

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

THOMAS AND KATHERINE	)	Case No.
DANIELKIEWICZ, DON MARTIN,	)	
JOHN CURCIO, GEORGIA	)	
STAMATES, ARLENE POWERS,	)	CLASS ACTION COMPLAINT
NANCY LEONTI, LINDA WATTS,	)	
and CLAUDIA GOODMAN,	)	
Individually and on Behalf of All Others)	)	
Similarly Situated,	)	
	)	<u>DEMAND FOR JURY TRIAL</u>
Plaintiffs,	)	
	)	
vs.	)	
	)	
WHIRLPOOL CORPORATION,	)	
	)	
Defendant.	)	
	)	

---

Plaintiffs Thomas and Katherine Danielkiewicz, Don Martin, John Curcio, Georgia Stamates, Arlene Powers, Nancy Leonti, Linda Watts, and Claudia Goodman, individually and on behalf of all others similarly situated, by and through their undersigned counsel (collectively, “Plaintiffs”), bring this class action complaint for damages and equitable relief against Defendant Whirlpool Corporation (“Defendant” or “Whirlpool”). Plaintiffs allege the following upon information and belief based on the investigation of counsel, except as to those allegations that specifically pertain to Plaintiffs, which are alleged upon personal knowledge:

## **INTRODUCTION**

1. Whirlpool designs, manufactures, advertises, and sells a line of gas and electric stoves, ranges, and ovens featuring its proprietary “AquaLift® Self-Cleaning Technology” (“AquaLift”), an attribute that Defendant purports to, *inter alia*, “self-clean” the interior of a dirty oven in less than one hour using only water and low heat.<sup>1</sup> Whirlpool’s marketing and advertising for its ovens containing AquaLift (the “AquaLift Ovens” or “Ovens”) is false, deceptive, and misleading to reasonable consumers because AquaLift – a key product feature – does not “self-clean” as advertised. Hundreds, if not thousands, of consumers nationwide have complained

---

<sup>1</sup> A list of the known model numbers of Whirlpool appliances featuring the falsely advertised AquaLift feature is attached hereto as Exhibit 1.

publicly and to Whirlpool directly, and Whirlpool and its authorized sellers have admitted that AquaLift *does not work*.

2. Whirlpool describes AquaLift as “*oven cleaning redefined*,” “*innovation nearly 50 years in the making*,” and a “*first-of-its kind cleaning solution*.”<sup>2</sup> According to Whirlpool, AquaLift uses an “exclusive coating on the interior [that] activates with water and heat, allowing moisture to release soils from underneath so food and debris *easily wipe away*.”<sup>3</sup> Whirlpool emphasizes that consumers “can use AquaLift™ self-clean technology frequently to clean *tough baked-on soils*[,]”<sup>4</sup> and that the cleaning process takes only 40 to 50 minutes. Further, Whirlpool represents that after a “self-clean” cycle is complete, users of the Ovens can simply “remove residual water and *loosened soils* with a *sponge or dry cloth*.”<sup>5</sup>

3. In Whirlpool’s nationwide advertising and marketing campaign for AquaLift, Whirlpool does not set forth *any* limitations to the performance of the

---

<sup>2</sup> Whirlpool Corporation AquaLift Technology, Frequently Asked Questions, [http://whirlpoolcorp.com/aqualift/faq\\_q1.html](http://whirlpoolcorp.com/aqualift/faq_q1.html) (last visited Oct. 10, 2018), attached hereto as Exhibit 2. Unless otherwise noted, emphasis is added throughout.

<sup>3</sup> *Id.* at [http://whirlpoolcorp.com/aqualift/faq\\_q2.html](http://whirlpoolcorp.com/aqualift/faq_q2.html) (last visited Oct. 10, 2018), attached hereto as Exhibit 3.

<sup>4</sup> *Id.* at [http://whirlpoolcorp.com/aqualift/faq\\_q7.html](http://whirlpoolcorp.com/aqualift/faq_q7.html) (last visited Oct. 10, 2018), attached hereto as Exhibit 4.

<sup>5</sup> *Id.* at [http://whirlpoolcorp.com/aqualift/faq\\_q3.html](http://whirlpoolcorp.com/aqualift/faq_q3.html) (last visited Oct. 10, 2018, attached hereto as Exhibit 5.

Ovens’ “self-cleaning” technology and does not inform consumers that AquaLift only works on certain parts of the Ovens.

4. Contrary to Whirlpool’s representations in its advertising and marketing, AquaLift does not “self-clean” the Ovens or otherwise perform as advertised to consumers. Indeed, the Internet is teeming with consumer complaints that describe the extent of Whirlpool’s falsely advertised AquaLift technology.<sup>6</sup> Consumers complain, by way of example, that AquaLift “is *totally useless*” and “*doesn’t work AT ALL*.” These putative class members have called AquaLift “*a waste of money*,” “*worthless*,” “*junk*,” “*a joke*,” “*the biggest ripoff*,” and “*fraud plain and simple*,” and these consumers have asked, “[H]ow can the company get away with advertising [a] self-cleaning oven when it absolutely *does not clean one bit?!?*”<sup>7</sup>

5. Whirlpool knew or should have known that its AquaLift feature cannot “self-clean” and does not function as advertised. Indeed, in some instances, dissatisfied consumers, including Plaintiffs, have voiced their complaints directly to Whirlpool. In response, Plaintiffs were largely advised by representatives of Whirlpool or its agents that if the AquaLift feature does not work, *consumers should purchase cleaning supplies to manually clean the oven*. This advice contravenes

---

<sup>6</sup> See infra ¶¶101-106.

<sup>7</sup> *Id.*



Whirlpool’s advertising of AquaLift’s ability “to clean tough baked-on soils” and the ability for a consumer to “remove residual water and loosened soils with a sponge or dry cloth” after the AquaLift feature is activated. This advice is also contrary to the “AquaLift Quick Reference Guide” which instructs consumers to avoid using “commercial oven cleaners” to manually clean the Ovens because it will damage the oven’s interior.<sup>8</sup>

6. Plaintiffs and the Class (defined below) did not receive any of the “self-cleaning” benefits of the AquaLift Ovens or observe the feature to work as advertised. Instead, Plaintiffs have been forced to either endure futile and inconvenient service attempts and/or complain to Whirlpool about the “self-clean” feature that does not work as advertised.

7. Plaintiffs and members of the putative Class have no choice but to manually clean virtually all surfaces of their ovens, due to AquaLift’s inability to “self-clean” and work as advertised, or tolerate a perpetually dirty oven cavity. Whirlpool, in response to Plaintiffs’ complaints, has sent “cleaning kits” and instructed some Plaintiffs to manually clean the oven.

---

<sup>8</sup> AquaLift Technology, Oven Cleaning Quick Reference Guide, [http://pdf.lowes.com/howtoguides/883049329918\\_how.pdf](http://pdf.lowes.com/howtoguides/883049329918_how.pdf) (last visited Oct. 16, 2018), attached hereto as Exhibit 6.

8. At all times, AquaLift has failed to work and operate as advertised for Plaintiffs and the members of the putative Class resulting in damages including, but not limited to: (1) payment for a falsely advertised product; (2) overpayment for a product advertised to include a self-cleaning function, but did not; (3) a decrease in value of their Ovens due to the false advertising and (4) out-of-pocket money spent in connection with servicing AquaLift and/or manually cleaning the Oven.

9. Plaintiffs assert claims on behalf of a Class for violations of the consumer protection statutes of Michigan, Florida, Missouri, New York, and California as well as claims for breach of contract, breach of express and implied warranties, and unjust enrichment.

10. Plaintiffs also assert claims on behalf of a Michigan Subclass, Florida Subclass, Missouri Subclass, New York Subclass, and California Subclass (all defined below), for respective violations of the Michigan Consumer Protection Act, Mich. Comp. Law Ann. §445.901, *et seq.*, (“MCPA”), the Florida Deceptive and Unfair Trade Practices Act, Fla. Stat. Ann. §501.201, *et seq.* (“FDUTPA”), the Missouri Merchandising Practices Act §407.010, RSMo. (“MMPA”); the California Consumers Legal Remedies Act, California Civil Code §1750, *et seq.* (“CLRA”), the California Unfair Competition Law, Bus. & Prof. Code §17200 *et seq.* (“UCL”), and the New York General Business Laws §§ 349-350 (“GBL”), as well as for breach of contract, breach of express and implied warranties, and unjust enrichment.

11. As alleged herein, Plaintiffs and other reasonable consumers (the “Class members”) purchased Ovens equipped with AquaLift, which were designed, manufactured, advertised, marketed, and sold by Whirlpool, its subsidiaries, and its authorized sellers. Plaintiffs and the Class purchased the Ovens after Whirlpool and its representatives and agents represented to them that AquaLift would “self-clean” their Ovens.

12. Contrary to Whirlpool’s advertising, marketing, and express and implied warranties, AquaLift does not and cannot “self-clean” the inside of an Oven. Therefore, Plaintiffs and the Class were damaged by Whirlpool’s false, deceptive, and misleading advertising campaign.

13. Plaintiffs and the Class members would not have purchased the Ovens had they known they would not self-clean as promised. Plaintiffs and the Class would not have purchased the Ovens – certainly not at the prices they paid – were it not for Whirlpool’s false, deceptive, and misleading advertising and/or Whirlpool’s failure to disclose to consumers the material fact that AquaLift “self-clean” is incapable of performing according to Whirlpool’s advertising, marketing, and express and implied warranties.

## **THE PARTIES**

### **Tom and Katherine Danielkiewicz**

14. Plaintiffs Tom and Katherine Danielkiewicz (“Mr. and Mrs. Danielkiewicz”) are citizens of Michigan and, at all relevant times, were residents of Brimley, Michigan. On or around June 8, 2016, Mr. and Mrs. Danielkiewicz purchased a Whirlpool Electric Stove equipped with AquaLift from a Lowe’s store in Petoskey, Michigan.

15. Mr. and Mrs. Danielkiewicz purchased the Oven after viewing a sticker on the Oven marketing the AquaLift feature as a self-clean feature and after a Lowe’s sales representative informed them that the AquaLift self-cleaning feature could self-clean as advertised directly on the Oven.

16. Mr. and Mrs. Danielkiewicz first ran an AquaLift cycle approximately one week after purchase of the Oven. They closely followed the user instructions. Mr. and Mrs. Danielkiewicz observed, however, that AquaLift did not remove the grease or stains in the Oven. After the first attempt, following the clean method in the manual, Mr. and Mrs. Danielkiewicz struggled to clean the oven cavity two more times without success.

17. After learning that the AquaLift feature did not self-clean, Mr. and Mrs. Danielkiewicz were forced to manually clean their Oven.

18. In or around August 2017, Mr. Danielkiewicz called the Lowe's manager where the range was purchased to inquire getting a refund or exchange for another model. Mr. Danielkiewicz read an article that a Sears store helped an AquaLift customer and exchanged (or refunded) his/her range. However, the Lowe's manager refused a refund or exchange, but referred Mr. Danielkiewicz to Whirlpool Customer Service.

19. In or around August 2017, Mr. Danielkiewicz contacted Whirlpool and spoke with a service representative. Mr. Danielkiewicz voiced his displeasure with the non-functioning AquaLift feature and asked for a refund. However, the Whirlpool service representative instead set up a service call with a local appliance repair.

20. In or around August 2017, a local appliance repairman phoned and spoke with Mrs. Danielkiewicz. The repairman asked Mrs. Danielkiewicz to talk him through the issue they were experiencing. Mrs. Danielkiewicz described the step-by-step method that was followed to clean the oven using the AquaLift feature. The appliance repairman told Mrs. Danielkiewicz that it would be a waste of his time to come out to the house because he is aware of the issue with the AquaLift feature and that it does not work.

21. Approximately one week after their initial call to Whirlpool, Mr. and Mrs. Danielkiewicz contacted Whirlpool again and spoke with another Whirlpool

customer service representative. During this second call, the Whirlpool representative offered them a \$75.00 gift card towards the purchase of another Whirlpool appliance. Mr. and Mrs. Danielkiewicz rejected this offer.

22. At all times, the AquaLift feature of Mr. and Mrs. Danielkiewicz's Oven has not performed as advertised and has not "self-cleaned" the Oven, thereby causing them damages.

23. In December 2017, a tolling agreement was entered into between counsel for Plaintiffs and Whirlpool, which tolled the statute of limitations for Mr. and Mrs. Danielkiewicz's claims for damages and/or injunctive relief which relate to the alleged misconduct of Whirlpool (*e.g.*, false advertising of AquaLift's efficacy).

#### **Don Martin**

24. Plaintiff Don Martin ("Mr. Martin" or "Martin") is a citizen of Michigan and, at all relevant times, was a resident of Gladstone, Michigan. In or around March 2, 2017, Mr. Martin purchased a Kitchen Aid Gas Stove equipped with AquaLift from Pioneer Appliance, a local appliance store in Escanaba, Michigan.

25. Mr. Martin purchased the Oven after viewing the in-store advertising for AquaLift demonstrating how "easy" it is to self-clean with AquaLift.

26. In or around June 2017, Mr. Martin activated the AquaLift feature for the first time. He followed the user instructions.

27. Mr. Martin recalls trying the AquaLift cycle three or four times. It did not clean the Oven.

28. Mr. Martin was forced to manually clean the Oven.

29. Shortly after finding that the AquaLift feature did not self-clean, Mr. Martin contacted Whirlpool and spoke with a customer service representative who, Mr. Martin recalls, told Mr. Martin that he was expecting too much from AquaLift because the feature was incapable of performing (*self-cleaning*) like a traditional self-cleaning oven.

30. At all times since his purchase of the oven, Mr. Martin's oven has not performed as advertised and has not "self-cleaned" his oven, thereby causing him damages.

### **Georgia Stamates**

31. Plaintiff Georgia Stamates ("Ms. Stamates" or "Stamates") is a citizen of California and, at all relevant times was, a resident of Redding, California. In or around February 2016, Ms. Stamates purchased a Maytag Gas Stove equipped with AquaLift from Carmona's Appliance Center in Redding, California

32. Ms. Stamates purchased the Oven based on in-store advertising, including, for example, statements by a sales representative at the retail store saying that the AquaLift self-cleaning actually "self-cleans" as well as a traditional oven without the use high heat to clean.

33. When Ms. Stamates first attempted to use the AquaLift feature, she closely followed the user instructions. Ms. Stamates observed that the running of the AquaLift cycle did not remove stains or cooking grease from the inside of the Oven. Ms. Stamates recalls re-running the AquaLift feature, but that the Oven remained in virtually the same unclean condition it was before the “self-clean” feature was run.

34. Ms. Stamates then contacted Maytag customer service to complain about AquaLift’s inability to self-clean. In response to her complaint, Whirlpool sent her a cleaning kit to use to manually clean her Oven. Ms. Stamates later contacted Whirlpool customer service. In response, Whirlpool sent her another cleaning kit.

35. At all times, the AquaLift feature of Ms. Stamates’ Oven has not performed as advertised and has not “self-cleaned” the Oven, thereby causing her damages.

#### **Arlene Powers**

36. Plaintiff Arlene Powers (“Ms. Powers” or “Powers”) is a citizen of California and, at all relevant times, was a resident of Aptos, California.

37. On or around January 25, 2015, Ms. Powers purchased a KitchenAid Duel Fuel Range equipped with AquaLift, from a Sears store in Capitola, California.



At the same time, Ms. Powers purchased an extended three year warranty for the Oven from Sears.

38. Ms. Powers purchased the Oven because, in part, AquaLift was advertised as containing a “self-clean” function but without the use or need for chemicals. After the Oven was installed, Ms. Powers ran the AquaLift feature more than one time and observed that the AquaLift feature had virtually no effect in cleaning her Oven.

39. As a result, Ms. Powers takes steps to avoid getting the Oven dirty, including cooking less often. When the Oven gets dirty, Ms. Powers is forced to manually clean the interior of the Oven because AquaLift cannot do the job.

40. On or about October 4, 2016, during a service call at her home, a Sears technician told Ms. Powers that her Oven’s AquaLift self-cleaning feature was functioning properly and she was performing the “self-clean” cycle properly, even though it did not actually clean the interior of her Oven.

41. Ms. Powers then called Sears to complain that the AquaLift self-cleaning feature of the Oven did not work. Sears informed Ms. Powers that they were unwilling to replace the Oven.

42. Pursuant to her extended warranty, a technician from AGO Home Appliance Repair Inc. arrived at Ms. Powers’ home on or about January 5, 2017 to inspect and/or service the Oven. The technician told Ms. Powers that the Oven’s

“self-clean” feature was working properly, even though it did not actually clean the interior of her Oven.

43. In or about January 2017, Ms. Powers called KitchenAid customer service to complain that the AquaLift self-cleaning feature of the Oven did not work. In response, Ms. Powers was sent a cleaning kit to use to manually clean her Oven.

44. At all times, the AquaLift feature of Ms. Powers’ Oven has not performed as advertised and has not “self-cleaned” the Oven, thereby causing her damages.

45. In December 2017, a tolling agreement was entered into between counsel for Plaintiffs and Whirlpool, which tolled the statute of limitations for Ms. Powers’ claims for damages and/or injunctive relief which relate to the alleged misconduct of Whirlpool (*e.g.*, false advertising of AquaLift’s efficacy).

**Nancy Leonti**

46. Plaintiff Nancy Leonti (“Ms. Leonti” or “Leonti”) is a citizen of California and, at all relevant times, was a resident of Placerville, California.

47. On or around March 2015, Ms. Leonti purchased a Maytag Electric Range, equipped with the AquaLift feature from a Sears store in Sacramento, California.

48. Ms. Leonti ran the AquaLift feature, following the instructions. The AquaLift self-clean feature did not clean Ms. Leonti’s Oven. As a result, Ms. Leonti

has been forced to spend substantial time cleaning the Oven. Ms. Leonti has tried various sponges and mild cleaners to clean the Oven without any success.

49. At all times, the AquaLift feature of Ms. Leonti's Oven has not performed as advertised and has not "self-cleaned" the Oven, thereby causing her damages.

50. In December 2017, a tolling agreement was entered into between counsel for Plaintiffs and Whirlpool, which tolled the statute of limitations for Ms. Leonti's claims for damages and/or injunctive relief which relate to the alleged misconduct of Whirlpool (*e.g.*, false advertising of AquaLift's efficacy).

#### **Linda Watts**

51. Plaintiff Linda Watts ("Ms. Watts" or "Watts") is a citizen of Missouri, and, at all relevant times, was a resident of Webb City, Missouri.

52. In or around November 2017, Ms. Watts and her spouse purchased a Whirlpool Electric Range equipped with the AquaLift feature from a Lowe's store in Joplin, Missouri.

53. Ms. Watts was in the market for an Oven containing a self-cleaning feature and purchased the Oven after viewing the in-store advertising for AquaLift self-clean.

54. Ms. Watts first ran the AquaLift feature approximately four months after purchase. She activated the AquaLift feature and closely followed the user

instructions. At the end of the “self-cleaning” cycle, Ms. Watts’ Oven remained soiled with stains and food, requiring her to manually scrub her Oven to attempt to get it clean. Ms. Watts activated the AquaLift feature multiple times. Each time, the AquaLift failed to “self-clean” as advertised and, each time, the Oven had to be manually scrubbed to remove stains from the interior.

55. In or about spring 2018, Ms. Watts emailed Whirlpool to complain about AquaLift’s inability to “self-clean” her Oven. Whirlpool has not responded to that inquiry.

56. At all times, the AquaLift feature of Ms. Watts’ Oven has not performed as advertised and has not “self-cleaned” the Oven, thereby causing her damages.

**Claudia Goodman**

57. Plaintiff Claudia Goodman (“Ms. Goodman” or “Goodman”) is a citizen of Florida and, at all relevant times was, a resident of Madison, Florida. In or around December 2016, Ms. Goodman purchased a Whirlpool Electric Stove, equipped with AquaLift from a Lowe’s store in Florida.

58. Ms. Goodman was in the market for a “self-clean oven” to replace her Oven, which contained a traditional self-cleaning feature, and purchased an Oven containing the AquaLift feature because it was a “self-cleaning” Oven.

59. Within approximately three months of purchase, Ms. Watts activated the AquaLift feature and closely followed the user instructions. At the end of the “self-cleaning” cycle, Ms. Goodman observed that the AquaLift feature did not clean the interior of the Oven. She was forced to manually (*e.g.*, get down on her hands and knees) scrub the interior of the Oven cavity. Shortly after, Ms. Goodman ran another cycle of the AquaLift feature. Again, AquaLift failed to clean the Oven interior.

60. At all times, the AquaLift feature of Ms. Goodman’s Oven has not performed as advertised and has not “self-cleaned” her Oven, thereby causing her damages.

**John Curcio**

61. Plaintiff John Curcio (“Mr. Curcio” or “Curcio”) is a citizen of New York and, at all relevant times, was a resident of Tappan, New York. In or around April 2013, Mr. Curcio purchased a Maytag Free Standing Gas Range equipped with AquaLift from a Home Depot store in Nanuet, New York.

62. Within approximately three months of purchase, Mr. Curcio ran the AquaLift self-cleaning cycle, closely following the user instructions. At the end of the “self-cleaning” cycle, he observed that AquaLift had virtually no self-cleaning effect as stains and grime remained in the Oven interior.

63. Mr. Curcio ran the AquaLift cycle several times, each time closely following the user instructions. AquaLift failed to remove the grime from the interior of Mr. Curcio's Oven. It did not self-clean. As a result, Mr. Curcio was forced to manually clean the Oven.

64. In or around July 2013, Mr. Curcio complained to Whirlpool about the inefficacy of the AquaLift feature to self-clean. In response, he was sent a sponge and cleaning kit from Whirlpool to use to manually clean his Oven.

65. Mr. Curcio tried using AquaLift with the cleaning kit he received from Whirlpool. It did not effectively clean the Oven.

66. Shortly after, Mr. Curcio called, again, to complain to Whirlpool. The Whirlpool representative told Mr. Curcio that there was nothing more the company could do.

67. At all times, the AquaLift feature of Mr. Curcio's Oven has not performed as advertised and has not "self-cleaned" her Oven, thereby causing him damages.

