system, however, may be similarly failure-prone. The PEX system includes flexible plastic plumbing tubes attached to crimped brass fittings variously named the “QestPEX Crimp System,” “Qicksert fittings,” and “Qick/Sert insert fittings”.

The complaint alleges that the fittings are defectively designed and manufactured, and have been “prematurely failing by the hundreds, if not thousands, despite being used for potable water systems in the state of Minnesota for only a few years.” The source of the problem may be the manufacturer’s use of a copper alloy with a high-zinc content as the material for the fittings. The alloy may be particularly prone to stress corrosion cracking. According to the complaint, Zurn has now directed its Minnesota distributors not to sell the brass crimp fittings in Minnesota.

The class action complaint seeks damages for actual losses, as well as for the cost to homeowners of the complete replacement of all brass Zurn fittings for PEX systems, regardless of whether those fittings have already failed, as a way to prevent damage caused by future leaks. For additional information, visit the class action website at http://www.zurnclassaction.com/.

Cozen O’Connor has been successfully handling material failure claims and product defect claims for decades, and we stand ready to address this new repetitive loss scenario. We are available for further consultation without charge, to discuss any recovery issues that you may be confronting.

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