68. In December 2017, a tolling agreement was entered into between counsel for Plaintiffs and Whirlpool, which tolled the statute of limitations for Mr. Curcio's claims for damages and/or injunctive relief which relate to the alleged misconduct of Whirlpool (*e.g.*, false advertising of AquaLift's efficacy).

## **Whirlpool Corporation**

69. Defendant Whirlpool is a Delaware corporation headquartered in Benton Harbor, Michigan. Whirlpool describes itself as the world's leading manufacturer and marketer of household appliances. Ovens equipped with the AquaLift feature are sold and distributed under the Whirlpool brand name and its wholly-owned subsidiaries including Maytag Corporation ("Maytag"), KitchenAid, Inc. ("KitchenAid"), and the Jenn-Air Products Company ("Jenn-Air") (collectively, the "Ovens"). At all relevant times, Whirlpool designed, manufactured, distributed, advertised, marketed, promoted, and sold the Ovens equipped with the falsely advertised AquaLift feature.

## **JURISDICTION AND VENUE**

70. This Court has jurisdiction pursuant to 28 U.S.C. §1332, as amended by the Class Action Fairness Act of 2005, because at least one member of the Class is a citizen of a different state than Whirlpool, there are more than 100 members of the Class, and the aggregate amount in controversy exceeds \$5 million, exclusive of interest and costs.

71. Venue is proper in this District pursuant to 28 U.S.C. §1391 because many of the acts and transactions giving rise to this action occurred in this District and because: (a) Whirlpool is authorized to conduct business in this District and has intentionally availed itself of the laws and markets within this District through the

promotion, marketing, distribution, and sale of its appliances with AquaLift; (b) Whirlpool conducts substantial business in this District; and (c) Whirlpool is subject to personal jurisdiction in this District.

## **FACTUAL ALLEGATIONS**

### **Whirlpool Extensively Advertises AquaLift's Purported Ability to "Self-Clean" the Interior of Its Ovens**

72. Whirlpool describes itself as the world's leading manufacturer and marketer of household appliances. Whirlpool sells household appliances, such as kitchen ovens, under various brand names, including, Whirlpool, Maytag, KitchenAid, and Jenn-Air.

73. Whirlpool designed, manufactured, advertised, and sold throughout the United States at least 87 models of kitchen Ovens featuring AquaLift "self-cleaning" technology. AquaLift is available on gas or electric Ovens of different sizes.

74. Whirlpool advertises its AquaLift technology as a key feature to distinguish the Ovens from competitors. Indeed, through its website, in-store point-of-sale displays, and product information labels on the appliances themselves, Whirlpool touts AquaLift as "*oven cleaning redefined*," "*innovation nearly 50 years in the making*," and a "*first-of-its kind cleaning solution* that is activated with heat and water to release *tough baked-on soils* from the oven interior in less than 1 hour."



75. Whirlpool even dedicates an independent page of its website solely to showcase its AquaLift technology.<sup>9</sup> On that page, under a large bold heading that reads, “*Cleaning your oven just got faster, cooler, and easier*,” Whirlpool shares a video demonstration of the purported superiority of its AquaLift self-clean technology over traditional self-cleaning ovens:



76. A voiceover in the video states that, “it’s time for something new. Time for AquaLift technology”:

---

<sup>9</sup> Whirlpool Corporation AquaLift Technology, “Cleaning your oven just got faster, cooler, and easier,” <http://whirlpoolcorp.com/aqualift/index.html> (last visited October 10, 2018), attached hereto as Exhibit 7.



77. “The baked on stains may be the same, but now you can have your oven back in less than one hour. All with less heat and no odor.”:



78. “AquaLift technology, *an innovation* from Whirlpool Corporation. *Redefines oven cleaning.*”:



79. “Simply remove the oven racks . . .”:



80. “. . . and wipe out the excess soil.”:



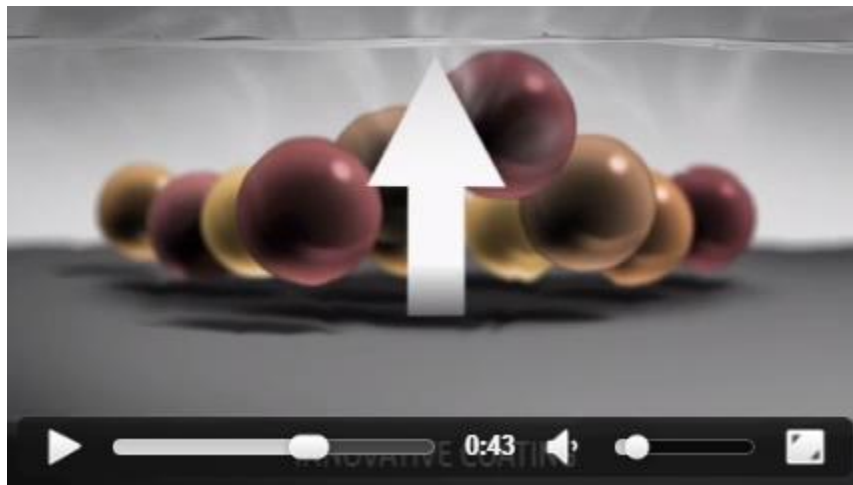
81. “Pour two cups of water in the bottom of the oven, and *let AquaLift technology do the work.*”:



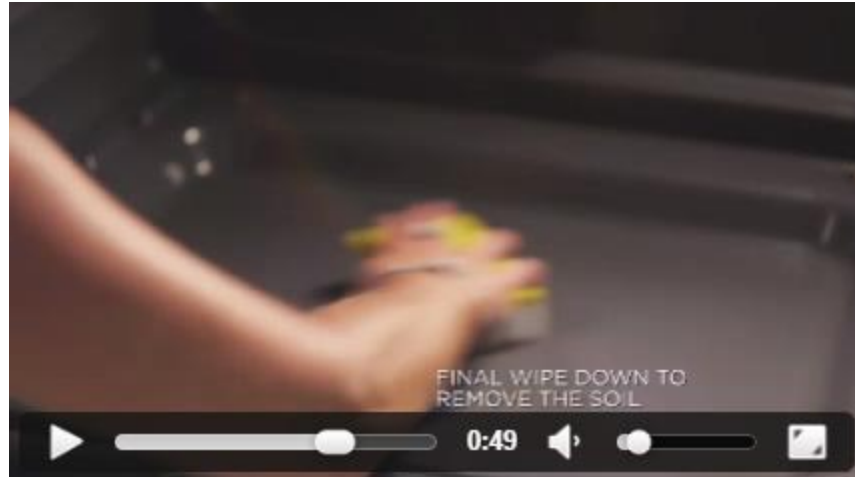
82. “This *innovative coating* is activated by water and heat.”:



83. “It lifts tough baked-on soils from underneath, making oven cleaning a snap.”:



84. “In under an hour, the oven is ready for a final wipe down to remove the soil.”:



85. “All done in less time, with no odor, and no extreme heat like traditional, high-temperature self-clean ovens. AquaLift technology is *oven cleaning redefined*.”:



86. On the AquaLift “frequently asked questions” (“FAQ”) page, Whirlpool describes AquaLift as “a *first-of-its kind cleaning solution* that is



activated with heat and water to release *tough baked-on soils* from the oven interior in less than 1 hour.”<sup>10</sup>

87. Whirlpool’s FAQs page represents that AquaLift works through an “exclusive coating on the interior [that] activates with water and heat, *allowing moisture to release soils from underneath so food and debris easily wipe away*.”<sup>11</sup>

88. Whirlpool also offers consumers an AquaLift “Quick Reference Guide” which describes AquaLift as an “*innovative cleaning solution*” that “utilizes heat and water to release baked-on spills from the oven interior in less than 1 hour.”<sup>12</sup>

89. The “Quick Reference Guide” sets forth five steps to make the AquaLift perform as advertised stressing that consumers should not attempt to manually clean the Oven with “commercial” cleaners or any other cleansers, that the “residual water and loosened soils” can be removed by a sponge or dry cloth *immediately after the cycle is complete*, that the “cleaning action loosens baked-on residue *from the oven bottom*” and that consumers must “clean the oven door and wall” themselves “to *avoid baked-on soil*.”<sup>13</sup>

---


<sup>10</sup> See Exhibit 2.

<sup>11</sup> See Exhibit 3.

<sup>12</sup> See Exhibit 6.






<sup>13</sup> *Id.*

90. The “Quick Reference Guide” also has a “Helpful Tips” section. This section states in pertinent part that “[h]eavily soiled ovens may require a second cleaning cycle.”<sup>14</sup> While this language implies that the AquaLift, if at least used multiple times, will remove heavy soil from all parts of the Oven cavity, Whirlpool fails to mention that the AquaLift cannot clean the Oven walls and the Oven door.



## Oven Cleaning Quick Reference Guide

AquaLift™ Technology is an innovative cleaning solution that is activated with heat and water to release baked-on spills from the oven interior in less than 1 hour. This new cleaning technology is a low-heat, odor-free alternative to traditional self-cleaning options.

<p><b>STEP 1</b></p> <p><b>REMOVE</b> all racks and accessories from the oven cavity and wipe excess soil. Use the scraper to remove additional easily-removed soils.</p> 	<p><b>STEP 2</b></p> <p><b>POUR</b> 2 cups (16 oz) of distilled or filtered water onto the bottom of the empty oven and close the oven door.</p> <p><b>IMPORTANT:</b> Do not use cleansers, chemicals or other additives with the water.</p> 	<p><b>STEP 3</b></p> <p><b>PRESS</b> CLEAN then press START.</p> <p>Cleaning action loosens baked-on residue from the oven bottom.</p> <p>Allow 40 minutes for cleaning and cool down. Some condensation will form on the window. When the cleaning cycle is complete, a beep will sound. Press CANCEL to end.</p> 	<p><b>STEP 4</b></p> <p><b>REMOVE</b> the residual water and loosened soils with a sponge or soft dry cloth immediately after the cycle is complete.</p> <p>Remove remaining soils with a non-scratch scrubbing sponge or plastic scraper. Additional cleaning cycles may be run to help remove stubborn soils.</p> 	<p><b>STEP 5</b></p> <p><b>CLEAN</b> the oven door and walls to avoid baked-on soil. Refer to the User Instructions for additional information.</p> <p><b>IMPORTANT:</b> The use of chemicals, including abrasives and commercial oven cleaners, or metal scouring pads may damage the oven interior.</p> 
---	--	--	--	---

**Use regularly to clean oven spills**

For additional information, refer to the User Instructions.  
For assistance with AquaLift™ Technology, call 1-877-258-0808, or visit our website at <http://whr.pl/aqualift>.

W10400064A

W10400064A  
©2011. All rights reserved.

AQUALIFT and AQUALIFT Design are trademarks of Whirlpool, U.S.A.

7/11  
Printed in U.S.A.

### Helpful Tips

#### **Cleaning Your Ceramic Glass Cooktop**

Clean your cooktop after each use with ceramic glass cooktop cleaner and apply with approved cooktop cleaning pads. Scrape off sugary spills while the cooktop is still warm. You may want to wear oven mitts while cleaning the cooktop.

Remove stubborn stains with Cooktop Cleaner, Scraper and Cleaning Pads available in the Cooktop Care Kit (not included).

Do not allow spills and stains to remain on the cooktop over night. Do not clean with steel wool, abrasive powder cleaners, chlorine bleach, rust remover, or ammonia as they will damage the glass. Razor scraper edges will not scratch the glass when used properly at a 45 degree angle to the surface.

#### **Cooktop Glass**

The surface cooking area will glow red when an element is on. It may cycle on and off to maintain the selected heat level. Portions of the element may cycle on and off at different times on some elements. This is normal.

The Warm Zone element area will not glow red when cycling on.

#### **Oven Odor**

There may be some odors the first few times you use your range. This will go away after the oven is used a few times. To eliminate these odors, it is recommended that you run the Bake cycle at 400°F (204°C) for 30 minutes prior to cooking for the first time.

#### **Oven Preheat Time**

The standard time necessary to preheat your oven to 350° (177°C) is 10 to 15 minutes. Factors that have an impact on preheat times are: room temperature, starting oven temperature, and the number of oven racks. Unused oven racks can be removed prior to preheating your oven to reduce the preheat time.

#### **Convection**

During convection cooking, the bake, broil and convection elements cycle on and off in intervals to maintain the oven temperature, while the fan circulates the hot air.

If the oven door is opened during convection cooking, the fan will turn off immediately. It will come back on when the oven door is closed.

#### **AquaLift™ Technology Cleaning**

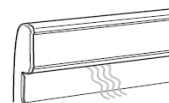
Some condensation will form on the oven window during the cleaning cycle. This condensation will evaporate within 30 minutes.

During the AquaLift™ Technology cleaning cycle, some steam will come out of the bottom of the console. This is normal and part of the cleaning cycle.

Make sure that the oven is level to ensure water is evenly distributed on the bottom of the oven cavity. Adjust the leveling feet as instructed in the Installation Instructions.

Remove heavy spills before starting the cleaning cycle. Heavily soiled ovens may require a second cleaning cycle.

For assistance with AquaLift™ Technology, call 1-877-258-0808, or visit our website at <http://whr.pl/aqualift>.



For additional information, refer to the User Instructions.



91. Whirlpool also represents the ease of use of AquaLift and that operation of the AquaLift feature “takes just a few steps.”

92. For example, its website states that:

- “[a]fter removing all racks and accessories from the oven cavity and wiping excess soil up, simply:
- Pour . . . water onto the bottom of an empty AquaLift™ self-clean technology enabled oven and close the door.
- Press “Clean” then “Start” to begin the 40 minute cycle. . . . When the cycle is complete, a beep will sound. Press “Cancel” to end.
- Immediately after the cycle is complete, remove residual water and loosened soils with a sponge or dry cloth.<sup>15</sup>

93. Whirlpool further represents that AquaLift was “developed to directly address *consumer dissatisfaction with traditional high-temperature self-clean ovens* and to provide them an alternative cleaning solution.”<sup>16</sup>

94. According to Whirlpool, the “key benefits of using AquaLift™ self-clean technology” include that it “SAVES TIME: The cleaning process takes under one hour compared to the average 3-6 hours of traditional self-cleaning ovens” and

---

<sup>15</sup> See Exhibit 5.

<sup>16</sup> Whirlpool Corporation AquaLift Technology, Frequently Asked Questions, [http://whirlpoolcorp.com/aqualift/faq\\_q5.html](http://whirlpoolcorp.com/aqualift/faq_q5.html) (last visited October 10, 2018), attached hereto as Exhibit 8.

“NO ODOR: Since AquaLift™ self-clean technology uses water to clean it avoids the traditional chemical odors associated with traditional oven cleaning.”<sup>17</sup>

95. Whirlpool further represents that AquaLift can be used “frequently to clean *tough baked-on soils*.”<sup>18</sup>

96. A “Glossary” section of the Whirlpool website contains the following entry for AquaLift: “AquaLift® Self-Clean Technology. Get your oven clean in less than an hour with odor-free, low temperature AquaLift® technology. This *exclusive coating* on the interior activates with water and heat, *allowing moisture to detach soils from underneath* so food and debris *easily wipe away*.”<sup>19</sup>

97. Whirlpool also advertises the AquaLift feature on individual product webpages. For example, the webpage for Whirlpool’s 6.4 Cu. Ft. Freestanding Electric Range model number, WFE540H0ES, with AquaLift® Self-Cleaning Technology, states that: “[a]t the end of the meal, this large oven’s easy wipe ceramic

---

<sup>17</sup> *Id.* at [http://whirlpoolcorp.com/aqualift/faq\\_q6.html](http://whirlpoolcorp.com/aqualift/faq_q6.html) (last visited October 10, 2018), attached hereto as Exhibit 9.

<sup>18</sup> *See* Exhibit 4.

<sup>19</sup> Whirlpool Corporation AquaLift Technology, Frequently Asked Questions, <http://www.whirlpool.com/glossary/#A> (last visited October 10, 2018), attached hereto as Exhibit 10.

glass cooktop offers hassle-free cleanup, while AquaLift® self-cleaning technology delivers *odor-free oven cleaning without chemicals in only 50 minutes*.”<sup>20</sup>

98. Similarly, the webpage for Whirlpool’s 5.8 cu. ft. Front-Control Gas Stove with Fan Convection, model number WEG730H0DB states that: “[w]hen it’s time for cleanup, AquaLift™ self-cleaning technology helps you *wipe away messes* in your slide-in gas stove without harsh chemicals or odors.”<sup>21</sup>

99. The webpages for Whirlpool’s various other models of the Ovens include similar misrepresentations regarding AquaLift’s purported ability to “self-clean[]” ovens in less than one hour.<sup>22</sup>

100. Whirlpool echoes these misrepresentations directly on the product label of each Whirlpool oven equipped with AquaLift.

**Whirlpool’s Nationwide Advertising Campaign for AquaLift  
Is False Deceptive and Misleading to Reasonable Consumers**

101. Whirlpool’s entire advertising campaign for AquaLift – a key product feature – is false, deceptive, and misleading to reasonable consumers because,

---

<sup>20</sup> [http://www.whirlpool.com/kitchen-1/cooking-2/ranges-3/-\[WFE540H0ES\]-1022746/WFE540H0ES/](http://www.whirlpool.com/kitchen-1/cooking-2/ranges-3/-[WFE540H0ES]-1022746/WFE540H0ES/) (last visited Oct. 10, 2018), attached hereto as Exhibit 11.

<sup>21</sup> [http://www.whirlpool.com/-\[WEG730H0DS\]-1022391/WEG730H0DS/](http://www.whirlpool.com/-[WEG730H0DS]-1022391/WEG730H0DS/) (last visited Oct. 10, 2018), attached hereto as Exhibit 12.

<sup>22</sup> See, e.g., [http://www.whirlpool.com/-\[WEE730H0DS\]-1022332/WEE730H0DS/](http://www.whirlpool.com/-[WEE730H0DS]-1022332/WEE730H0DS/) (last visited October 10, 2018); [http://www.whirlpool.com/-\[WEC530H0DS\]-1022331/WEC530H0DS/](http://www.whirlpool.com/-[WEC530H0DS]-1022331/WEC530H0DS/) (last visited October 10, 2018); [http://www.whirlpool.com/-\[WFE745H0FS\]-5764098/WFE745H0FS/](http://www.whirlpool.com/-[WFE745H0FS]-5764098/WFE745H0FS/) (last visited Oct. 10, 2018); [http://www.whirlpool.com/-\[WFG715H0EH\]-1022749/WFG715H0EH/](http://www.whirlpool.com/-[WFG715H0EH]-1022749/WFG715H0EH/) (last visited Oct. 10, 2018), attached hereto as Exhibit 13.

contrary to Whirlpool’s representations, AquaLift does not “self-clean” the interior of the Ovens and, instead, requires consumers to manually clean their Ovens with cleaning products – *defeating the purpose of a “self-cleaning” oven*.

102. To be sure, the Internet is teeming with consumer complaints regarding AquaLift’s inability to “self-clean.” For example, on February 8, 2013, one consumer posted the following complaint on Consumerist.com:

I have a 30 day old Kitchen Aid convection gas range. Love how it cooks. HOWEVER, their *“Aqualift” cleaning technology is a rip AND entirely misleading*. . . . So... every time you want to clean your cool new oven, *you’ll be scrubbing it yourself!!!*<sup>23</sup>

103. This dissatisfied consumer also posted the following photograph of the final results of Whirlpool’s AquaLift “self-clean” technology:



---

<sup>23</sup> <https://consumerist.com/2013/02/08/my-advanced-new-self-cleaning-oven-needs-a-lot-of-help-to-clean-itself/> (last visited Oct. 10, 2018), attached hereto as Exhibit 14.

104. In November 2015, another dissatisfied consumer posted a photograph of an Oven that had “self-cleaned” with AquaLift:<sup>24</sup>



105. Countless other complaints from putative Class members can be found on the Internet. Online references and complaints regarding the Ovens mirror plaintiffs’ experience, including the following sampling:

Source	Comments
Consumer Affairs 4/18/16 <a href="https://www.consumeraffairs.com/homeowners/whirlpool_ranges.html">https://www.consumeraffairs.com/homeowners/whirlpool_ranges.html</a> <sup>25</sup>	Purchased the oven in summer 2015. Very disappointed in the AquaLift Self-Cleaning oven. Absolutely useless. <b><i>Does absolutely nothing and I end up cleaning the oven by hand.</i></b> As a senior citizen, this is uncomfortable; I have injured my leg in the process and now feel I must wipe the oven down after each use. I was so looking forward to having a nice clean

<sup>24</sup> [https://www.consumeraffairs.com/homeowners/kit\\_stoves.html](https://www.consumeraffairs.com/homeowners/kit_stoves.html) (last visited October 10, 2018), attached hereto as Exhibit 15.

<sup>25</sup> Attached hereto as Exhibit 16.

Source	Comments
	oven at all times and it's not happening. This is of no value to me.
Consumer Affairs 4/7/16 <a href="https://www.consumeraffairs.com/homeowners/whirlpool_ranges.html">https://www.consumeraffairs.com/homeowners/whirlpool_ranges.html</a> <sup>26</sup>	I HATE, HATE, HATE the aqua lift clean feature. It's awful. The bottom came somewhat clean but cook bacon and the sides and top are filthy and the aqua lift can't clean that. I don't know how this ever made it past the thought process stage to become a "thing" but it needs to go away. I'm quite cranky right now as <i>I've just spent two hours scrubbing my oven while reaching past the oven door that doesn't come off because it's a "self-clean oven."</i> This is what I have to look forward to for the next 10 years until it dies and I can get a new oven? What a joke!!
Consumer Affairs 4/1/16 <a href="https://www.consumeraffairs.com/homeowners/whirlpool_ranges.html">https://www.consumeraffairs.com/homeowners/whirlpool_ranges.html</a> <sup>27</sup>	We bought a new stove from Lowe's in 2015 which is a Whirlpool with an AquaLift self-cleaning function. <b><i>This function is totally useless.</i></b> We have tried it several times and it does not remove the grime from the oven. We did not even have a very dirty oven. It doesn't clean the sides at all and the bottom is still dirty. I complained to the store and they told me the AquaLift function should be used every time the oven has been used. They recommend that I use a spray for the oven (which is porcelain) and scrub off the dirt. Give me back my old self-cleaning oven with the high heat. This new technology doesn't work.
Consumer Affairs 3/4/16 <a href="https://www.consumeraffairs.com/homeowners/whirlpool_ranges.html?page=2">https://www.consumeraffairs.com/homeowners/whirlpool_ranges.html?page=2</a> <sup>28</sup>	Whirlpool Gold Series gas oven with Aqua Lift. Very unhappy with this oven. Cons: <b><i>Aqua Lift technology doesn't work AT ALL</i></b> (manual cleaning required); stove top hard to clean; 2 front gas burners are "super" burners which is fine for boiling water, but too hot for regular cooking. Would be better to have one super burner in the middle or back but two upfront is way too hot for regular cooking, even on lowest setting. Was going to use spray cleaner but cannot on convection ovens. In a bind what to do except scrub with Brillo. Anyone used Brillo?
Consumer Affairs 2/23/16 <a href="https://www.consumeraffairs.com/homeowners/whirlpool">https://www.consumeraffairs.com/homeowners/whirlpool</a>	Whirlpool gas range Model#wfg10h0ah1 with aqua lift technology. This is the biggest ripoff that was ever done to me. It say self clean, not it cleans and then you clean. <b><i>This is fraud plain and simple.</i></b> I am handicapped and made it very clear to the salesperson that it had to be self cleaning. 4 times I did the clean cycle and I was in shock, I called repair, I thought the self clean was broken. However this is the line

<sup>26</sup> Attached hereto as Exhibit 17.

<sup>27</sup> Attached hereto as Exhibit 18.

<sup>28</sup> Attached hereto as Exhibit 19.



Source	Comments
ol_ranges.html?page=2 <sup>29</sup>	they give you over and over, that it's not broken. "This is working the way it was designed to work." So they made a range that is self cleaning, but no it doesn't do that. For 899.99, I did not deserve to get duped like this.
Consumer Affairs 9/24/15 <a href="https://www.consumeraffairs.com/homeowners/kit_stoves.html?page=2">https://www.consumeraffairs.com/homeowners/kit_stoves.html?page=2</a> <sup>30</sup>	Like so many other reviewers I am totally dissatisfied with my KitchenAid Gas Range Model KGRS202BSS. I second the reviews by Gary of Tonawanda, NY on May 20, 2015 (and others) that the AquaLift Self Clean is not effective and that the black stove top stains, but primarily I totally agree with his comment about how the heat vents out and heats up the handles. This was also the comment of Sharyn of Pearl River, NY on July 2, 2015 (who I would like to thank for the tip about requesting the black knobs which I intend to do).  <b><i>This range is TERRIBLE. It becomes a literal sauna in my kitchen</i></b> when I try to cook using the stove top and/or the oven. Everyone who comes to my home comments on it. And this is despite the fact that I have a fan above the oven which is vented to the outside. I take care of my 2 year old grandson, and I live in fear of him burning himself since the knobs are obviously within his reach. He has definitely learned about the concept of HOT. <b><i>I purchased this range from PC Richards, and they have sent 3 different servicemen out, only to tell me that's the way it is!</i></b> Unbelievable. I just visited my friend who has a kitchen much smaller than mine, and her new Maytag slide in gas range did not produce the sauna effect that my KitchenAid range does. DON'T BUY KITCHENAID. YOU'LL REGRET IT.
Consumerist 9/28/14 <a href="https://consumerist.com/2013/02/08/my-advanced-new-self-cleaning-oven-needs-a-lot-of-help-to-clean-itself/">https://consumerist.com/2013/02/08/my-advanced-new-self-cleaning-oven-needs-a-lot-of-help-to-clean-itself/</a> <sup>31</sup>	Whirlpool's Aqualift self-cleaning system seemed to be a technological advance comparable to see-through dishwashers, but she reports that her oven only cleans the bottom center, and not the sides or the corners. You know, the parts that you want your self-cleaning oven to take care of for you.
Houzz (GardenWeb) 9/19/2012	<b><i>Get ready for rubber gloves and oven cleaner. It does not work.</i></b> Consumer reports says it doesn't work, but I bought before reading reviews. I want to get rid of mine. They are sending me a special oven cleaner for this piece of junk so

<sup>29</sup> Attached hereto as Exhibit 20.

<sup>30</sup> Attached hereto as Exhibit 21.

<sup>31</sup> Attached hereto as Exhibit 22.

Source	Comments
<a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> ) <sup>32</sup>	what good is this self cleaning oven that needs a special oven cleaner? I will never again buy American.
Houzz (GardenWeb) 1/29/13 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> ) <sup>33</sup>	I bought A Whirlpool range convection, self cleaning and I'm very furious too because the self cleaning, after several time of cleaning, which the last one <b><i>I let it go for 4 hours, it didn't clean anything at all.</i></b> My old GE of 30 years used to come out spotless. It has been over a year already, twice the technician came out and there was nothing he could do. We bought 5 years extended warranty and Sears told us there is nothing they can do. I still have to try calling the manufacturer, hoping they'll give me some satisfaction. It really sucks. We should be more further ahead with technology. Now I don't know who to trust anymore.
Houzz (GardenWeb) 2/11/2013 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> ) <sup>34</sup>	I, too, unfortunately purchased this awful oven. <b><i>It is uncleanable!</i></b> I bake frequently, and any form of grease splatter is not removable from the sides and back. Wrote to the company and all they did was tell me to follow the instructions that came with the range! Do they think I'm stupid? I am very angry. Any advice that can be passed along regarding how I can clean it, or how to make the company responsible for this lousy oven, would be greatly appreciated.
Houzz (GardenWeb) 2/13/2013 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> ) <sup>35</sup>	I was also dumb enough to buy this range. I've had it one year. Have written complaints to Maytag and Whirlpool. I received phone calls from some underpaid know nothing who treated me as if I'd never cleaned an oven before.  <b><i>For Whirlpool/Maytag to call this "self-cleaning" is false advertising and they need to make it right with me or I will not purchase another product from them ever again!</i></b>

<sup>32</sup> Attached hereto as Exhibit 23.

<sup>33</sup> Attached hereto as Exhibit 24.

<sup>34</sup> Attached hereto as Exhibit 25.

<sup>35</sup> Attached hereto as Exhibit 26.



Source	Comments
Houzz (GardenWeb) 1/18/2014 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> <sup>36</sup>	I have this horrible range and it is a piece of garbage. It might as well not even have a self cleaning feature. It does not work. Cleaning the glass top of the stove is also very difficult. <b><i>It was a total waste of money, Maytag doesn't care and won't do anything about it.</i></b> DO NOT PURCHASE ONE. There is also little to no storage space in the drawer. There is not one good thing I can say about this stove. Not one.
Houzz (GardenWeb) 5/11/2015 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> <sup>37</sup>	I bought this range WYMER888BW the 25th Jan. 2014. <b><i>What a waste of money, self clean not at all. Would never buy a Maytag or Whirlpool product again. Takes a lot of hard scrubbing &amp; scraping not to mention time to do repeated steam clean cycles and trying to clean this trash.</i></b> Biggest mistake in a purchase we have made in our 50 years of marriage. Would not recommend!!!
Houzz (GardenWeb) 9/13/2015 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> <sup>38</sup>	Does not work at all! My wife and I bought it 2 years ago from Lowes (on sale). We have tried the self cleaning feature multiple times, even have run it twice (simultaneously) to see if double the cleaning time would help. Each time, we end up using gloves and other cleaning products to scrape out the mess. I don't know how Maytag tested this before it was marketed, but it does not clean anything.
Houzz (GardenWeb) 9/14/2015 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a>	i gave up fighting with maytag/whirlpool..after a year of owning the same oven, it was junk. I sold it for 500\$, (loss 200\$)and bought a regular GE stove which has the old fashion kind of self cleaning oven cleaning feature...and i LOVE it. Never will i purchase a whirlpool or Maytag product again. They are throw away appliances in more ways than one. Good luck on your junk. Sell it , take the loss and get rid of your headache.

<sup>36</sup> Attached hereto as Exhibit 27.

<sup>37</sup> Attached hereto as Exhibit 28.

<sup>38</sup> Attached hereto as Exhibit 29.

Source	Comments
maytag-ranges-oven-cleaning) <sup>39</sup>	
Houzz (GardenWeb) 11/27/2015 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> ) <sup>40</sup>	Whoever invented Aquaift to clean ovens obviously never cleaned an oven ever!! Today, a day after Thanksgiving I spent all morning “cleaning” my oven only to have it look as bad as it did before I started. <b><i>The AquaLift did nothing for the sides and the stains on the bottom after two cleaning cycles!!!</i></b> Whatever can be done other than getting a new oven?
Houzz (GardenWeb) 12/16/2015 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> ) <sup>41</sup>	This is so frustrating. I too do not read the reviews before purchasing. I saw that it was self-cleaning that was all I thought I needed to know. How can this be considered new technology and how can the company get away with advertising self-cleaning oven when it absolutely does not clean one bit?! Very frustrated!
Houzz (GardenWeb) 12/30/2015 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> ) <sup>42</sup>	We had the Whirlpool recommended technician from Appliance Mechanics (425-212-9076) out on 12/29 and he verified that the Aqua-Lift is working as designed (meaning what??). However that doesn’t solve the problem with the promises that were made regarding how well this technology is supposed to work. <b><i>It can’t be cleaned with conventional cleaners and the bottom is stained from food that never came up after the cleaning and scrubbing per Whirlpool’s instructions.</i></b> I have sent 4 emails to Whirlpool customer service and never heard back. What we are requesting is that since that Whirlpool is promoting this as the next best thing and not performing up to our (and anyone on the internet who has this technology) expectations, we are requesting that Whirlpool replace the oven with one comparably priced that has conventional cleaning capabilities  Follow-up: I finally got in touch with Whirlpool after 4 emails and posting on Facebook. It seems that they respond

<sup>39</sup> Attached hereto as Exhibit 30.

<sup>40</sup> Attached hereto as Exhibit 31.

<sup>41</sup> Attached hereto as Exhibit 32.

<sup>42</sup> Attached hereto as Exhibit 33.

Source	Comments
	when you post on social media. I was requesting a replacement oven with conventional self cleaning and after much back-and-forth I was informed that because the technician reported that the oven was functioning correctly that they could not give me a replacement. Their reason being that a continually dirty oven had nothing to do with function but was a cosmetic issue. The CS rep was “kind” enough to offer me a bottle of the Affresh cleaner. Don’t fall for the AquaLift hype.
Houzz (GardenWeb) 1/31/2016 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> ) <sup>43</sup>	Yes. <b><i>This oven aqua clean is a joke!</i></b> I wish I could have my old oven than got VERY hot and stinky back. Would rather clean up a little ash than scrub my fingers off!
Houzz (GardenWeb) 2/20/2016 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> ) <sup>44</sup>	I just tried the Aqualift feature and am on the thrid cycle now. So far only the bottom part has gotten clean and the sides are still greasy. Hate this feature. <b><i>Had I known how horrible it was I would have never bought it. I am also not happy with the glass top as that too is difficult to keep clean.</i></b> This is the first time I have used the Aqualift feature and it was right after grease was spilled from a meatloaf pan. If anyone is looking to buy a stove with this feature don’t.
Houzz (GardenWeb) 3/18/2016 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> ) <sup>45</sup>	The aqualift does not clean at all! I finally go disgusted and used oven cleaner and it took the finish off the sides of oven, so now my oven is ruined. Looks dirty all the time, so dissatisfied. As I used the oven cleaner I know I will have no prayer with Whirlpool. I bought this stove without reading reviews. My mistake, never again! <b><i>With all these complaints and a product that obviously does not do it’s job, there has to be a class action maybe?</i></b>

<sup>43</sup> Attached hereto as Exhibit 34.

<sup>44</sup> Attached hereto as Exhibit 35.

<sup>45</sup> Attached hereto as Exhibit 36.

Source	Comments
Houzz (GardenWeb) 4/30/2016 <a href="http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning">http://ths.gardenweb.com/discussions/2293510/aqualift-technology-on-maytag-ranges-oven-cleaning</a> <sup>46</sup>	Welcome to the crappy Aqualift club! I finally put some foil on the bottom rack to help catch any drips. This was suggested from the dealer who agrees it's worthless!! Evidently our govt regulations at work!! I also bought some Easy off with a blue top as it was suggested it works well. I haven't used it yet but I will when needed!! Good luck.

### **Plaintiffs' Experiences with Whirlpool's Deceptively Advertised AquaLift Feature**

#### **Tom and Katherine Danielkiewicz**

106. On or around June 8, 2016, Mr. and Mrs. Danielkiewicz purchased a Whirlpool Electric Stove equipped with AquaLift from a Lowe's store in Petoskey, Michigan.

107. Mr. and Mrs. Danielkiewicz purchased the Oven after viewing a sticker on the Oven marketing the AquaLift feature as a self-clean feature and after a Lowe's sales representative informed them that the AquaLift self-cleaning feature could self-clean as advertised directly on the Oven.

108. Mr. and Mrs. Danielkiewicz first ran an AquaLift cycle approximately one week after purchase of the Oven. They closely followed the user instructions. Mr. and Mrs. Danielkiewicz observed, however, that AquaLift did not remove the grease or stains in the Oven. After the first attempt, following the clean method in

---

<sup>46</sup> Attached hereto as Exhibit 37.

the manual, Mr. and Mrs. Danielkiewicz struggled to clean the oven cavity two more times without success.

109. After learning that the AquaLift feature did not self-clean, Mr. and Mrs. Danielkiewicz were forced to manually clean their Oven.

110. In or around August 2017, Mr. Danielkiewicz called the Lowe's manager where the range was purchased to inquire getting a refund or exchange for another model. Mr. Danielkiewicz read an article that a Sears store helped an AquaLift customer and exchanged (or refunded) his/her range. However, the Lowe's manager refused a refund or exchange, but referred Mr. Danielkiewicz to Whirlpool Customer Service.

111. In or around August 2017, Mr. Danielkiewicz contacted Whirlpool and spoke with a service representative. Mr. Danielkiewicz voiced his displeasure with the non-functioning AquaLift feature and asked for a refund. However, the Whirlpool service representative instead set up a service call with a local appliance repair.

112. In or around August 2017, a local appliance repairman phoned and spoke with Mrs. Danielkiewicz. The repairman asked Mrs. Danielkiewicz to talk him through the issue they were experiencing. Mrs. Danielkiewicz described the step-by-step method that was followed to clean the oven using the AquaLift feature. The appliance repairman told Mrs. Danielkiewicz that it would be a waste of his time

to come out to the house because he is aware of the issue with the AquaLift feature and that it does not work.

113. Approximately one week after their initial call to Whirlpool, Mr. and Mrs. Danielkiewicz contacted Whirlpool again and spoke with another Whirlpool customer service representative. During this second call, the Whirlpool representative offered them a \$75.00 gift card towards the purchase of another Whirlpool appliance. Mr. and Mrs. Danielkiewicz rejected this offer.

**Don Martin**

114. In or around March 2, 2017, Mr. Martin purchased a Kitchen Aid Gas Stove equipped with AquaLift from Pioneer Appliance, a local appliance store in Escanaba, Michigan.

115. Mr. Martin purchased the Oven after viewing the in-store advertising for AquaLift demonstrating how “easy” it is to self-clean with AquaLift.

116. In or around June 2017, Mr. Martin activated the AquaLift feature for the first time. He followed the user instructions.

117. Mr. Martin recalls trying the AquaLift feature three or four times. It did not clean the Oven.

118. Mr. Martin was forced to manually clean the Oven.

119. Shortly after finding that the AquaLift feature did not self-clean, Mr. Martin contacted Whirlpool and spoke with a customer service representative who,

Mr. Martin recalls, told Mr. Martin that he was expecting too much from AquaLift because the feature was incapable of performing (*self-cleaning*) like a traditional self-cleaning oven.

**Georgia Stamates**

120. In or around February 2016, Ms. Stamates purchased a Maytag Gas Stove equipped with AquaLift from Carmona's Appliance Center in Redding, California.

121. Ms. Stamates purchased the Oven based on in-store advertising for AquaLift stating that it was a "self-clean" feature, as well as statements by a sales representative at the retail store saying that the AquaLift "self-cleaning" self-cleans as well as a traditional oven without the use high heat to clean.

122. When Ms. Stamates first attempted to use the AquaLift feature, she closely followed the user instructions. Ms. Stamates observed that the running of the AquaLift feature did not remove stains or cooking grease from the inside of the Oven. Ms. Stamates recalls re-running the AquaLift cycle, but that the Oven remained in virtually the same unclean condition it was before the "self-clean" cycle was run.

123. Ms. Stamates then contacted Maytag customer service to complain about AquaLift's inability to self-clean. In response to her complaint, she was sent

a cleaning kit to use to manually clean the Oven. Ms. Stamates later contacted Whirlpool customer service. In response, Whirlpool sent her another cleaning kit.

**Arlene Powers**

124. On or around January 25, 2015, Ms. Powers purchased a KitchenAid Duel Fuel Range equipped with AquaLift, from a Sears store in Capitola, California. At the same time, Ms. Powers purchased an extended three year warranty from Sears.

125. Ms. Powers purchased the oven, in part, because AquaLift was advertised as a self-clean feature but without the use or need for chemicals. After the Oven was installed, Ms. Powers ran the AquaLift feature more than once and observed that feature had virtually no effect in cleaning the Oven.

126. As a result, Ms. Powers takes steps to avoid getting the Oven dirty, including cooking less often. When the Oven gets dirty, Ms. Powers is forced to manually clean the interior of the Oven.

127. On or about October 4, 2016, during a service call at her home, a Sears technician told Ms. Powers that her Oven's self-cleaning feature was functioning properly and she was performing the "self-clean" cycle properly.

128. Ms. Powers then called Sears to complain that the self-cleaning feature of her Oven did not work. Sears informed Ms. Powers that it was unwilling to replace the Oven.



129. Pursuant to her extended warranty, a technician from AGO Home Appliance Repair Inc. arrived at Ms. Powers' home on or about January 5, 2017 to inspect or service the Oven. The technician told Ms. Powers that the Oven's "self-clean" feature was working properly.

130. In or about January 2017, Ms. Powers called KitchenAid customer service to complain that the self-cleaning feature of her Oven did not work. In response, Ms. Powers was sent a cleaning kit to use to manually clean the Oven.

**Nancy Leonti**

131. On or around March 2015, Ms. Leonti purchased a Maytag Electric Range, equipped with the AquaLift feature from a Sears store in Sacramento, California.

132. Ms. Leonti ran the AquaLift cycle, closely following the instructions. The AquaLift self-clean feature did not clean Ms. Leonti's Oven. As a result, Ms. Leonti has been forced to spend substantial time manually cleaning her Oven. Ms. Leonti has tried various sponges and mild cleaners to clean the Oven without any success.

**Linda Watts**

133. In or around November 2017, Ms. Watts and her spouse purchased a Whirlpool Electric Range equipped with the AquaLift feature from a Lowe's store in Joplin, Missouri.

134. Ms. Watts was in the market for an oven containing a self-cleaning feature and purchased the Oven after viewing the in-store advertising for AquaLift self-clean.

135. Ms. Watts first ran the AquaLift feature approximately four months after purchase. She activated the AquaLift feature and closely followed the user instructions. At the end of the “self-cleaning” cycle, Ms. Watts’ Oven remained soiled with stains and food, requiring her to manually scrub the Oven. Ms. Watts activated the AquaLift feature multiple times. Each time, the AquaLift failed to “self-clean” as advertised and, each time, the Oven had to be manually scrubbed to remove stains from the interior.

136. In or about spring 2018, Ms. Watts emailed Whirlpool to complain about AquaLift’s inability to “self-clean.” Whirlpool has not responded to that inquiry.

**Claudia Goodman**

137. On or around December 2016, Ms. Goodman purchased a Whirlpool Electric Stove, equipped with AquaLift from a Lowe’s store in Florida.

138. Ms. Goodman was in the market for a “self-clean oven” to replace her existing oven, which contained a traditional self-cleaning feature, and purchased an Oven containing the AquaLift feature because it was “self-cleaning.”

139. Within approximately three months of purchase, Ms. Goodman activated the AquaLift feature and closely followed the user instructions. At the end of the “self-cleaning” cycle, Ms. Goodman’s observed that the AquaLift feature did not clean the interior of her Oven. She was forced to manually (*e.g.*, get down on hands and knees) scrub the interior of the Oven cavity. Shortly after, Ms. Goodman ran another cycle of the AquaLift feature. Again, AquaLift failed to clean the Oven interior.

**John Curcio**

140. In or around April 2013, Mr. Curcio purchased a Maytag Free Standing Gas Range equipped with AquaLift from a Home Depot store in Nanuet, New York.

141. Within approximately three months of purchase, Mr. Curcio ran a AquaLift self-cleaning cycle, closely following the user instructions. At the end of the “self-cleaning” cycle, he observed that AquaLift had virtually no self-cleaning effect as stains and grime remained in the Oven interior.

142. Mr. Curcio ran the AquaLift cycle several times, each time closely following the user instructions. AquaLift failed to remove the grime from the interior of Mr. Curcio’s Oven. It did not self-clean. As a result, Mr. Curcio was forced to manually clean the Oven.

143. In or around July 2013, Mr. Curcio complained to Whirlpool about the inefficacy of the AquaLift feature to self-clean. In response, Whirlpool sent him a sponge and cleaning kit to manually clean the Oven.

144. Mr. Curcio tried using AquaLift with the cleaning kit he received from Whirlpool. It did not effectively clean the Oven.

145. Shortly after, Mr. Curcio called, again, to complain to Whirlpool. The Whirlpool representative told Mr. Curcio that there was nothing more the company could do.

#### **Whirlpool's Acknowledgement AquaLift Does Not Work As Advertised**

146. From June 2018 to the present, the *Wisconsin State Journal* has reported that Whirlpool, in direct response to complaints about AquaLift's inability to "self-clean" as advertised, is initiating "buy backs" (*i.e.*, refunds of AquaLift ovens).

147. The *Wisconsin State Journal* has published several articles about Whirlpool's "buyback" initiative.<sup>47</sup> First on June 4, 2018 the *Wisconsin State Journal* reported that Whirlpool ovens with a low heat "self-cleaning" feature called "AquaLift" does not, and cannot, work as advertised. The article specifically featured the experience of consumers who complained to Whirlpool about the ovens'

---

<sup>47</sup> Whirlpool has publicly confirmed the existence of this program to the *Wisconsin State Journal* through its media representative, Cean Burgeson. See Exhibit 39.

inability to self-clean. One consumer Barbara Behnke, for example, performed “five consecutive cleanings” with the AquaLift cycle and found it did not (at all) remove baked on grime from the oven. What’s more, Ms. Behnke told the *Washington State Journal* she “had numerous phone calls and emails to Maytag” and “multiple visits from Maytag service techs” to try, in vain, to get AquaLift to work. See Exhibit 38.

148. On behalf of Ms. Behnke, the *Wisconsin State Journal* wrote to Whirlpool and attached fifteen photos it had received from Ms. Behnke of her oven, showing AquaLift’s inability to clean. ***In response, Whirlpool refunded her the full cost of her AquaLift oven (\$894.64).***

149. This was not an isolated transaction. In other articles from July to September, the *Wisconsin State Journal* reported that over **20 consumers** had received refunds or exchanges or would receive them as part of the “buy back” initiative. See Exhibit 39. Jan Rohde, of Madison Wisconsin, for example, complained that she had spoken to multiple Whirlpool customer care representatives about AquaLift’s inability to “self-clean” and “was told the stains are cosmetic and that Whirlpool would send a me a free cleaning kit! ***This is not acceptable!***” In response to her complaint, Whirlpool ***refunded the full cost of her oven (\$1,410).***

150. Whirlpool continues to offer consumers refunds and exchanges in response to complaints about AquaLift’s “self-cleaning.” Therefore, not only is Whirlpool aware of the scores of complaints about AquaLift, it has acknowledged,

through these refunds, that AquaLift's advertising has deceived, or can deceive consumers who believed they were purchasing a "self-cleaning" oven when the oven is incapable of doing so.

### **NOTICE AND DEMAND PROVIDED TO WHIRLPOOL**

151. On October 19, 2018, Plaintiffs' counsel wrote to Whirlpool to provide notice of Whirlpool's violation of the statutory and common laws of Michigan, Florida, Missouri, New York, and California on behalf of Plaintiffs, the Class, and Plaintiffs' respective state subclasses, as well as to demand, *inter alia*, a cessation of Whirlpool's false and misleading advertising, compensatory damages, restitution, and disgorgement. A true and correct copy of the demand letter is attached hereto as Exhibit 40. Whirlpool failed to cure its violations of the statutory and common laws of Michigan, Florida, California, Missouri, and New York within thirty days of Plaintiffs' counsel's demand letter.

### **CLASS ACTION ALLEGATIONS**

152. Plaintiffs bring this action individually and as a class action pursuant to Fed. R. Civ. P. 23(a), 23(b)(2), and 23(b)(3) on behalf of the following proposed Class: *All persons who purchased a Whirlpool, Maytag, KitchenAid, or Jenn-Air oven equipped with AquaLift in Michigan, Florida, California, New York, and Missouri.*

153. Plaintiffs also seek certification of the following subclasses:

Michigan Subclass: All persons who purchased a Whirlpool, Maytag, KitchenAid, or Jenn-Air oven equipped with AquaLift in the state of Michigan.

Florida Subclass: All persons who purchased a Whirlpool, Maytag, KitchenAid, or Jenn-Air oven equipped with AquaLift in the state of Florida.

California Subclass: All persons who purchased a Whirlpool, Maytag, KitchenAid, or Jenn-Air oven equipped with AquaLift in the state of California.

New York Subclass: All persons who purchased a Whirlpool, Maytag, KitchenAid, or Jenn-Air oven equipped with AquaLift in the state of New York.

Missouri Subclass: All persons who purchased a Whirlpool, Maytag, KitchenAid, or Jenn-Air oven equipped with AquaLift in the state of Missouri.<sup>48</sup>

154. Subject to additional information obtained through further investigation and discovery, the foregoing definitions of the Class and Subclasses may be expanded or narrowed by amendment or amended complaint.

155. Specifically excluded from the Class are Whirlpool, its officers, directors, agents, trustees, parents, children, corporations, trusts, representatives, employees, principals, servants, partners, joint venturers or entities controlled by Whirlpool, and their heirs, successors, assigns, or other persons or entities related to

---

<sup>48</sup> The Michigan, Florida, California, New York and Missouri subclasses are collectively referred to as the “Subclasses.” Unless otherwise noted, the Class and Subclasses are referred to herein as the “Class.”

or affiliated with Whirlpool and/or its officers and/or directors, the judge assigned to this action, and any member of the judge's immediate family.

156. *Numerosity.* The members of the Class are so numerous that joinder of all members is impracticable. Upon information and belief, the Class includes thousands of members who are geographically dispersed across the country and the states of Michigan, Florida, New York, California and Missouri. The precise number of Class members are unknown to Plaintiffs. The true number of Class members is known by Whirlpool, however, and thus can be ascertained through appropriate investigation and discovery and may be notified of the pendency of this action by first class mail, electronic mail, or published notice.

157. *Existence and predominance of common questions of law and fact.* Common questions of law and fact exist as to all members of the Class and predominate over any questions affecting only individual Class members. These common legal and factual questions include, but are not limited to, the following:

- (a) Did Whirlpool represent the Ovens to be "self-cleaning;"
- (b) Whether Whirlpool's advertising campaign for AquaLift was false, deceptive, or misleading to a reasonable consumer;
- (c) Whether Whirlpool knew or should have known that its AquaLift technology could not perform as advertised;



(d) Whether Whirlpool had a duty to disclose AquaLift is incapable of self-cleaning;

(e) Whether the purported ability of AquaLift to “self-clean” tough baked-on soils from the interior of an oven in under one hour is a material fact to consumers;

(f) Whether Whirlpool breached an express warranty made to Plaintiffs and the Class members;

(g) Whether Whirlpool breached an implied warranty of merchantability;

(h) Whether Whirlpool breached a contract with Plaintiffs and the Class members;

(i) Whether Whirlpool represented that the Ovens with AquaLift have characteristics, uses, and benefits, that they do not have;

(j) Whether Whirlpool advertised the Ovens with AquaLift with the intent not to sell them as advertised;

(k) Whether Whirlpool failed to reveal a material fact regarding its AquaLift technology, the omission of which would tend to mislead or deceive consumers, and which fact could not reasonably be known by consumers;

(l) Whether Whirlpool made a representation of fact or statement of fact material to its sale of Ovens equipped with AquaLift such that a person could

reasonably believe the represented or suggested state of affairs to be other than it actually is;

(m) Whether Whirlpool failed to reveal facts that were material to its sale of Ovens equipped with AquaLift in light of representations of fact made in a positive manner;

(n) Whether Whirlpool violated the MCPA;

(o) Whether Whirlpool violated the FDUTPA;

(p) Whether Whirlpool violated the UCL;

(q) Whether Whirlpool violated the CLRA;

(r) Whether Whirlpool violated the GBL;

(s) Whether Whirlpool violated the MMPA;

(t) Whether Whirlpool was unjustly enriched;

(u) Whether Whirlpool acted willfully and in wanton disregard of the consequences of its actions to consumers;

(v) Whether Plaintiffs and the Class members are entitled to damages and the amount of such damages;

(w) Whether Plaintiffs and the Class members are entitled to an award of punitive damages; and

(x) Whether Plaintiffs and the Class members are entitled to equitable relief, including an injunction enjoining Whirlpool from engaging in the

wrongful and unlawful conduct alleged herein and ordering Whirlpool to engage in a corrective advertising campaign.

158. **Typicality.** Plaintiffs' claims are typical of the claims of the other Class members in that Plaintiffs and the Class members were injured by the same wrongful conduct and scheme of Whirlpool alleged herein.

159. **Adequacy of representation.** Plaintiffs will fairly and adequately protect the interests of the Class. Plaintiffs have retained counsel highly experienced in complex consumer class action litigation, and Plaintiffs intend to vigorously prosecute this action. Further, Plaintiffs have no interests that are antagonistic to those of the other Class members.

160. **Superiority.** A class action is superior to all other available means for the fair and efficient adjudication of this controversy. The damages or other financial detriment suffered by individual Class members is relatively small compared to the burden and expense that would be involved in individual litigation of their claims against Whirlpool. It would, thus, be virtually impossible for the Class members, on an individual basis, to obtain effective redress for the wrongs committed against them. Furthermore, even if Class members could afford such individualized litigation, the court system could not. Individualized litigation would create the danger of inconsistent or contradictory judgments arising from the same set of facts. Individualized litigation would also increase the delay and expense to

all parties and the court system from the issues raised by this action. By contrast, the class action device provides the benefits of adjudication of these issues in a single proceeding, economies of scale, and comprehensive supervision by a single United States District Court, and presents no unusual management difficulties under the circumstances presented in this case.

161. In the alternative, the Class may also be certified because:

(a) the prosecution of separate actions by individual Class members would create a risk of inconsistent or varying adjudication with respect to individual Class members that would establish incompatible standards of conduct for Whirlpool;

(b) the prosecution of separate actions by individual Class members would create a risk of adjudications with respect to them that would, as a practical matter, be dispositive of the interests of other Class members not parties to the adjudications, or substantially impair or impede their ability to protect their interests; and

(c) Whirlpool has acted or refused to act on grounds generally applicable to the Class as a whole, thereby making appropriate final declaratory and injunctive relief with respect to the members of the Class as a whole.

162. Alternatively, certain issues relating to Whirlpool's liability may be certified pursuant to Fed. R. Civ. P. 23(c)(4).

## CAUSES OF ACTION

### COUNT I

#### **Violations of the Magnuson-Moss Warranty Act (Implied Warranty) (On Behalf of the Class and Subclasses)**

163. Plaintiffs reallege and incorporate by reference each allegation above as though fully set forth herein.

164. Under the MMWA, an “implied warranty” is one that “arise[s] under State law . . . in connection with the sale by a supplier of a consumer product.” 15 U.S.C. §2301.

165. Plaintiffs and the Class members are “consumers,” Whirlpool is a “supplier” and “warrantor,” and Ovens with AquaLift are “consumer products” as defined by the MMWA. 15 U.S.C. §2301.

166. Under state law, a warranty that goods shall be merchantable is implied in every contract for the sale of goods by a merchant that deals in such goods.

167. Whirlpool is a merchant with respect to kitchen ovens. As such, a warranty that its Ovens equipped with AquaLift were merchantable was implied in the contract of each sale, including to Plaintiffs and the Class members.

168. In order to be merchantable, the Ovens with AquaLift, at a minimum, were required to: (a) pass without objection in the trade under the contract description; (b) be fit for the ordinary purposes for which such goods are used; and (c) conform to the promises or affirmations of fact made on the container.

169. Whirlpool breached the implied warranty on its Ovens with AquaLift because, contrary to Whirlpool's representations, promises, and affirmations of fact, including on each product's label, AquaLift could not "self-clean" the interior of the Ovens.

170. Indeed, the AquaLift feature on the Ovens was incapable of self-cleaning when such Ovens left the possession of Whirlpool and, as such, could not perform according to Whirlpool's affirmative representations that the system would "self-clean" heavy baked-on soils from the interior of an oven in under one hour. Therefore, the Ovens with AquaLift were not reasonably fit for their intended, anticipated, or reasonably foreseeable use.

171. Accordingly, the Ovens would not: (a) pass without objection in the trade under the contract description; (b) are not fit for the ordinary purposes for which such goods are used; and (c) do not conform to the promises or affirmations of fact made on the container.

172. As a direct and proximate result of Whirlpool's breach of the implied warranty of merchantability, Plaintiffs and the Class members have been damaged.

## **COUNT II**

### **Breach of Contract (On Behalf of the Class and the Subclasses)**

173. Plaintiffs reallege and incorporate by reference each allegation above as though fully set forth herein.

174. Whirlpool offered to sell the Ovens with AquaLift technology that would “self-clean” heavy baked-on soils from the interior of an Oven in under one hour.

175. Plaintiffs and the Class members accepted Whirlpool’s offer by tendering the asking price for each Oven, thereby creating a valid and enforceable contract, supported by valuable consideration, for the sale of a Whirlpool Oven with AquaLift technology that would “self-clean” heavy baked-on soils from the interior of the Oven in under one hour.

176. Whirlpool breached this contract with Plaintiffs and the Class members by delivering a Whirlpool oven equipped with AquaLift that, contrary to the terms of the contract between Whirlpool on the one hand and Plaintiffs and the Class members on the other, was incapable of “self-cleaning.”

177. As a result of Whirlpool’s breach of contract, Plaintiffs and the Class members suffered damages.

### **COUNT III**

#### **Breach of Express Warranty (On Behalf of the Class and Subclasses)**

178. Plaintiffs reallege and incorporate by reference each allegation above as though fully set forth herein.

179. Whirlpool designed, manufactured, advertised, distributed, and sold the Ovens equipped with AquaLift.

180. In connection with each sale of a Whirlpool kitchen oven equipped with AquaLift, Whirlpool made certain affirmations of fact and promises relating to its Ovens specifically, that the AquaLift technology would “self-clean” heavy baked-on soils from the interior of the Oven in less than one hour.

181. Whirlpool’s affirmations of fact and promises relating to its Ovens became part of the basis of the bargain and created an express warranty that Whirlpool Ovens equipped with AquaLift would conform to Whirlpool’s affirmations and promises.

182. Whirlpool’s express warranty regarding the benefits of AquaLift extends directly to consumers like Plaintiffs and the Class members, who are intended third-party beneficiaries of any contract between Whirlpool and the retailers where Ovens with AquaLift were sold.

183. Whirlpool breached its express warranty by delivering Ovens with AquaLift that, contrary to the terms of the express warranty, could not “self-clean.”

184. Whirlpool’s breach of its express warranty directly and proximately caused damages to Plaintiffs and the Class members.

185. All conditions precedent to this claim, including notice, have been satisfied.



## **COUNT IV**

### **Breach of Implied Warranty of Merchantability (On Behalf of the Class and the Subclasses)**

186. Plaintiffs reallege and incorporate by reference each allegation above as though fully set forth herein.

187. Whirlpool is a merchant with respect to kitchen ovens. As such, a warranty that its Ovens with AquaLift were merchantable and was implied in the contract of each sale, including to Plaintiffs and the Class members.

188. In order to be merchantable, Ovens with AquaLift, at a minimum, were required to: (a) pass without objection in the trade under the contract description; (b) be fit for the ordinary purposes for which such goods are used; and (c) conform to the promises or affirmations of fact made on the container.

189. Whirlpool breached the implied warranty on its Ovens with AquaLift because, contrary to Whirlpool's representations, promises, and affirmations of fact, including on each product's label, AquaLift could not "self-clean" heavy baked-on soils from the interior of the Ovens.

190. Indeed, the AquaLift technology in the Ovens could not "self-clean" when such Ovens left the possession of Whirlpool and, as such, could not perform according to Whirlpool's affirmative representations that the system would "self-clean" heavy baked-on soils from the interior of an oven in under one hour.

Therefore, the Ovens with AquaLift were not reasonably fit for their intended, anticipated, or reasonably foreseeable use.

191. Accordingly, the Ovens with AquaLift would not: (a) pass without objection in the trade under the contract description; (b) are not fit for the ordinary purposes for which such goods are used; and (c) do not conform to the promises or affirmations of fact made on the container.

192. Whirlpool's breach of its implied warranty directly and proximately caused damages to Plaintiffs and the Class members.

193. Whirlpool's implied warranty regarding the benefits of AquaLift extends directly to consumers like Plaintiffs and the Class members, who are intended third-party beneficiaries of any contract between Whirlpool and the retailers where The Ovens with AquaLift are sold.

## **COUNT V**

### **Unjust Enrichment (On Behalf of the Class and Subclasses)**

194. Plaintiffs reallege and incorporate by reference each of the allegations above as though fully set forth herein.

195. This claim is pled in the alternative.

196. In reliance on Whirlpool's false and misleading advertising campaign for the AquaLift technology, Plaintiffs and the Class members conferred a monetary benefit on Whirlpool.

197. As such, Whirlpool has been unjustly enriched at the expense of Plaintiffs and the Class members.

198. Specifically, through its false and misleading advertising campaign, as alleged more fully herein, Whirlpool has unlawfully received money and other benefits at the expense of Plaintiffs and the Class members.

199. Whirlpool's receipt and retention of this financial benefit is unfair and improper under the circumstances.

200. Therefore, Whirlpool should be ordered to disgorge its ill-gotten gains.

201. Plaintiffs and the Class members have no adequate remedy at law.

## **COUNT VI**

### **Violation of the MCPA (On Behalf of the Michigan Subclass)**

202. Plaintiffs Martin and the Danielkiewicz's reallege and incorporate the allegations above as though fully set forth herein.

203. Plaintiffs Martin, the Danielkiewicz's and the Michigan Subclass are "persons" and Whirlpool's conduct complained of herein constitutes "trade or commerce" as defined by the MCPA. M.C.L.A. §445.902.

204. The MCPA provides that "[u]nfair, unconscionable, or deceptive methods, acts, or practices in the conduct of trade or commerce are unlawful[.]"

205. Whirlpool’s false and misleading advertising campaign, as described more fully herein, is an unfair, unconscionable, and/or deceptive method, act, or practice in the conduct of trade, which violates the MCPA in the following ways:

(a) Representing that the Ovens with AquaLift have characteristics, uses, and benefits, that they do not have. M.C.L.A. §445.903(1)(c);

(b) Advertising the Ovens with AquaLift with the intent not to sell them as advertised. M.C.L.A. §445.903(1)(g);

(c) Failing to reveal a material fact – that AquaLift does not function as advertised – the omission of which tends to mislead or deceive consumers, and which fact could not reasonably be known by consumers. M.C.L.A. §445.903(1)(s);

(d) Making a representation of fact or statement of fact material to the transaction – *i.e.*, that AquaLift has the capability to “self-clean” the inside of a Whirlpool oven in less than one hour – such that a person reasonably believes the represented or suggested state of affairs to be other than it actually is. M.C.L.A. §445.903(1)(bb); and

(e) Failing to reveal facts that are material to the transaction – *i.e.* that AquaLift does not perform as advertised – in light of representations of fact made in a positive manner. M.C.L.A. §445.903(1)(cc).

206. Plaintiffs Martin, the Danielkiewicz’s and the Michigan Subclass have been substantially injured by Whirlpool’s unfair and deceptive practices in that they

were exposed to and relied on Whirlpool's misrepresentations of material fact regarding the AquaLift feature, including that AquaLift would "self-clean" heavy baked-on soils from the inside of an oven in less than one hour. Based on their reasonable reliance on Whirlpool's misrepresentation, Plaintiffs Mr. Martin, the Danielkiewicz's and the Michigan Subclass members purchased the Ovens that did not possess the capabilities that Whirlpool represented.

207. The damages suffered by Plaintiffs Martin the Danielkiewicz's and the Michigan Subclass were directly and proximately caused by the deceptive, misleading, and unfair practices of Whirlpool, as more fully described herein. Indeed, Plaintiffs Martin, the Danielkiewicz's and the Michigan Subclass members would not have purchased the Ovens with AquaLift, or would not have paid as much as they did, but for Whirlpool's false and misleading advertising.

208. Pursuant to M.C.L.A. §445.911(1) & (3), Plaintiffs Martin, the Danielkiewicz's and the Michigan Subclass members seek damages and a declaratory judgment and Court Order enjoining the above-described wrongful acts and practices of Whirlpool and for restitution and disgorgement.

209. Additionally, pursuant to M.C.L.A. §445.911(5), Plaintiffs Martin, the Danielkiewicz's and the Michigan Subclass request that Whirlpool be ordered to bear the costs of Class notice.

## COUNT VII

### **Violation of the FDUTPA (On Behalf of the Florida Subclass)**

210. Plaintiff Goodman realleges and incorporates the allegations above as though fully set forth herein.

211. The stated purpose of the FDUTPA is to “protect the consuming public from those who engage in unfair methods of competition, or unconscionable, deceptive, or unfair acts or practices in the conduct of any trade or commerce.” Fla. Stat. §501.202(2).

212. Plaintiff Goodman is a “consumer,” the Ovens with AquaLift are “goods,” and Whirlpool is engaged in “trade or commerce” within the meaning of the statute. Fla. Stat. §501.203.

213. Fla. Stat. §501.204(1) declares unlawful “[u]nfair methods of competition, unconscionable acts or practices, and unfair or deceptive acts or practices in the conduct of any trade or commerce.” Fla. Stat. §501.204(2) provides that in construing the foregoing subsection, “due consideration and great weight shall be given to the interpretations of the Federal Trade Commission and the federal courts relating to [section] 5(a)(1) of the Federal Trade Commission Act.”

214. Whirlpool’s advertising campaign for the AquaLift feature in its Ovens is an unfair and deceptive practice that is likely to mislead – and has misled – consumers acting reasonably under the circumstances and, thus, Whirlpool’s

advertising campaign offends public policies and is immoral, unethical, unscrupulous, and substantially injurious to consumers.

215. Plaintiff Goodman and the Florida Subclass members have been substantially injured by Whirlpool's unfair and deceptive practices in that they were exposed to and relied on Whirlpool's misrepresentations of material fact regarding the AquaLift feature, including that AquaLift "self-cleans" heavy baked-on soils from the inside of an oven in less than one hour. Based on their reasonable reliance on Whirlpool's misrepresentation, plaintiff Goodman and the Florida Subclass members purchased the Ovens that did not possess the capabilities that Whirlpool represented.

216. The damages suffered by Plaintiff Goodman and the Florida Subclass were directly and proximately caused by the deceptive, misleading, and unfair practices of Whirlpool, as more fully described herein. Indeed, plaintiff Ms. Goodman and the Florida Subclass members would not have purchased the Ovens with AquaLift, or would not have paid as much as they did, but for Whirlpool's false and misleading advertising.

217. Pursuant to Fla. Stat. §501.211(1), Plaintiff Goodman and the Florida Subclass members seek a declaratory judgment and Court Order enjoining the above-described wrongful acts and practices of Whirlpool and for restitution and disgorgement.

218. Additionally, pursuant to Fla. Stat. §§501.211(2) and 501.2105, Plaintiff Goodman and the Florida Subclass assert claims for damages, attorney fees, and costs.

## **COUNT VIII**

### **Violation of the GBL §349 (On Behalf of the New York Subclass)**

219. Plaintiff Curcio realleges and incorporates by reference the allegations above as though fully set forth herein.

220. GBL §349 makes unlawful any “[d]eceptive acts or practices in the conduct of any business, trade or commerce or in the furnishing of any service” in New York.

221. Whirlpool has engaged in deceptive acts and practices through its misrepresentations and omissions of material facts in its advertising campaign directed at Plaintiff Curcio and the New York Subclass as more fully described above, in connection with the sale of Ovens that are sold with “AquaLift,” a “self-cleaning” product feature, that is incapable of self-cleaning. Plaintiff Curcio and the New York Subclass on reasonably believed and expected at the time of purchase that Whirlpool’s advertising was a true representation of the Oven’s “self-clean” functionality when it was not. These false representations and affirmations by Whirlpool and its representatives regarding AquaLift’s self-cleaning capabilities are



material facts that reasonable consumers would and did rely upon in their decision as to purchase Ovens with the AquaLift “self-clean” technology.

222. Through its advertising campaign for AquaLift, Whirlpool made numerous misrepresentations and omitted material facts upon which Plaintiff Curcio and the New York Subclass relied upon to their detriment.

223. Whirlpool has used and employed unconscionable commercial practices, deception, fraud, misrepresentations, and/or the knowing concealment, suppression, and/or omission of material facts with the intent that others rely thereon (or, in the case of an omission, with the belief that the parties were ignorant of the true facts), in connection with the marketing, distributing, sale, and advertisement of the Ovens.

224. Whirlpool’s misrepresentations and omissions are likely to mislead and did materially mislead Plaintiff Curcio, the New York Subclass, and other reasonable consumers by causing them to purchase the Ovens at a price they would not have otherwise paid and to incur additional damages and expenses that they would not have incurred but for Defendant’s deceptive acts and practices.

225. Defendant made numerous misrepresentations and omitted material facts upon which Plaintiff Curcio and the New York Subclass relied upon to their detriment.

226. The unfair and deceptive trade practices have directly, foreseeably, and proximately caused damages and injury to plaintiff Curcio and the New York Subclass described above.

227. By virtue of the foregoing, Defendant has violated GBL §349.

## **COUNT IX**

### **Violation of the GBL §350 (On Behalf of the New York Subclass)**

228. Plaintiff Curcio realleges and incorporates by reference the allegations above as though fully set forth herein.

229. NYGBL §350 provides: “False advertising in the conduct of any business, trade or commerce or in the furnishing of any service in this state is hereby declared unlawful.”

230. Defendant’s advertising of the Ovens, as alleged in more detail herein, is and was false within the meaning of GBL §350-a(1).

231. Plaintiff Curcio and the New York Subclass were materially misled by Defendant’s advertising.

232. As a direct and proximate result of Defendant’s false advertising, Plaintiff Curcio and the New York Subclass lost money in that they would not have purchased the Ovens or would have paid less for them.

## **COUNT X**

### **Violation of the CLRA (On Behalf of the California Subclass)**

233. Plaintiffs Leonti, Powers, and Stamates reallege and incorporate by reference the allegations above as though fully set forth herein.

234. Whirlpool's actions, representations and conduct have violated and continue to violate the CLRA, because they extend to transactions that are intended to result, or which have resulted, in the sale or lease of goods or services to consumers.

235. Plaintiffs Leonti, Powers, and Stamates and the California Subclass are "consumers" as that term is defined by the CLRA §1761(d). And, the Ovens Plaintiffs Leonti, Powers, Stamates and the California Subclass purchased were goods within the meaning of CLRA §1761(a).

236. Whirlpool's misrepresentations of the Ovens "self-cleaning" ability led consumers to falsely believe the Ovens could "self-clean" as advertised. These false representations violate the following sections of the CLRA:

(a) CLRA §1770(a)(5) prohibits "[r]epresenting that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities which they do not have or that a person has a sponsorship, approval, status, affiliation, or connection which he or she does not have." Whirlpool violated this

provision by misrepresenting Ovens sold with AquaLift could “self-clean” when they could not.

(b) CLRA §1770(a)(7) prohibits “[r]epresenting that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another.” Whirlpool violated this provision by misrepresenting Ovens sold with AquaLift could “self-clean” when they could not; and

(c) CLRA §1770(a)(9) prohibits “[a]dvertising goods or services with intent not to sell them as advertised.” Whirlpool violated this provision by misrepresenting Ovens sold with AquaLift could “self-clean” when they could not.

237. Plaintiffs Leonti, Powers, and Stamates and California Subclass members suffered damages caused by Whirlpool’s misrepresentations because: (a) they would not have purchased the Ovens on the same terms if the true facts concerning their “self-cleaning” had been known; (b) they paid a price premium due to the “self-clean” representation; (c) the Ovens sold with AquaLift did not perform as promised because they were incapable of “self-cleaning” and (d) Plaintiffs Leonti, Powers, Stamates and the California Subclass members suffered damages from paying for Ovens that they believed could “self-clean” when they were could not.

238. Plaintiffs Leonti, Powers, and Stamates and the California Subclass request that this Court enjoin Whirlpool from continuing to employ the unlawful

methods, acts, and practices alleged herein. If Defendant is not restrained from engaging in these types of practices in the future, Plaintiffs and the other members of the Class will continue to suffer harm.

239. On October 19, 2018, a CLRA notice letter was served on Defendant Whirlpool which complies in all respects with California Civil Code §1782(a). A true and correct copy of Plaintiffs' October 19, 2018 CLRA demand letter is attached hereto as Exhibit 40.

240. Whirlpool has not informed Plaintiffs' of its intention to correct, repair, replace, or otherwise rectify the goods alleged to be in violation of § 1770 within thirty (30) days of the October 19, 2018 notice letter. Therefore, Plaintiffs Leonti, Powers, and Stamates seek damages from Whirlpool pursuant to CLRA §1780.

241. Plaintiff Leonti, Powers, and Stamates also request this Court award their costs and reasonable attorneys' fees pursuant to CLRA §1780(d).

## **COUNT XI**

### **Violation of the UCL (On Behalf of the California Subclass)**

242. Plaintiffs Leonti, Powers, and Stamates reallege and incorporate by reference the allegations above as though fully set forth herein.

243. Whirlpool is subject to the UCL, Cal. Bus. & Prof. Code §17200, *et seq.* The UCL provides, in pertinent part: "Unfair competition shall mean and

include unlawful, unfair or fraudulent business practices and unfair, deceptive, untrue or misleading advertising. . . .”

244. California Business & Professions Code §17200 prohibits any “unlawful, unfair, or fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising.”

245. Defendant’s business acts and practices alleged herein violated the “unfair” prong of the UCL because the injury to consumers is substantial, is not outweighed by any countervailing benefits to consumers or to competition, and is not an injury that consumers themselves could reasonably have avoided. Indeed, the consumer injury is substantial, amounting to millions of dollars during the Class Period. This substantial injury benefits only Defendant in the form of substantial increased revenues and does not benefit consumers or competition, but rather, harms consumers who were forced into purchasing unwanted life insurance. Finally, the substantial injury is not one that consumers themselves could reasonably have avoided. As alleged herein, Defendant pervasively advertised AquaLift to consumers as a “self-cleaning” feature of its Ovens when it knew it was incapable of “self-cleaning.” Moreover, reasonable consumers had no reason to suspect Whirlpool’s “self-cleaning” representations were false.

246. Defendant's business acts and practices as alleged herein also violate the "unlawful" prong of the UCL because, as alleged herein, Defendant's business acts and practices included:

(a) deceptively representing to Plaintiffs Leonti, Powers, Stamates, and the California Subclass that the Ovens could "self-clean" when they cannot;

(b) falsely advertising the Ovens as "self-cleaning" when they are incapable of "self-cleaning" and directing that advertising at consumers, including Plaintiffs Leonti, Powers, Stamates and the California Subclass;

(c) failing to warn or disclose to consumers, including Plaintiffs Leonti, Powers, Stamates and the California Subclass that the Ovens cannot "self-clean";

(d) violating the CLRA as described herein;

(e) violating the MCPA;

(f) violating the GBL;

(g) violating the MMPA; and

(h) violating the FDUTPA.

247. Whirlpool used false advertising, marketing, and misrepresentations to induce plaintiff Leonti, Powers, Stamates, and the California Subclass to purchase the Ovens and Plaintiffs Leonti, Powers, Stamates and the California Subclass relied to their detriment on Whirlpool's representations. Had Plaintiffs Leonti, Powers and

Stamates been adequately informed and not misled by Defendant's false representations they would have acted differently by not purchasing the Ovens or paying substantially less for them. Defendant's conduct therefore caused and continues to harm economic harm to Plaintiffs Leonti, Powers, and Stamates and the California Subclass.

248. Plaintiffs Leonti, Powers, and Stamates reserve the right to allege other violations of law by Defendant, which constitute other unlawful, unfair, or fraudulent business acts or practices in violation of the UCL.

249. Defendant's misrepresentations are therefore "unlawful" and "unfair" business practices under the UCL §17200 entitling Plaintiffs Leonti, Powers, Stamates and the California Subclass to judgment and equitable relief against Whirlpool, as set forth in the Prayer for Relief. Additionally, pursuant to UCL §17203, Plaintiff sLeonti, Powers, Stamates and the California Subclass seek an order requiring Defendant to immediately cease such acts of unlawful and unfair business practices and requiring Defendant to correct its actions.

## **COUNT XII**

### **Violation of the MMPA (On Behalf of the Missouri Subclass)**

250. Plaintiff Watts realleges and incorporates by reference the allegations above as though fully set forth herein.



251. The Missouri Merchandising Practices Act, §407.010 *et seq.* RSMo. (“MMPA”) prohibits unfair and deceptive acts and practices in connection with the sale of merchandise in Missouri.

252. The sale, or alleged sale, of the Ovens was a “sale” of “merchandise,” as defined by the MMPA.

253. Pursuant to 15 C.S.R. §60-8.020, Unfair Practice in General, an “Unfair Practice is any practice which – (A) Either 1. offends any public policy as it has been established by the . . . statutes or common law of this state; or 2. Is unethical, oppressive or unscrupulous; and (B) presents a risk of, or causes, substantial injury to consumers.”

254. Pursuant to 15 C.S.R. §60-8.090, Illegal Conduct, “(1) it is an unfair practice for any person in connection with advertisement or sale of merchandise to engage in any method, use or practice which – (A) violates state or federal law intended to protect the public; and (B) presents a risk of, or causes, substantial injury to consumers.”

255. The sale, or alleged sale, of the Ovens occurred within the state of Missouri.

256. Plaintiff Watts’ purchase, or alleged purchase, of the Ovens was primarily for personal, family, and/or household purposes.

257. Defendant's conduct was the act, use, and employment of deception, false pretense, false promise, misrepresentation, unfair practice, and the concealment, suppression, and omission(s) of material fact(s) as described in §407.020 RSMo., along with the regulations for the implementation of the MMPA as laid out at 15 C.S.R. §§60-7.010, *et seq.*, 60-8.010, *et seq.*, and 60-9.010, *et seq.*, and was, therefore, a violation of the MMPA.

258. Defendant's violations of the MMPA include, but are not limited to, the following:

- (a) falsely representing to consumers, plaintiff Watts, and the Missouri Subclass that the Ovens could "self-clean" when they cannot;

- (b) falsely representing the Ovens as "self-cleaning" when they are incapable of "self-cleaning" and directing that advertising at consumers, including Plaintiff Watts and the Missouri Subclass;

- (c) failing to take appropriate and adequate steps to inform consumers, Plaintiff Watts and the Missouri Subclass of AquaLift's failure to self-clean; and

- (d) engaging in a pattern of conduct which, when taken in its totality, is and was unfair, deceptive and unconscionable.

259. Defendant's conduct as described above constitutes the act, use or employment of deception, fraud, false pretenses, false promises, misrepresentation,

unfair practices and/or the concealment, suppression, or omission of any material facts in connection with the sale or advertisement of any merchandise in trade or commerce in that Defendant represents that AquaLift is a “self-cleaning” oven feature when it is not. As such, the Ovens are advertised to be misleading.

260. Defendant’s misrepresentations and omissions as stated herein, are material in that they relate to matters that are important to consumers and/or are likely to affect the purchasing decisions or conduct of consumers, including Plaintiff Watts and the Missouri Subclass.

261. Plaintiff Watts and Missouri Subclass members suffered an ascertainable loss as a result of Defendant’s unlawful conduct as alleged herein, including the difference between the actual value of the purchased Ovens and the value of the Ovens if they had been as represented. Had Plaintiff Watts and Missouri Subclass members known the truth about the Ovens, they would not have purchased the Ovens, or would have purchased the Ovens on different terms.

262. Pursuant to §407.025.1 RSMo., Plaintiff Watts and the Missouri Subclass are entitled to the recovery of actual damages, punitive damages, costs and reasonable attorneys’ fees, and equitable relief.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully pray for a judgment in their favor and in favor of the Class and Subclasses as follows:

A. Determining that this action is a proper class action, certifying Plaintiffs as Class representatives under Rule 23 of the Federal Rules of Civil Procedure and appointing Robbins Geller Rudman & Dowd LLP as Class Counsel;

B. Awarding temporary, preliminary, and permanent declaratory, injunctive, and other equitable relief, including, but not limited to, enjoining Whirlpool from continuing its false, deceptive, and misleading advertising campaign for AquaLift;

C. Ordering Whirlpool to engage in a corrective advertising campaign;

D. Awarding Plaintiffs and the Class damages, including statutory and punitive damages, and interest thereon;

E. Awarding disgorgement of Whirlpool's revenues to Plaintiffs and the other Class members;

F. Directing Whirlpool to identify, with this Court's supervision, victims of its conduct and to pay them restitution;

G. Awarding Plaintiffs attorneys' fees and costs; and

H. Providing any and all further legal and equitable relief as this Court may deem just and proper.

### **JURY DEMAND**

Plaintiffs respectfully demand trial by jury on all issues so triable.

DATED: November 19, 2018

Respectfully submitted,

/s/ E. Powell Miller

E. Powell Miller (P39487)  
Sharon S. Almonrode (P33938)  
Dennis A. Lienhardt (P81118)  
**The Miller Law Firm, P.C.**  
950 W. University Dr., Suite 300  
Rochester, MI 48307  
Telephone: (248) 841-2200  
epm@millerlawpc.com  
ssa@millerlawpc.com  
dal@millerlawpc.com

**ROBBINS GELLER RUDMAN  
& DOWD LLP**

Samuel H. Rudman  
Mark S. Reich  
Jordan D. Mamorsky  
58 S. Service Road, Suite 200  
Melville, NY 11747  
Telephone: 631/367-7100  
srudman@rgrdlaw.com  
mreich@rgrdlaw.com  
jmamorsky@rgrdlaw.com

**ROBBINS GELLER RUDMAN  
& DOWD LLP**

Paul J. Geller  
Stuart A. Davidson  
Christopher C. Gold  
120 East Palmetto Park Road, Suite 500  
Boca Raton, FL 33432  
Telephone: 561/750-3000  
pgeller@rgrdlaw.com  
sdavidson@rgrdlaw.com  
cgold@rgrdlaw.com

*Attorneys for Plaintiffs and the Proposed  
Class and Subclasses*

## PLAINTIFFS' INDEX OF EXHIBITS

<i><b>Exhibit</b></i>	<i><b>Description</b></i>
1	Plaintiffs Index of Known Whirlpool AquaLift Ovens
2	Whirlpool's AquaLift Frequently Asked Questions Online Website.
3	(see 2)
4	(see 2)
5	(see 2)
6	Whirlpool's "Oven Cleaning Quick Reference Guide"
7	Whirlpool AquaLift Website Advertising
8	(see 2)
9	(see 2)
10	Whirlpool Glossary of Definitions
11	Whirlpool's Product Advertising for 6.4Cu. Ft. Freestanding Electric Range with AquaLift ® Self-Cleaning Technology
12	Whirlpool's Product Advertising for 5.8 Cu. Ft. Stainless Steel Slide-In Range with AquaLift ® Self-Cleaning Technology
13	Whirlpool's Product Advertising for 5.8 Cu. Ft. Freestanding Gas Range with AquaLift ® Self-Cleaning Technology
14	<i>Consumerist</i> Article "My Advanced New Self-Cleaning Oven Needs A Lot of Help to Clean Itself."
15	<i>Consumer Affairs</i> complaints and reviews about KitchenAid Stoves and Ovens.
16	Complaint from consumer on April 18, 2016 regarding AquaLift ® technology.
17	Complaint from consumer on April 7, 2016 regarding AquaLift ® technology.
18	Complaint from consumer on April 1, 2016 regarding AquaLift ® technology.
19	Complaint from consumer on March 4, 2016 regarding AquaLift ® technology.
20	Complaint from consumer on Feb 23, 2016 regarding AquaLift ® technology.
21	Complaint from consumer on Sept. 24, 2015 regarding AquaLift ® technology.
22	(see 14)
23	Complaint from consumer on September 19, 2012 regarding AquaLift ® technology.

<b><i>Exhibit</i></b>	<b><i>Description</i></b>
24	Complaint from consumer on January 29, 2013 regarding AquaLift ® technology.
25	Complaint from consumer on February 11, 2013 regarding AquaLift ® technology.
26	Complaint from consumer on February 13, 2013 regarding AquaLift ® technology.
27	Complaint from consumer on January 18, 2014 regarding AquaLift ® technology.
28	Complaint from consumer on May 11, 2015 regarding AquaLift ® technology.
29	Complaint from consumer on September 13, 2015 regarding AquaLift ® technology.
30	Complaint from consumer on September 14, 2015 regarding AquaLift ® technology.
31	Complaint from consumer on November 17, 2015 regarding AquaLift ® technology.
32	Complaint from consumer on December 16, 2015 regarding AquaLift ® technology.
33	Complaint from consumer on December 30, 2015 regarding AquaLift ® technology.
34	Complaint from consumer on January 31, 2016 regarding AquaLift ® technology.
35	Complaint from consumer on February 20, 2016 regarding AquaLift ® technology.
36	Complaint from consumer on March 28, 2016 regarding AquaLift ® technology.
37	Complaint from consumer on April 30, 2016 regarding AquaLift ® technology.
38	<i>Wisconsin State Journal Article</i> “SOS: Self-cleaning oven wasn’t, so Madison woman promised refund.”
39	<i>Four Wisconsin State Journal Articles</i> <ol style="list-style-type: none"> <li>1. “SOS: Whirlpool promises ‘buybacks of self-cleaning ovens that don’t.’”</li> <li>2. “SOS: Bill collector called off in wake of failed washing machine repair” with subsection entitled “AquaLift, continued.”</li> <li>3. “SOS: Samsung refrigerator refund – doubled, not cubed” with subsection entitled “Whirlpool, continued (again).”</li> <li>4. “SOS: UW Health changes course, decides</li> </ol>

<i><b>Exhibit</b></i>	<i><b>Description</b></i>
	one co-pay for two ER visits is plenty” with subsection entitled “Whirlpool refund.”
40	Notice and Demand Letter provided to Whirlpool’s Counsel on October 19, 2018.



# EXHIBIT 1

**Whirlpool AquaLift Ovens (57)**

<b>Description</b>	<b>Model Number</b>
5.8 cu. ft. Front-Control Gas Stove with Fan Convection	WEG730H0DS
5.8 cu. ft. Front-Control Gas Stove with Fan Convection	WEG730H0DW
5.8 cu. ft. Front-Control Gas Stove with Fan Convection	WEG730H0DB
6.4 Cu. Ft. Slide-In Electric Range with True Convection	WEE745H0FS
6.2 cu. ft. Front-Control Electric Stove with Fan Convection	WEE730H0DS
6.4 Cu. Ft. Slide-In Electric Range with True Convection	WEE745H0FH
6.4 Cu. Ft. Slide-In Electric Range with True Convection	WEE745H0FE
6.2 cu. ft. Front-Control Electric Stove with Fan Convection	WEE730H0DW
6.2 cu. ft. Front-Control Electric Stove with Fan Convection	WEE730H0DB
6.7 Cu. Ft. Electric Double Oven Range with True Convection	WGE745C0FH
6.7 Cu. Ft. Electric Double Oven Range with True Convection	WGE745C0FE
6.7 Cu. Ft. Electric Double Oven Range with True Convection	WGE745C0FS
6.2 cu. ft. Front-Control Electric Range with AccuBake® System	WEC530H0DS
6.2 cu. ft. Front-Control Electric Range with AccuBake® System	WEC530H0DB
6.2 cu. ft. Front-Control Electric Range with AccuBake® System	WEC530H0DW
5.8 Cu. Ft. Freestanding Gas Range with AquaLift® Self-Cleaning Technology	WFG715H0ES
5.8 Cu. Ft. Freestanding Gas Range with AquaLift® Self-Cleaning Technology	WFG715H0EH
5.8 Cu. Ft. Freestanding Gas Range with AquaLift® Self-Cleaning Technology	WFG715H0EE
6.4 Cu. Ft. Freestanding Electric Range with True Convection	WFE745H0FH
6.4 Cu. Ft. Freestanding Electric Range with True Convection	WFE745H0FS
6.4 Cu. Ft. Freestanding Electric Range with True Convection	WFE745H0FE
Whirlpool Gold® 6.2 cu. ft. Capacity Electric Range with True Convection Cooking System	WFE710H0AH
Whirlpool Gold® 6.2 cu. ft. Capacity Electric Range with True Convection Cooking System	WFE710H0AE
6.4 Cu. Ft. Freestanding Electric Range with AquaLift® Self-Cleaning Technology	WFE540H0EH
6.4 Cu. Ft. Freestanding Electric Range with AquaLift® Self-Cleaning Technology	WFE540H0ES
6.4 Cu. Ft. Freestanding Electric Range with AquaLift® Self-Cleaning Technology	WFE540H0EE
6.4 Cu. Ft. Freestanding Electric Range with AquaLift® Self-Cleaning Technology	WFE540H0EB
6.4 Cu. Ft. Freestanding Electric Range with AquaLift® Self-Cleaning Technology	WFE540H0EW
Whirlpool Gold® 5.8 cu. ft. Capacity Gas Range with Rapid Preheat option	WFG710H0AE
Whirlpool® 5.8 cu. ft. Capacity Gas Range with AquaLift® Self-Clean Technology	WFG540H0AB
Whirlpool® 6.2 cu. ft. Capacity Electric Range with AquaLift® Self-	WFE540H0AS

Clean Technology	
6.2 cu. ft. Front-Control Electric Range with True Convection	WEE760H0DE
5.8 cu. ft. Front-Control Gas Range Plus True Convection	WEG760H0DS
Whirlpool® 6.2 cu. ft. Capacity Electric Range with AquaLift® Self-Clean Technology	WFE540H0AE
Whirlpool Gold® 5.8 cu. ft. Capacity Gas Range with Rapid Preheat option	WFG710H0AS
5.8 cu. ft. Front-Control Gas Range Plus True Convection	WEG760H0DH
Whirlpool Gold® 5.8 cu. ft. Capacity Gas Range with Rapid Preheat option	WFG710H0AH
5.8 cu. ft. Front-Control Gas Range Plus True Convection	WEG760H0DE
6.2 cu. ft. Front-Control Electric Range with True Convection	WEE760H0DS
6.2 cu. ft. Front-Control Electric Range with True Convection	WEE760H0DH
Whirlpool® 5.8 cu. ft. Capacity Gas Range with AquaLift® Self-Clean Technology	WFG540H0AS
Whirlpool® 5.8 cu. ft. Capacity Gas Range with AquaLift® Self-Clean Technology	WFG540H0AW
Whirlpool Gold® 6.2 cu. ft. Capacity Electric Range with Rapid Preheat	WFE720H0AS
Whirlpool Gold® 6.2 cu. ft. Capacity Electric Range with True Convection Cooking System	WFE710H0AS
Whirlpool Gold® 6.2 cu. ft. Capacity Electric Range with 12"/9"/6" Triple Radiant Element	WFE714HLAS
Whirlpool® 6.2 cu. ft. Capacity Electric Range with AquaLift® Self-Clean Technology	WFE540H0AB
Whirlpool® 5.8 cu. ft. Capacity Gas Range with TimeSavor™ Plus True Convection Cooking System	WFG714HLAB
Whirlpool® 6.2 cu. ft. Capacity Electric Range with AquaLift® Self-Clean Technology	WFE540H0AH
Whirlpool® 6.2 cu. ft. Capacity Electric Range with AquaLift® Self-Clean Technology	WFE540H0AW
Whirlpool® 5.8 cu. ft. Capacity Gas Range with TimeSavor™ Plus True Convection Cooking System	WFG714HLAS
Whirlpool® 6.2 cu. ft. Capacity Electric Range with 12"/9"/6" Triple Radiant Element	WFE714HLAW
Whirlpool® 6.2 cu. ft. Capacity Electric Range with 12"/9"/6" Triple Radiant Element	WFE714HLAB
Whirlpool® 5.8 cu. ft. Capacity Gas Range with TimeSavor™ Plus True Convection Cooking System	WFG714HLAW
Whirlpool® 5.8 cu. ft. Capacity Gas Range with AquaLift® Self-Clean Technology	WFG540H0AE
Whirlpool Gold® 6.2 cu. ft. Capacity Induction Range with True Convection Cooking System	WFI910H0AS

**Maytag AquaLift Ovens (28)**

<b>Description</b>	<b>Model Number</b>
6.2 cu. ft. Capacity Electric Range with Triple-Choice™ Elements	MER8775AB
6.2 cu. ft. Capacity Electric Range	MER8880AB
6.2 cu. ft. capacity electric range with Dual-Choice™ element	MER8670AB
6.2 cu. ft. Capacity Electric Range with Triple-Choice™ Elements	MER8775AS
5.8 cu. ft. Capacity Gas Range with EvenAir™ True Convection and Power Preheat	MGR8880AS
6.2 cu. ft. Capacity Electric Range	MER8880AS
6.2 cu. ft. Capacity Electric Range with Precision Cooking™ System	MER8680BB
6.2 cu. ft. capacity electric range with Dual-Choice™ element	MER8670AS
5.8 cu. ft. capacity gas range with two Power Cook burners	MGR8670AS
6.2 cu. ft. Capacity Induction Range with EvenAir™ True Convection	MIR8890AS
6.2 cu. ft. capacity electric range with Dual-Choice™ and Speed Heat™ elements	MER8674AW
6.2 cu. ft. Capacity Electric Range with Triple-Choice™ Elements	MER8775AW
5.8 cu. ft. Capacity Gas Range with EvenAir™ True Convection and Power Preheat MGR8880AB	MGR8880AB
5.8 cu. ft. capacity gas range with two Power Cook burners	MGR8670AB
6.2 cu. ft. Capacity Electric Range with Precision Cooking™ System	MER8680BW
5.8 cu. ft. Capacity Gas Range with EvenAir™ True Convection and Power Preheat	MGR8880AW
6.2 cu. ft. capacity electric range with Dual-Choice™ and Speed Heat™ elements	MER8674AS
5.8 cu. ft. Capacity Gas Range with EvenAir™ Convection	MGR8775AW
6.2 cu. ft. Capacity Electric Range	MER8880AW
6.2 cu. ft. Capacity Electric Range with Precision Cooking™ System	MER8680BS
6.2 cu. ft. capacity electric range with Dual-Choice™ and Speed Heat™ elements	MER8674AB
5.8 cu. ft. Capacity Gas Range with EvenAir™ Convection	MGR8775AS
6.2 cu. ft. capacity electric range with Dual-Choice™ element	MER8670AW
5.8 cu. ft. Capacity Gas Range with EvenAir™ Convection	MGR8775AB
5.8 cu. ft. Capacity Gas Range with 17,000-BTU Speed Heat™ Burner	MGR8674AW
5.8 cu. ft. Capacity Gas Range with 17,000-BTU Speed Heat™ Burner	MGR8674AS
5.8 cu. ft. Capacity Gas Range with 17,000-BTU Speed Heat™ Burner	MGR8674AB
5.8 cu. ft. capacity gas range with two Power Cook burners	MGR8670AW

**KitchenAid AquaLift Ovens**

<b>Description</b>	<b>Model Number</b>
30-Inch 4-Element Induction Freestanding Range, Architect® Series II	KIRS608BSS

**Jenn-Air AquaLift Ovens**

<b>Description</b>	<b>Model Number</b>
30" Gas Range	JGS1450DS

# EXHIBIT 2



## Frequently Asked Questions

---

### What is AquaLift™ self-clean technology?

It is a first-of-its kind cleaning solution that is activated with heat and water to release tough baked-on soils from the oven interior in less than 1 hour.

---

### How does it work?

---

### How do I use AquaLift™ self-clean technology?

---

### How is AquaLift™ self-clean technology different?

---

### Why was AquaLift™ self-clean technology developed?

---

### What are the key benefits of using AquaLift™ self-clean technology?

---

### How often should I use AquaLift™ self-clean technology?

---

### What ovens have AquaLift™ self-clean technology?

---



# EXHIBIT 3



## Frequently Asked Questions

---

What is AquaLift™ self-clean technology?

---

How does it work?

This exclusive coating on the interior activates with water and heat, allowing moisture to release soils from underneath so food and debris easily wipe away.

---

How do I use AquaLift™ self-clean technology?

---

How is AquaLift™ self-clean technology different?

---

Why was AquaLift™ self-clean technology developed?

---

What are the key benefits of using AquaLift™ self-clean technology?

---

How often should I use AquaLift™ self-clean technology?

---

What ovens have AquaLift™ self-clean technology?

---





# EXHIBIT 4



## Frequently Asked Questions

---

What is AquaLift™ self-clean technology?

---

How does it work?

---

How do I use AquaLift™ self-clean technology?

---

How is AquaLift™ self-clean technology different?

---

Why was AquaLift™ self-clean technology developed?

---

What are the key benefits of using AquaLift™ self-clean technology?

---

How often should I use AquaLift™ self-clean technology?

You can use AquaLift™ self-clean technology frequently to clean tough baked-on soils.

---

What ovens have AquaLift™ self-clean technology?

---



# EXHIBIT 5



## Frequently Asked Questions

---

What is AquaLift™ self-clean technology?

---

How does it work?

---

How do I use AquaLift™ self-clean technology?

It takes just a few steps. After removing all racks and accessories from the oven cavity and wiping excess soil up, simply:

Pour 16 ounces (2 cups) for electric range, or 14 ounces (1-3/4 cups) for gas, of filtered or distilled water onto the bottom of an empty AquaLift™ self-clean technology enabled oven and close the door.

Press "Clean" then "Start" to begin the 40 minute cycle. (Cycle time includes cleaning and cool down). When the cycle is complete, a beep will sound. Press "Cancel" to end.

Immediately after the cycle is complete, remove residual water and loosened soils with a sponge or dry cloth.

---

How is AquaLift™ self-clean technology different?

---

Why was AquaLift™ self-clean technology developed?

---

What are the key benefits of using AquaLift™ self-clean technology?

---

How often should I use AquaLift™ self-clean technology?

---

What ovens have AquaLift™ self-clean technology?

---



# EXHIBIT 6

# Oven Cleaning Quick Reference Guide

AquaLift™ Technology is an innovative cleaning solution that is activated with heat and water to release baked-on spills from the oven interior in less than 1 hour. This new cleaning technology is a low-heat, odor-free alternative to traditional self-cleaning options.

## STEP 1

**REMOVE** all racks and accessories from the oven cavity and wipe excess soil. Use the scraper to remove additional easily-removed soils.



## STEP 2

**POUR** 2 cups (16 oz) of distilled or filtered water onto the bottom of the empty oven and close the oven door.

**IMPORTANT:** Do not use cleansers, chemicals or other additives with the water.



## STEP 3

**PRESS** CLEAN then press START.

Cleaning action loosens baked-on residue from the oven bottom.

Allow 40 minutes for cleaning and cool down. Some condensation will form on the window. When the cleaning cycle is complete, a beep will sound. Press CANCEL to end.



## STEP 4

**REMOVE** the residual water and loosened soils with a sponge or soft dry cloth immediately after the cycle is complete.

Remove remaining soils with a non-scratch scrubbing sponge or plastic scraper.

Additional cleaning cycles may be run to help remove stubborn soils.



## STEP 5

**CLEAN** the oven door and walls to avoid baked-on soil. Refer to the User Instructions for additional information.

**IMPORTANT:** The use of chemicals, including abrasives and commercial oven cleaners, or metal scouring pads may damage the oven interior.



## Use regularly to clean oven spills

For additional information, refer to the User Instructions.

For assistance with AquaLift™ Technology, call 1-877-258-0808, or visit our website at <http://whr.pl/aqualift>.

## Helpful Tips

### Cleaning Your Ceramic Glass Cooktop

Clean your cooktop after each use with ceramic glass cooktop cleaner and apply with approved cooktop cleaning pads. Scrape off sugary spills while the cooktop is still warm. You may want to wear oven mitts while cleaning the cooktop.

Remove stubborn stains with Cooktop Cleaner, Scraper and Cleaning Pads available in the Cooktop Care Kit (not included).

Do not allow spills and stains to remain on the cooktop over night. Do not clean with steel wool, abrasive powder cleaners, chlorine bleach, rust remover, or ammonia as they will damage the glass. Razor scraper edges will not scratch the glass when used properly at a 45 degree angle to the surface.

### Cooktop Glass

The surface cooking area will glow red when an element is on. It may cycle on and off to maintain the selected heat level. Portions of the element may cycle on and off at different times on some elements. This is normal.

The Warm Zone element area will not glow red when cycling on.

### Oven Odor

There may be some odors the first few times you use your range. This will go away after the oven is used a few times. To eliminate these odors, it is recommended that you run the Bake cycle at 400°F (204°C) for 30 minutes prior to cooking for the first time.

### Oven Preheat Time

The standard time necessary to preheat your oven to 350° (177°C) is 10 to 15 minutes. Factors that have an impact on preheat times are: room temperature, starting oven temperature, and the number of oven racks. Unused oven racks can be removed prior to preheating your oven to reduce the preheat time.

### Convection

During convection cooking, the bake, broil and convection elements cycle on and off in intervals to maintain the oven temperature, while the fan circulates the hot air.

If the oven door is opened during convection cooking, the fan will turn off immediately. It will come back on when the oven door is closed.

### AquaLift™ Technology Cleaning

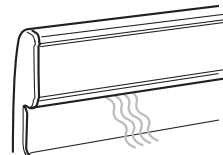
Some condensation will form on the oven window during the cleaning cycle. This condensation will evaporate within 30 minutes.

During the AquaLift™ Technology cleaning cycle, some steam will come out of the bottom of the console. This is normal and part of the cleaning cycle.

Make sure that the oven is level to ensure water is evenly distributed on the bottom of the oven cavity. Adjust the leveling feet as instructed in the Installation Instructions.

Remove heavy spills before starting the cleaning cycle. Heavily soiled ovens may require a second cleaning cycle.

For assistance with AquaLift™ Technology, call 1-877-258-0808, or visit our website at <http://whr.pl/aqualift>.



For additional information, refer to the User Instructions.

# EXHIBIT 7





Cleaning your oven just got

**faster, cooler, and easier**



"

"

"

GZJ KDKV": "



## Frequently Asked Questions

---

What is AquaLift™ self-clean technology?

---

How does it work?

---

How do I use AquaLift™ self-clean technology?

---

How is AquaLift™ self-clean technology different?

---

Why was AquaLift™ self-clean technology developed?

This solution was developed to directly address consumer dissatisfaction with traditional high-temperature self-clean ovens and to provide them an alternative cleaning solution.

---

What are the key benefits of using AquaLift™ self-clean technology?

---

How often should I use AquaLift™ self-clean technology?

---

What ovens have AquaLift™ self-clean technology?

---



# EXHIBIT 9



## Frequently Asked Questions

---

What is AquaLift™ self-clean technology?

---

How does it work?

---

How do I use AquaLift™ self-clean technology?

---

How is AquaLift™ self-clean technology different?

---

Why was AquaLift™ self-clean technology developed?

---

What are the key benefits of using AquaLift™ self-clean technology?

**SAVES TIME:** The cleaning process takes under one hour compared to the average 3-6 hours of traditional self-cleaning ovens.

**NO ODOR:** Since AquaLift™ self-clean technology uses water to clean, it avoids the traditional chemical odors associated with traditional oven cleaning.

**LESS HEAT:** The oven temperature required for best cleaning is 200° compared to 800° required with traditional self-cleaning options.

---

How often should I use AquaLift™ self-clean technology?

---

What ovens have AquaLift™ self-clean technology?

---



"

"

"

GZJ KDKV"32"



0-9 | a | b | c | d | e | f | g | h | i | j | k | l | m | n | o | p | q | r | s | t | u | v | w | x | y | z

## #

### 2-Level Warm Zone

Keeps food warm until it's ready to serve. Two temperature settings offer increased oven flexibility.

### 2-Level simmer

Ensures steady simmering of foods such as soups and sauces. Two temperature settings offer increased burner flexibility.

### 4-Level SheerClean™ Direct Feed Wash System

This feature helps you get sparkling dishes every time. Water is channeled to the back and top of the dishwasher, powerfully cleaning from four different angles. Wash water is also kept clean, helping keep dirty water off your dishes.

### 4-Way Venting

Increases the number of installation options in the home. Select dryers can be installed with venting out the back, the floor or the sides

### 6-Point Suspension System

Shock absorbers, springs and electronic controls help redistribute the load automatically and minimize movement of the wash drum during the spin cycle. The result is less noise and vibration for laundry without disruption

### 6th Sense™ Technology

Whirlpool brand's exclusive package of intuitive technologies that sense and manage what was once beyond your control.

[Back](#)

## a

### ABS Grind Chamber

Impact -resistant ABS copolymer grind chambers are lightweight yet extraordinarily tough. ABS material is temperature and warp-resistant, with a smooth surface that does not trap particles that can cause odor.

### ADA Compliant

Whirlpool® offers several appliances that meet the standards of the Americans with Disabilities Act (ADA).

### AccelerCare™ Drying System

This system senses how fast the load is drying, how hot the air should be, and when clothes are dry. It automatically stops the cycle to save time and energy, as well as to prevent fabric damage and shrinking.

### Accu-Chill™ Temperature Management System

Exclusive Whirlpool brand 6th Sense™ technology adds built-in sensors to your refrigerator to measure the internal temperature and activate the compressor only when necessary to conserve energy.

### AccuBake® temperature management system

Whirlpool® brand's exclusive 6th Sense™ technology uses a sensor to monitor oven temperature to deliver consistent baking, even on multiple racks.

### AccuDry™ Drying System

Measures moisture and temperature levels to reduce over drying and automatically stop the cycle when the load is dry. Dryers with the AccuDry™ system use 10% less energy than Whirlpool® dryers equipped with the AutoDry™ system (electric dryers only).

### AccuSimmer® burner/element

Produces a gradual, gentle heat that is perfect for melting chocolate or simmering sauces.

### AccuSimmer® cycle

Quickly boils liquids, then burner automatically reduces the heat to a delicate simmer to avoid splatters.

### AccuWave® power system

Evenly cooks, defrosts, reheats, softens and melts with microwave's constant, gentle heat. Thaw chicken without cooking the edges and reheat sauce without splatters.

### Adaptive Wash Cycle

Dual sensors determine the size of the dishwasher's load and the dirtiness of the dishes, then automatically select the appropriate cleaning level and cycle duration to save time and water.



### Adaptive Wash Cycle

Up to 11 different adaptive wash actions, from tumbling to cradling, adapt to the cleaning needs of each load. These adaptive wash actions provide a combination of powerful cleaning and gentle fabric care, handling everything from heavily soiled jeans to delicate silks

### Add-A-Garment Indicator Light

This light serves as a reminder that you can put clothes in the washer for the first eight minutes of the cycle, and they'll still receive the same effective cleaning.

### Adjustable door storage

Gives you the flexibility to store beverages anywhere in the refrigerator door by moving bins where and when you need them. [See also EZ-Tote® door bins.](#)

### Adjustable split rack

Remove the oven rack insert to make room for large items like a turkey or attach it to make a full rack. The insert can also be used on the counter as a cooling rack.

### Adjustable-time self-cleaning system

Oven allows for adjustment of the self-clean time in 15-minute intervals, according to your needs.

### Advanced Vibration Control™

Gap dampers and springs to minimize movement of the wash drum during spin cycle. Plus, enhanced software adjusts load distribution reducing vibration and noise.

### Anti-Escape Valve

Prevents detergent from escaping through the drain hose during the wash cycle. More detergent is kept in the wash basket for optimal cleaning performance.

### AnyWare™ Plus Silverware Basket

Find space for dishes and pots of all different sizes with a dishwasher basket that can be situated in three different places. Put it on the front of the rack or in the door for 100 percent usable rack space, or use it in the bottom rack for maximum flexibility.

### AquaLift® Self-Clean Technology

Get your oven clean in less than an hour with odor-free, low temperature AquaLift® technology. This exclusive coating on the interior activates with water and heat, allowing moisture to detach soils from underneath so food and debris easily wipe away.

### Armor Tub Interior

This gray plastic interior is available on select dishwasher models and helps reduce the appearance of stains to keep the unit looking clean longer.

### Auto Load Sensing System with Triple Spray Technology (TST)

This washer feature automatically determines the correct water level for the load size, and Triple Spray Technology evenly sprays clean water on your clothes to provide a thorough rinsing.

### Auto Soil Sensor

This feature optimizes every cycle for reliable cleaning results. It measures soil in the wash water to determine how dirty dishes are, then adjusts the dishwasher's cycle accordingly. The Auto Soil Sensor recalibrates the load after 250 cycles for maximum performance.

### AutoDry™ System

Automatically sense when clothes are dry and stops the cycle to save energy.

### Automatic Anti-Jam

The compactor's compression ram automatically reverses to prevent jamming when the door is opened during operation.

### Automatic Water Levels

Regulates the amount of water based on the size of the load. Only the amount needed to clean is used, increasing efficiency and helping the environment.

### Automatic defrost system

Refrigerators with this system include a timer, a limit switch and a heater that melts away frost so you don't have to take everything out of your freezer to melt built-up ice.

[Back](#)

## b

### Batch Feed

This feature lets you use the kitchen disposer even if a wall switch isn't available. Closing the auto-start lid will begin operation.

### Bridge element

Increases cooking options via a 700-watt bridge that connects two burners' heating elements. Evenly heat large or oblong pans more easily on the cooktop.

[Back](#)





## C

### CEE Tier III Qualified

Based on the Consortium for Energy Efficiency qualified product listings—with Tier III being the most efficient. These appliances help save resources, and energy, and may qualify for rebates from local utility companies.

### CEE Tier III Rated

Based on the Consortium for Energy Efficiency qualified product listings—with Tier III being the most efficient. This model features advanced water & energy savings and may qualify for rebates from local utility companies.

### Care Control Temperature Management

Adjusts the cold and hot water inlets to reach temperatures that are warm enough to dissolve detergents. Water is kept from overheating to help reduce shrinking and/or color bleeding.

### Clean Boost Deep Clean Options

These options penetrate deep into fabric fibers, breaking down and dissolving stains without pre-treating. Select models add steam enhancement for even better cleaning.

### Clean Washer Cycle

Deep-fills the washer to clean area that low-water systems don't typically reach. All it takes is one cup of bleach. Or, for an even deeper clean, use Affresh® Washer Cleaner.

### CleanRelease® non-stick interior

Reduces cleanup effort because of the oven's non-stick interior—an industry first. No special cleaning solutions are required.

### Clear humidity controlled crisper

Helps you preserve the freshness of your favorite fruits and vegetables with controlled humidity levels in the clear, extra-deep crisper. Select side-by-side refrigerators feature the largest crispers in the industry among leading brands.

### Clear temperature controlled meat pan

Helps you preserve the freshness of your meat by allowing cool air from the freezer to enter the meat pan at the level you select.

### Continuous-Feed Operation

Our continuous-feed disposer operation means no more jamming, no more waiting. Food is reduced to fine cuttings and whisked down the drain without the need to pause and check for clogging.

### Control Bake

This baking mode keeps the broil element turned off, preventing the tops of your food from overcooking, so pies and turkey come out just right.

### Control Lock

Disables buttons on the control panel to help prevent unwanted starting or stopping the dishwasher.

### Control lock

Disables the range's control panel to avoid unintended use or other changes to your cooking settings.

### Convection conversion

Removes the guesswork from preparing your favorite dishes. Automatically converts standard times and temperatures to the convection oven equivalent.

### Convertible exhaust hood

Fits flush under the cabinet and slides out easily to vent cooking odors. When no longer needed, slide it back in and out of the way.

### Convertible ventilation system

Provides added hood installation flexibility by venting cooking odors outside or recirculating them, depending upon your preference.

### Custom Broil

Allows you to set your preferred broiling temperature in 5-degree increments. High heat is best for grilling meats, while low heat is ideal for delicate tasks.

[Back](#)

## d

### Deep Clean Wash System

Combines two powerful technologies for optimal results. The Anti-escape valve ensures the maximum concentration of detergent is used, while Care Control temperature management keeps wash water warm enough for detergent enzymes to work effectively.

### Delay Bake

Lets you program the oven to begin cooking at a pre-set time. Prepare food for baking when it's most convenient for you and have dinner ready according to your schedule.

### Delay Wash

Sets the washer to begin cleaning up to 18 hours later, during off-peak hours when utility rates may be lower or when unloading the washer is more convenient.



#### Direct Inject Wash System

Penetrates stains and pre-treats soils with a concentrated burst of detergent. The wash cycle begins after the entire load has been treated.

#### Downdraft vent system

Pulls steam, smoke and odors downward and outside to help clear kitchen air. Conveniently built into select cooktops

#### Dual & Triple radiant elements

Provides the space-saving advantage of having two or three elements in one to handle various sizes of cookware. The inner ring is perfect for slowly simmering stock pots or quickly boiling water in small pans. The larger outer rings evenly distribute heat to large and extra-large pots and pans for better results.

[Back](#)

## e

#### ENERGY STAR® qualified

Meet or exceed government standards to help conserve natural resources and save money on utility bills.

#### EZ-2-Lift™ Adjustable Upper Rack

Easily accommodates larger items in your dishwasher with an upper rack that adjusts two inches up or down.

#### EZ-Tote® door bin

Allows you to move condiments or other items directly from the refrigerator door to the table. Built-in handles and multiple placement options for storing the bin keep door storage flexible and convenient.

#### EZ-View™ lighting

Provides illumination above the range according to your preference with three brightness settings, including a night-light option. Bulbs change out easily when a replacement is needed.

#### EasyView™ extra-large oven window

Provides better visibility of the oven interior with an extra-large window. Monitor cooking progress without opening the door, keeping oven temperatures steady and undisturbed.

#### Eco Boost™ Option

This option uses a lower temperature and increases spin speed on select models to provide excellent cleaning and reduce your overall energy use.

#### Eco Cycle

This cycle provides our dishwashers' most efficient washing. This eco-friendly cycle uses the least amount of energy possible while still delivering exceptional cleaning performance

#### Eco Monitor

Allows you to see how the cycles and options you choose will affect your overall energy savings in both the washer and the dryer.

#### Eco Normal Cycle

Conserve resources while doing your laundry. This drying cycle uses up to 40 percent less energy when paired with a Duet® washer compared to a conventional top load pair.

#### Eco Washer Cycles

Get excellent cleaning performance and use up to 26 percent less energy with the Eco Heavy Duty and Eco Whitest Whites cycles.\* \*Compared to the regular Heavy Duty and Whitest White cycles.

#### Energy Save mode

Similar to the sleep mode on a computer, the Energy Save feature uses less energy compared to ranges without Energy Save. It can be activated to turn off the display after 5 minutes of the range not being used. Press any button and the display becomes active again.

#### Enhanced Touch-Up Steam Cycle

Use steam to reduce wrinkles from a full load of clean, dry fabrics in 20 to 40 minutes.

#### EvenAir™ Convection

A fan evenly circulates air, providing a consistent oven temperature for uniform browning, even baking and faster roasting.

[Back](#)

## f

#### Fabric Sense™ Wash System

Get customized care and cleaning for your clothes. This feature uses sensors to set the optimal wash temperature, cycle time, and agitation speed for your load.

#### Family Capacity™ microwave

Uses a sunken turntable and bi-level cooking rack to offer increased flexibility and space for large or multiple dishes. Select racks can accommodate up to four full-size dinner plates.



#### FanFresh™ Option with Dynamic Venting Technology™

Keep your clean clothes fresh and free from odors for up to ten hours with the exclusive Dynamic Venting Technology™. This feature circulates air in the washer after the cycle ends, allowing you to wash now and dry later

#### Fast Cool option

The Fast Cool option quickly lowers the refrigerator's temperature at the push of a button. Select Fast Cool after filling your refrigerator with groceries to quickly cool fresh food.

#### Fast Fill dispensing system

Uses a high-flow water valve to deliver chilled, filtered water from your refrigerator without the wait. Combined with a dispenser area that's 50% larger in size, plus a slide-out tray and rotating faucet, the entire system fills any size container twice as fast as compared to Whirlpool® models without Fast Fill (See also Measured Fill).

#### Fast Freeze

Drops the freezer's temperature as low as it can go in the shortest amount of time. Activate Fast Freeze just before adding large amounts of unfrozen food.

#### Fast Ice

Drops the freezer temperature for a full 24 hours to increase ice production by up to 20%.

#### Fish burner

An elongated central burner that can accommodate oval-shaped pans and other longer cookware. Ideal for cooking large whole fish or other oversized dishes on the range top.

#### Flex Choice™ Simmer element/burner

This dedicated fifth cooktop burner keeps cooked food warm and frees up other burners for additional meal preparation.

#### Fresh Hold®

Fresh Hold® option uses a built-in fan and tumbling action to keep clothes fresh. Some models can wash and dry a small load overnight.

#### Fresh Spin™

An option available in select front load washers that tumbles clothes every 13 minutes for up to six hours after the cycle's end. This helps to help keep wet clothes fresh, even if you don't move them to the dryer right away.

#### FreshFlow™ air filter

This smart air filter is up to 15 times more effective than baking soda in reducing common food odors. Replace the filter every 6 months for optimal performance.

#### Full-width, cast-iron grates

Offers a smooth design for easy cleaning by hand or in the dishwasher. The grates cover the entire cooktop surface, creating the flexibility to place pots and pans anywhere, while the smooth satin finish resists wear and tear.

#### Fully Integrated Electronic Controls

Hidden control panel provides a sleek exterior while preventing unwanted cycle changes or accidental operation.

[Back](#)

## g

#### Glass Xpress™ Cycle

This convenient dishwashing cycle washes glassware or lightly soiled items in just 30 minutes.

[Back](#)

## h

#### Heavy-duty Roller Rack

Heavy duty roll out racks feature full extension glides on ball bearings that slide out smoothly for easy access to large meals.

#### Hidden bake element

Simplifies cleanup with the bake element hidden beneath the oven floor, leaving a smooth interior surface that is easy to wipe clean.

#### High-speed coil element

Heats up quickly to provide high temperatures for boiling and frying. Range's chrome drip pans below catch spills for easy cleanup.

#### Hot surface indicator

Illuminates when the cooktop surface is still hot to the touch—even after the heating element has been turned off.

[Back](#)



## i

### In-Door-Ice® dispensing system

Moves the Ice Bin inside the freezer door, creating extra space on the top shelf for more of your favorite foods. Store up to 8 more frozen pizzas. Also features a removable ice bucket.

### Induction technology

Some ceramic electric cooktops use an electromagnetic current that produces heat when it interacts with iron-based cookware, resulting in faster, more responsive cooking with increased energy savings.

[Back](#)

## k

### Key Lock

The removable key is required to turn the compactor's start knob - a great choice for households with children.

### Kids Menu

Cooks a variety of child-friendly food with preprogrammed microwave cycles that are activated by the simple push of a button. With menu selections like hot dogs and chicken nuggets, children can easily prepare their own pre-game dinners or after-school snacks.

[Back](#)

## l

### LP Convertible

Several ranges, ovens and dryers can be converted from natural gas to a liquid petroleum (propane) fuel source.

[Back](#)

## m

### MaxWave™ cooking system

Microwave energy is released from multiple points inside the oven cavity. Food is cooked evenly, eliminating cold centers or overdone edges.

### Measured Fill

Allows you to select the exact amount of filtered water - in ounces, cups, or liters - that you need. The dispenser will fill the container and automatically shut off when complete. Available as part of the Fast Fill dispensing system on select models.

### Melt/Soften cycles

Microwave gently melts foods such as chocolate without cooking (Melt Cycle); gently softens food such as butter without melting (Soften Cycle).

### MicroEtch™ spill control shelf

The industry's most shelf space on a single shelf among leading brands! This industry-exclusive innovation gives you 25% more usable shelf space to store 12 more soda cans on each shelf. Removing the frame around each shelf helps create wall-to-wall storage and makes cleaning inside the refrigerator easier than before. Microscopic etching helps prevent leaks from spreading.

### Microwave steamer

Works in tandem with the steaming function to conveniently steam foods such as rice, vegetables and fish with fresh, pleasing results.

### Modular cooktop

Allows you to customize the cooking surface according to your needs with gas burners, grill modules and griddle modules.

### Moisture Sensor Control

Measures the dampness of clothes as they tumble in the dryer. Sensors automatically turn off the cycle when clothes are dry.

### Most Used cycle

Saves time by "remembering" and activating your most frequently used microwave Velos® SpeedCook cycle with the simple press of a button.

[Back](#)

### NSF® Certified Cycles

Eliminate 99.9 percent of certain household bacteria. The Sanitary cycle on select washers uses an internal heater to bring water to a temperature hot enough to sanitize without bleach.



## n

### NSF® Certified Sani Rinse Option

Dishwashers with this option eliminate 99.9 percent of food soil bacteria, as certified by NSF International.\*

### New PUR® water filtration system

Save up to \$600 a year compared to the cost of bottled water. The improved filter design is more compact, easier to replace and reduces 33% more contaminants from your refrigerator's dispensed water.

### NightQuiet™ Option

This option uses a lower spin speed to further reduce operational sound to run quieter when you need it. This is a handy option for those whose laundry rooms are located closer to main living areas.

[Back](#)

## O

### One touch bake and broil

Automatically sets the oven to 350°F when the "Bake" button is pushed and 500°F when the "Broil" button is selected.

### Oven Hold Warm/Warm Hold

Uses low heat to keep food warm inside the oven or microwave, so you can keep completed dishes from getting cold while you work on the rest of your meal.

### Oxi Dispense Option

Enhances whitening performance with an eco-friendly alternative to bleach. An automatic dispenser distributes the oxygenated additive at the appropriate time, sending oxygen through the load to brighten fabrics.

[Back](#)

## p

### PUR® water filtration system

Reduces contaminant from household water, giving you chilled, filtered water from your refrigerator for up to 6 months. Filters are easy to reach and replace.

### Pop-up downdraft vent

Retracts when not in use. Variable hood speed fans make adjusting the ventilation easy for every situation.

### Power Clean™ Wash System

Use five levels of dishwashing power to sweep food particles to a hard-food disposer and self-cleaning filter for exceptional cleaning performance.

### PowerScour™ Option

Scour away baked-on foods without soaking or scrubbing. This dishwasher's 36 powerful targeted spray jets will take care of it. You can simultaneously clean a wide variety of items, from casserole dishes to delicate glassware — all without using an additional drop of water.

### Power™ burners

Generate the high heat needed for rapid boiling, searing and frying with burners that offer up to 17,000 BTUs.

### Precise Clean™ cleaning system

6th Sense™ technology tracks how long it has been since the last self-clean cycle and suggests just the right cycle time, so the oven's self-cleaning cycle only lasts as long as necessary for optimal cleaning. No harsh chemicals or cleaners are required.

### Precision Dispense (Plus)

Penetrates stains and pre-treats soils with a concentrated burst of detergent. The wash cycle begins only after the entire load has been treated. Precision Dispense Plus adds the ability to release oxygenated additives for better cleaning performance.

### Preheat countdown timer

Keeps track of how long the oven will take to reach the desired baking temperature with a display that counts down the required time or temperature.

[Back](#)

## q

### Quick Refresh Steam Cycle

Tumbles small loads in the dryer, letting steam technology relax wrinkles and reduce odors. In just 15 minutes, clothes go from lying there to ready-to-wear. Select dryer models allow you to refresh up to 12 garments in one cycle.

### Quick Wash Cycle

Clean small, lightly soiled loads in less time. Plus, increased spin speeds extract more water for faster dry times.

### Quiet Dry Noise Reduction Systems

Keep operational sounds inside the dryer and out of living areas with sound-absorbing materials around the drum. Escalating levels of sound reduction are available.



### Quiet Partner™ Sound Packages I thru V

Keep the peace in your kitchen. Our Quiet Partner™ dishwashers are quieter than many kitchen sounds, such as the pop of microwave popcorn, the buzz of an electric razor, or the sizzle of bacon frying.

### Quiet Spin Technology

Ideal for second floor laundry rooms with great out-of-balance performance and vibration control. Quiet Spin Technology's unique suspension system makes it all possible.

### Quiet Wash Noise Reduction Systems

Keep operational sounds inside the washer and out of living areas with sound-absorbing materials around the wash basket or drum. Differing insulation combinations are available, from Quiet Wash to Ultra Quiet Wash Plus.

[Back](#)

## R

### Rapid Boil element

A more powerful radiant element burner brings liquids to a boil more quickly and provides cooking flexibility by accommodating various sizes of cookware.

### Rapid Preheat

Preheats the oven 40% faster for electric ranges and 20% faster for gas ranges to achieve a temperature ideal for single rack baking.

### Recessed cooktop

Provides a more aesthetically pleasing profile by lowering the level of the grates.

### Resource Saver™ Dishwasher

Clean a full load of dishes using 1/3 less water and energy compared to dishwashers manufactured before 2000. This feature provides a thorough cleaning first in the upper rack and then the lower, which reduces the amount of water used overall. These eco-friendly CEE Tier I dishwashers are the most efficient we've ever created.

### Resource Saver™ refrigerator

The industry's most efficient refrigerators in their respective classes earn a CEE Tier 3 rating. Each one exceeds federal standards by 30% and uses less energy than a 40-watt or 60-watt light bulb.

[Back](#)

## S

### Sabbath mode

Overrides the oven's automatic shut-off function, keeping it active for hours of uninterrupted cooking, making it possible to use the oven on the Sabbath without turning it on.

### Sani Rinse

Sanitizes dishes by eliminating 99.999% of bacteria. NSF® Certified.

### Schott Ceran® eco-friendly ceramic glass cooktop

This eco-friendly cooktop is manufactured without the release of hazardous metals into the Earth.

### Sealed burners

Cleans up quickly after cooking is complete. No gap between the cooktop and these burners makes for a smooth surface that's easy to clean.

### SheerClean™ Direct Feed Wash System

Get sparkling dishes every time. This smart system channels water up and out of the back and top of the dishwasher to powerfully clean from five different angles. It keeps wash water clean, and no central tower means more space for dishes, pots, and pans.

### Smooth Spin™ Technology

Minimizes movement of the wash drum during spin cycles. Reduced noise and vibration are the result, making installation on an upper floor possible.

### Speed Wash Cycle

Runs a full dishwasher cycle in just one hour - that's less than half the time of other wash cycles.

### SpeedCook technology

Cuts cooking times up to 47% compared to traditional ovens. Microwave technology works with halogen and quartz light energy to grill steaks and bake brownies with real oven results.

### SpillGuard™ cooktop

Helps contain messes and makes cleanup easier with the raised-edge design.

### SpillGuard™ glass shelf

Helps contain spills and simplifies cleanup, preventing liquids from leaking onto shelves below. Some models feature shelves that are adjustable and slide out, providing easy access to items stored in the back of the refrigerator.



### Staged cooking

Allows you to custom program multiple power levels and cooking durations without keeping "watch" over the microwave. Ideal for dishes requiring temperature changes mid-cooking, like frozen entrees.

### Stainless Steel Wash Drum/Basket

Resists odors, rust and chipping. The smooth surface helps protect delicate fabrics from snagging during wash cycles.

### Steam Technology

Naturally cleans and refreshes clothes. In the washer, steam breaks down and dissolves tough stains without pretreating. With the push of a button, the dryer combines mist with heat to create steam to relax wrinkles and refresh dry clothes.

### SteamClean option

Spot cleans the oven floor 9X faster than a traditional self-cleaning cycle\* using only 1 1/4 cups of water—no harsh chemicals or cleaners needed. Used periodically to clean light spills on the bottom of the oven, it keeps the oven clean and reduces the need for frequent self-clean cycles.

[Back](#)

## t

### Tap touch controls

The touch interface brings allows direct access to refrigerator functions and its sleek appearance enhances the appeal of any space.

### Temperature management system enabled by 6th Sense™ Technology.

Exclusive Whirlpool brand 6th Sense™ technology in this temperature management system adds built-in sensors to your refrigerator that automatically adjust cooling to return food to the desired temperature in half the time.

### TimeSavor™ Plus true convection cooking

Uses a fan plus a third heating element in the back of the oven to distribute hot air more efficiently to seal in flavor and juices. Cut roasting time compared to traditional thermal-bake ovens.

### TimeSavor™ convection cooking

Uses a fan in the back of the oven to distribute hot air more efficiently to seal in flavor and juices.

### Triple Spray Technology (TST)

Automatically determines the correct water level for the load size in the washer. TST evenly sprays clean water on the load, providing outstanding rinsing effectiveness.

### TruCapture® ventilation system

Hood's system removes cooktop smoke, steam and odors from the front two burners with a powerful 4-speed fan and unique, sloped design that vents out the top instead of the front of the unit. Whirlpool brand's most efficient ventilation system.

### TumbleFresh™ Option

Activates after the wash cycle is finished and rolls clean clothes periodically to help prevent wrinkles from setting in. Clothes stay fresh without having to transfer them to the dryer immediately.

[Back](#)

## W

### Warm Zone element

Prevents food from cooling while the rest of the meal is being prepared. This burner's low-powered (20–100 watt) fifth element provides added flexibility and convenience.

### White LED lighting

This lighting system found in select Whirlpool Gold® models casts a more natural light on the contents of your refrigerator so food looks as it should instead of reflecting the blue hues found in other lighting systems.

### Whitest Whites Cycle

Raises water temperatures and releases bleach or an oxygen-based cleaner at the optimal moment to enhance whitening performance. Featured on washers with an automatic bleach and/or Oxi dispenser.

### Wrinkle Shield™ Plus Option (up to 140 Minutes)

Tumble your clothes every five minutes after the dryer cycle is complete to help prevent wrinkles from setting into clean, dry fabrics.

[Back](#)

## X

### Xtra Roll Action™ Plus Agitator

This feature lets you double your wash load. The Xtra Roll Action™ Plus Agitator ensures all laundry is rolled to the bottom of the wash basket where cleaning takes place, effectively cleaning twice the average load size as a standard agitator.



[Back](#)

---

y

**Y-connector**

The industry's first direct water installation method connects Whirlpool brand steam dryers to the washer inlet hose. There's no need to add water manually before starting a steam cycle.

[Back](#)

---

0-9 | a | b | c | d | e | f | g | h | i | j | k | l | m | n | o | p | q | r | s | t | u | v | w | x | y | z



# EXHIBIT 11



## 6.4 Cu. Ft. Freestanding Electric Range with AquaLift® Self-Cleaning Technology

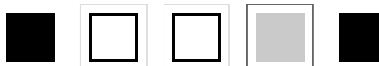
4.4

541 Reviews

BASE MSRP  
\$949.00

Whether it's dinner for two or a family of four or more, our largest capacity freestanding electric range has the space and performance you need to cook all of your favorites. With 6.4 cu. ft. and fan convection cooking, you'll be able to bake on any rack with flavorful results. The counter depth range's cooktop features multiple FlexHeat™ dual radiant elements that expand to match the size of the pan you're using and a Warm Zone radiant element to keep completed dishes warm. At the end of the meal, this large oven's easy wipe ceramic glass cooktop offers hassle-free cleanup, while AquaLift® self-cleaning technology delivers odor-free oven cleaning without chemicals in only 50 minutes¹.

### AVAILABLE COLOR OPTIONS



Black-On-Stainless - WFE540H0ES

### FEATURES

#### Top Features

##### Counter Depth Range

Unlike most ranges on the market, Whirlpool® counter depth ranges are all made to fit seamlessly into your kitchen. Designed to fit within 2" of a standard 25" depth countertop⁴, you

##### FlexHeat™ Element

The FlexHeat™ element is like having two or three elements in one. A 6" inner ring is great for smaller pots and pans, while expandable outer rings make room to heat larger cookware.

##### Fan Convection Cooking

Bake on any rack with fan convection cooking. It fills the entire oven with heat, so no matter which rack you use, you still get great results.

can be sure they will stand out in the kitchen, without sticking out. Plus, optimized oven design maintains the cooking capacity you need to get dinner on the table.

---

## Additional Features

### AquaLift® Self-Cleaning Technology

Get odor-free cleaning without harsh chemicals in only 50 minutes<sup>1</sup>. \* AquaLift® self-cleaning technology uses only water and low heat to help remove baked-on foods from the bottom of the oven.

### 6.4 Cu. Ft. Capacity

### Easy Wipe Ceramic Glass Cooktop

The ceramic glass cooktop provides an ideal space for cooking and easy cleanup.

### AccuBake® Temperature Management System

Achieve uniform baking results every time with the AccuBake® temperature management system. A built-in sensor monitors oven temperature and controls the cooking elements to deliver consistent, delicious results every time.

### EasyView™ Extra-Large Oven Window

Keep the heat inside your oven while checking on dishes through the industry's largest window<sup>3</sup> available. Now you can keep a close eye on cooking progress without opening the door or disturbing oven temperature with the new EasyView™ extra-large oven window.

### Hidden Bake Element

Exposed bake elements have an irregular surface with hard-to-reach areas that are difficult to keep clean. Whirlpool brand places the bake element beneath the oven floor, creating a smooth, even surface that is easy to wipe clean.

### Max Capacity Recessed Rack

The adjustable, Max Capacity rack not only makes room for large items, but also secures items that might slide around. This specialized recessed rack sits low in the oven to also crisp the bottom of pie crusts, pizzas and more.

**#1 Selling Appliance Brand in the U.S.A.<sup>2</sup>**

**#1 selling appliance brand in the U.S.A.<sup>2</sup>**

---

<sup>(1)</sup> Based on average cleaning time of self-clean cycle with water and moderate soils. <sup>(4)</sup> Excluding handle. <sup>(2)</sup> Based on 12-month average of unit sales. Refrigeration, Cooking, Dishwashers and Laundry appliances. TraQline 2015. <sup>(3)</sup> Based on interior viewable window of leading brand freestanding ranges.





"

"

"

GZJ KDKV"34"



## 5.8 cu. ft. Front-Control Gas Stove with Fan Convection

4.4

295 Reviews

BASE MSRP  
\$1,749.00

Leave unnecessary meal prep behind with the 5.8 cu. ft. Front Control gas stove that fits your kitchen and delivers delicious results. Fan convection cooking helps you cook tastier roasts and bake bread with just the right texture in less time than non-convection ovens. You'll be able to skip the preheat and cook frozen favorites faster in this 5-burner gas stove with Frozen Bake™ technology. And thanks to the FIT system, it's easy to upgrade to a full-depth slide-in range made to fit in your existing kitchen cutout. When it's time for cleanup, AquaLift™ self-cleaning technology helps you wipe away messes in your slide-in gas stove without harsh chemicals or odors.

### AVAILABLE COLOR OPTIONS



Stainless Steel - WEG730H0DS

### FEATURES

#### Top Features

##### 5.8 Cu. Ft. Capacity

The 5.8 cu. ft. oven has room to bake and roast holiday dishes, so there's always enough space to handle even your largest meals.

##### Frozen Bake™ Technology

Frozen Bake™ technology cooks frozen foods faster<sup>2</sup> by eliminating the need to preheat the oven. Just select the food type, temperature and cook time listed on the frozen item's package and the oven will start customizing. Now you can cook frozen pizza 31% faster<sup>1</sup>, and even lasagna, chicken nuggets, fries and pies can get from the oven to the table in less time.

##### Full-Depth Front-Control Range with the FIT System

Upgrade to a full-depth front-control range that fits seamlessly in your kitchen without the hassle of remodeling thanks to the FIT system.

#### Additional Features

---

**Fan Convection Cooking**

With fan convection cooking, a fan in the back of the oven distributes hot air more efficiently to seal in flavors and juices. Now you can cook tastier roasts and bake bread with just the right texture and flavor.

**AccuBake® Temperature Management System**

The AccuBake® temperature management system's built-in sensor monitors oven temperature and the cooking elements to deliver consistent, delicious results every time.

**AquaLift® Self-Cleaning Technology**

Get odor-free cleaning without harsh chemicals in only 50 minutes. AquaLift® self-cleaning technology uses only water and low heat to help remove baked-on foods from the bottom of the oven.

**SpeedHeat™ Burner**

Generate the high heat needed for rapid boiling, searing and frying with burners that offer 15,000 or 17,000 BTUs.

**Rapid Preheat**

Put dinner on the table faster with Rapid Preheat, which uses the bake and broil elements to heat the oven quickly and efficiently. Ideal for single rack baking, this option saves time with 21% faster preheating.

**Full-Width, Satin-Finish Cast-Iron Grates**

Cast-iron grates cover the whole cooking surface, giving you the flexibility to place pots and pans anywhere on the cooktop. The grates are dishwasher safe, and their satin finish resists wear and tear.

---

(1) Compared to a traditional preheat and bake cycle. (2) Compared to a traditional preheat and bake cycle for pizza, nuggets/fries, pies and lasagna.



# EXHIBIT 13



## 5.8 Cu. Ft. Freestanding Gas Range with AquaLift® Self-Cleaning Technology

4.4

109 Reviews

BASE MSRP  
\$1,149.00

Bake, broil, simmer and sauté with Whirlpool brand's largest capacity freestanding gas range. True convection cooking uses a rear fan and a third heating element to circulate hot air and cook food faster inside the oven, while the cooktop offers a variety of flexible cooking options. This 5.8 cu. ft. counter depth gas range's center burner creates space to cook up to five dishes at once, a 17,000-BTU SpeedHeat™ burner quickly boils water and an included griddle gives you the perfect place to cook pancakes and hamburgers. And at the end of the meal, this self-cleaning oven's AquaLift® self-cleaning technology delivers odor-free oven cleaning without chemicals in only 50 minutes<sup>1</sup>.

### AVAILABLE COLOR OPTIONS



White Ice - WFG715H0EH

### FEATURES

#### Top Features

##### Counter Depth Range

Unlike most ranges on the market, Whirlpool® counter depth ranges are all made to fit seamlessly into your kitchen. Designed to fit within 2" of a standard 25" depth countertop<sup>†</sup>, you can be sure they will stand out in the kitchen, without sticking out. Plus, optimized oven design maintains the cooking capacity you need to get dinner on the table.

##### True Convection Cooking

True convection cooking helps you cook foods faster by using a third element plus a fan to distribute hot air evenly over, under and around food.

##### SpeedHeat™ Burner

Sear and boil quickly with the 17,000 BTU SpeedHeat™ burner.

#### Additional Features

Edge-to-Edge Cooking Grates	Included Griddle
<p>Edge-to-edge grates extend across the entire cooktop, so you don't have to balance large pots on small burners.</p>	<p>Rapid Preheat</p> <p>Rapid Preheat uses all of the elements and a rear fan to heat the oven quickly and efficiently. Now you can save time when single-rack baking with 25% faster preheating<sup>2</sup>.</p>
<p>Fifth Burner</p> <p>A fifth burner gives you one more spot to cook.</p>	
<p>Warming Drawer</p> <p>Whether coordinating multiple hot dishes or keeping a meal warm for someone working late, you can keep food ready to serve in this separate, heated drawer.</p>	<p>Convection Conversion</p> <p>Your oven will do the math for you when you need to convert traditional recipes for convection cooking, automatically adjusting cooking times and temperatures.</p>
<p>AquaLift® Self-Cleaning Technology</p> <p>Get odor-free cleaning without harsh chemicals in only 50 minutes<sup>1</sup>. * AquaLift® self-cleaning technology uses only water and low heat to help remove baked-on foods from the bottom of the oven.</p>	<p>EasyView™ Extra-Large Oven Window</p> <p>Keep the heat inside your oven while checking on dishes through the industry's largest window<sup>3</sup> available. Now you can keep a close eye on cooking progress without opening the door or disturbing oven temperature with the new EasyView™ extra-large oven window.</p>
<p>5.8 cu. ft. Capacity</p>	
<p>AccuBake® Temperature Management System</p> <p>Achieve uniform baking results every time with the AccuBake® temperature management system. A built-in sensor monitors oven temperature and controls the cooking elements to deliver consistent, delicious results every time.</p>	<p>Hidden Bake Element</p> <p>Exposed bake elements have an irregular surface with hard-to-reach areas that are difficult to keep clean. Whirlpool brand places the bake element beneath the oven floor, creating a smooth, even surface that is easy to wipe clean.</p>
<p>AccuSimmer® Burner</p> <p>Melt chocolate and simmer sauces with a controlled heat burner.</p>	<p>Max Capacity Recessed Rack</p> <p>The adjustable, Max Capacity rack not only makes room for large items, but also secures items that might slide around. This specialized recessed rack sits low in the oven to also crisp the bottom of pie crusts, pizzas and more.</p>
	<p>#1 Selling Appliance Brand in the U.S.A.<sup>5</sup></p> <p>#1 selling appliance brand in the U.S.A.<sup>5</sup></p>

(4) Excluding handle. (2) Single-rack baking with Rapid Preheat option versus three-rack without option. (3) Based on interior viewable window of leading brand freestanding ranges. (1) Based on average cleaning time of self-clean cycle with water and moderate soils. (5) Based on 12-month average of unit sales. Refrigeration, Cooking, Dishwashers and Laundry appliances. TraQline 2015.



SEARCH

STORES

MENU



## 6.2 cu. ft. Front-Control Electric Range with AccuBake® System

4.2

24 Reviews

BASE MSRP  
\$1,399.00

Leave unnecessary meal prep behind with the 6.2 cu. ft. front control electric range that fits your kitchen and delivers delicious results. The AccuBake® system monitors temperatures and controls the oven elements for consistently perfect dishes. You'll be able to skip the preheat and cook frozen favorites faster in this self-cleaning range with Frozen Bake™ technology. And thanks to the FIT system, it's easy to upgrade to a full-depth slide-in range made to fit in your existing kitchen cutout. When it's time for cleanup, Aqualift™ self-cleaning technology helps you wipe away messes in your slide-in electric range without harsh chemicals or odors.

### AVAILABLE COLOR OPTIONS



Stainless Steel - WEC530H0DS

### FEATURES

#### Top Features

##### 6.2 cu. ft. Capacity

The 6.2 cu. ft. oven has room to bake and roast holiday dishes, so there's always enough space to handle even your largest meals.

##### Frozen Bake™ Technology

Frozen Bake™ technology cooks frozen foods faster<sup>2</sup> by eliminating the need to preheat the oven. Just select the food type, temperature and cook time listed on the frozen item's package and the oven will start customizing. Now you can cook frozen pizza 31% faster<sup>1</sup>, and even lasagna, chicken nuggets, fries and pies can get from the oven to the table in less time.

##### Full-Depth Slide-In Range with the FIT System

Upgrade to a full-depth slide-in range that fits seamlessly in your kitchen without the hassle of remodeling thanks to the FIT system.

#### Additional Features

**AquaLift® Self-Cleaning Technology**

Get oven free cleaning without harsh chemicals in only 50 minutes. AquaLift® self-cleaning technology uses only water and low heat to help remove baked-on foods from the bottom of the oven.

**AccuBake® Temperature Management System**

The AccuBake® temperature management system's built-in sensor monitors oven temperature and the cooking elements to deliver consistent, delicious results every time.

**Rapid Preheat**

Put dinner on the table faster with Rapid Preheat, which uses the bake and broil elements to heat the oven quickly and efficiently. Ideal for single rack baking, this option saves time with 21% faster preheating.

**4,000-Watt Broil Element**

At 4,000 watts, Whirlpool® slide-in ranges feature one of the most powerful broiling elements in the industry.

[SEARCH](#) [STORES](#) [MENU](#)

(2) Compared to a traditional preheat and bake cycle for pizza, nuggets/fries, pies and lasagna. (1) Compared to a traditional preheat and bake cycle.



SEARCH STORES MENU



## 6.4 Cu. Ft. Freestanding Electric Range with True Convection

5.0

2 Reviews

BASE MSRP  
\$1,049.00

This freestanding electric range is designed to keep dinner time from getting in the way of family time. Cook food faster with true convection cooking. Convection Conversion will do the math for you to adjust cooking times and temperatures. Skip preheating for favorites like pizza, lasagna, chicken nuggets, fries or pies with Frozen Bake™ technology. The FlexHeat™ triple radiant element is like having three elements in one to fit small pots and pans and make room for larger cookware. And when it's time to clean up, Aqualift® self-cleaning technology provides this kitchen range with odor-free cleaning without harsh chemicals in only 50 minutes<sup>1</sup>.

### AVAILABLE COLOR OPTIONS



Stainless Steel - WFE745H0FS

### FEATURES

#### Top Features

##### Frozen Bake™ Technology

Skip preheating for favorites like pizza, lasagna, chicken nuggets, fries or pies so you can cook frozen foods faster.

##### True Convection Cooking

True convection cooking helps you cook foods faster by using a third element plus a fan to distribute hot air evenly over, under and around food.

##### FlexHeat™ Triple Radiant Element

The FlexHeat™ triple radiant element is like having three elements in one. A 6" inner ring is great for smaller pots and pans, while 9" and 12" outer rings make room to heat larger cookware.

#### Additional Features

Convection Conversion



Your oven will do the math for you when you need to convert traditional recipes for convection cooking, automatically adjusting cooking times and temperatures.

AquaLift® Self-Cleaning Technology

Get odor-free cleaning without harsh chemicals in only 50 minutes<sup>1</sup>. \* AquaLift® self-cleaning technology uses only water and low heat to help remove baked-on foods from the bottom of the oven.

Temperature Sensor

A built-in sensor monitors oven temperature and adjusts the cooking elements to help food bake evenly.

Rapid Preheat

Save time when you only need to bake on one rack. Rapid Preheat uses all of the elements and a rear fan to heat the oven quickly.

6.4 Cu. Ft. Capacity

Easy-Wipe Ceramic Glass Cooktop

Large Oven Window

Max Capacity Rack

Hidden Bake Element

Easily clean your oven without an exposed bake element in the way.

Dishwasher-Safe Knobs

#1 Selling Appliance Brand in the U.S.A.<sup>2</sup>

#1 selling appliance brand in the U.S.A.<sup>2</sup>

SEARCH STORES MENU

(2) Based on 12-month average of unit sales. Refrigeration, Cooking, Dishwashers and Laundry appliances. TraQline 2015. (1) Based on average cleaning time of self-clean cycle with water and moderate soils.



## 5.8 Cu. Ft. Freestanding Gas Range with AquaLift® Self-Cleaning Technology

4.4

109 Reviews

BASE MSRP  
\$1,149.00

Bake, broil, simmer and sauté with Whirlpool brand's largest capacity freestanding gas range. True convection cooking uses a rear fan and a third heating element to circulate hot air and cook food faster inside the oven, while the cooktop offers a variety of flexible cooking options. This 5.8 cu. ft. counter depth gas range's center burner creates space to cook up to five dishes at once, a 17,000-BTU SpeedHeat™ burner quickly boils water and an included griddle gives you the perfect place to cook pancakes and hamburgers. And at the end of the meal, this self-cleaning oven's AquaLift® self-cleaning technology delivers odor-free oven cleaning without chemicals in only 50 minutes<sup>1</sup>.

### AVAILABLE COLOR OPTIONS



White Ice - WFG715H0EH

### FEATURES

#### Top Features

##### Counter Depth Range

Unlike most ranges on the market, Whirlpool® counter depth ranges are all made to fit seamlessly into your kitchen. Designed to fit within 2" of a standard 25" depth countertop<sup>4</sup>, you can be sure they will stand out in the kitchen, without sticking out. Plus, optimized oven design maintains the cooking capacity you need to get dinner on the table.

##### True Convection Cooking

True convection cooking helps you cook foods faster by using a third element plus a fan to distribute hot air evenly over, under and around food.

##### SpeedHeat™ Burner

Sear and boil quickly with the 17,000 BTU SpeedHeat™ burner.

#### Additional Features



Edge-to-Edge Cooking Grates

Edge-to-Edge cooking grates extend across the entire cooktop, so you don't have to balance large pots on small burners.

Fifth Burner

A fifth burner gives you one more spot to cook.

Warming Drawer

Whether coordinating multiple hot dishes or keeping a meal warm for someone working late, you can keep food ready to serve in this separate, heated drawer.

AquaLift® Self-Cleaning Technology

Get odor-free cleaning without harsh chemicals in only 50 minutes<sup>1</sup>. \* AquaLift® self-cleaning technology uses only water and low heat to help remove baked-on foods from the bottom of the oven.

5.8 cu. ft. Capacity

AccuBake® Temperature Management System

Achieve uniform baking results every time with the AccuBake® temperature management system. A built-in sensor monitors oven temperature and controls the cooking elements to deliver consistent, delicious results every time.

AccuSimmer® Burner

Melt chocolate and simmer sauces with a controlled heat burner.

Included Griddle

Rapid Preheat

Rapid Preheat uses all of the elements and a rear fan to heat the oven quickly and efficiently. Now you can save time when single-rack baking with 25% faster preheating<sup>2</sup>.

Convection Conversion

Your oven will do the math for you when you need to convert traditional recipes for convection cooking, automatically adjusting cooking times and temperatures.

EasyView™ Extra-Large Oven Window

Keep the heat inside your oven while checking on dishes through the industry's largest window<sup>3</sup> available. Now you can keep a close eye on cooking progress without opening the door or disturbing oven temperature with the new EasyView™ extra-large oven window.

Hidden Bake Element

Exposed bake elements have an irregular surface with hard-to-reach areas that are difficult to keep clean. Whirlpool brand places the bake element beneath the oven floor, creating a smooth, even surface that is easy to wipe clean.

Max Capacity Recessed Rack

The adjustable, Max Capacity rack not only makes room for large items, but also secures items that might slide around. This specialized recessed rack sits low in the oven to also crisp the bottom of pie crusts, pizzas and more.

#1 Selling Appliance Brand in the U.S.A.<sup>5</sup>

#1 selling appliance brand in the U.S.A.<sup>5</sup>

SEARCH STORES MENU

(4) Excluding handle. (2) Single-rack baking with Rapid Preheat option versus three-rack without option. (3) Based on interior viewable window of leading brand freestanding ranges. (1) Based on average cleaning time of self-clean cycle with water and moderate soils. (5) Based on 12-month average of unit sales. Refrigeration, Cooking, Dishwashers and Laundry appliances. TraQline 2015.

"

"

"

GZJ KDQ"36"



# CONSUMERIST



Want Consumerist in your inbox? We will not sell or rent your email

Email Address

JOIN

 **SUBMIT A TIP**

KITCHENAID



## My Advanced New Self-Cleaning Oven Needs A Lot Of Help To Clean Itself

By [Laura Northrup](#) February 8, 2013



In for more cleaning.

Susan's new Kitchenaid gas range is pretty nice, but she writes that exciting advancements in self-cleaning oven technology aren't all they're cracked up to be. Whirlpool's [Aqualift](#) self-

cleaning system seemed to be a technological advance comparable to [see-through dishwashers](#), but she reports that her oven only cleans the bottom center, and not the sides or the corners. You know, the parts that you want your self-cleaning oven to take care of for you.

Update: [Sears saved the day!](#)

She writes:

*I have a 30 day old Kitchen Aid convection gas range. Love how it cooks.*

### TRENDING

[5 Brands Of Curry Powder Recalled Because Of Lead-Contaminated Turmeric](#)

[Debt Collector Gets Out Of Lawsuit... By Buying The Lawsuit Out From Under The Plaintiff](#)

[Tesla Model S Engulfed In Flames During Worst Test Drive Ever](#)

[Turmeric Sold At Target, Big Lots, Supermarkets Recalled For Possible Lead](#)

[Police Officer Smashes Window Of Hot Car And Realizes He's Just Rescued A Lifelike Doll](#)

*HOWEVER, their “Aqualift” cleaning technology is a rip AND entirely misleading.*

*If you think you’re getting a cool new oven with cool new cleaning technology, THINK AGAIN!*

*It does a lovely job of cleaning the bottom center of the oven, But NO cleaning around the perimeter OR the side walls.*

*So... every time you want to clean your cool new oven, you’ll be scrubbing it yourself!!!*

### **DON'T PANIC!**

We are currently testing a new commenting system. Want to help? Request an invite.

---

We asked Susan to send along some photos, and she obliged.







*The attached photos show the interior of the oven, which went from clean/new to this after cooking 1 time at a high temperature (chicken) – and AFTER 2 cleaning cycles.*

*Whirlpool/Kitchen Aid advised using their cleaning product, “Affresh”. It took me 1/2 hour to rub out about 5 inches of stain using that product.*

*Unbelievable that my ancient Whirlpool bottom-of-the-line oven, with the old high temp cleaning system, required only a damp cloth wipe afterwards, and went to the recycling dump cleaner than my new oven is today!*

That’s very sad, especially if the oven cooks beautifully. The whole point of self-cleaning ovens was supposed to be that we wouldn’t have to spray stuff inside and spend hours scrubbing. If it’s any comfort, **appliances don’t seem to last very long these days**, so Susan will be shopping for a new range before she even knows it!

---

Tell a friend:



Tagged With: self-cleaning ovens, ranges, ovens, appliances,  
whirlpool, kitchenaid

---

< PREVIOUS

Lost Your License Or  
Passport? Airport Security Will  
Accept A Costco Card

NEXT >

Almost \$1 Billion In Defaulted  
Perkins Loans Prompting  
Schools To Sue  
Former Students

#### MORE FROM CONSUMERIST

Sears Delivers Filthy Oven, Has No  
Idea Why

Customer Claims Uber Driver  
Staged Vomit Scene To Collect  
Bogus \$200 Cleaning Charge

Boeing Creates Self-Cleaning  
Airplane Bathroom, Claims To Kill  
99.99% Of Germs

## CONSUMERIST

Part of 

Founded in 2005, Consumerist is an independent source of consumer news and information published by Consumer Media LLC, a not-for-profit subsidiary of Consumer Reports.

**Donate**

[About Us](#)

[Comments Code](#)

[Comments FAQ](#)

[No Commercial  
Use Policy](#)

[Privacy Policy](#)

[User Agreement](#)

[Work With Us](#)

**Want Consumerist in your  
inbox?** We will not sell or  
rent your email

**Join**



[RETURN TO TOP](#)



Powered by [WordPress.com](#) VIP

5



# EXHIBIT 15

[Menu](#) ▶[\(https://www.consumeraffairs.com/\)](https://www.consumeraffairs.com/)

## KitchenAid Stoves & Ovens

[Home \(https://www.consumeraffairs.com/\)](https://www.consumeraffairs.com/) ▶ [Homeowners](#)[https://www.consumeraffairs.com/homeowners/home\\_improvements.htm](https://www.consumeraffairs.com/homeowners/home_improvements.htm)▶ [Ranges, Ovens, and Stoves](#)<https://www.consumeraffairs.com/homeowners/ranges-ovens-stoves/>Last updated: **08/16/2016**

### Consumer Complaints & Reviews



Lynn of Shoreline, WA on

Aug. 11, 2016

*Satisfaction Rating*

The oven pan is cheaply made. Horrible surface. Not easy to clean. Circular with 1" lip is fine. Wire thing fits inside fine. The pan itself is tarnished and may rust out over time. Should be able to make cookies on it but it is in too poor a shape.

*Helpful?* Yes | No

Victoria of Roanoke, VA on

Aug. 8, 2016

*Satisfaction Rating*

The knobs on this range are made plastic on metal posts. The first knob wore and broke within the first year of using the range. The ceramic top range is slow to heat and then superheats once cooking begins. The oven temps are way variable and cooking times are way off from recipes. I have ordered two new knobs at the cost of almost \$40 and I know that the other two should be replaced as they will break any day. I use my range nearly every day and thought that KitchenAid was a good brand when I bought it. I am sorry to say that I do not recommend that anyone buy this brand right now. Maybe they will improve but I think that they are making their money on replacement parts.

*Helpful?* Yes | No

(<https://www.consumeraffairs.com/>)



Joan of New Westminster, BC on

Aug. 2, 2016

Satisfaction Rating



Menu

We have had this range for 6 years. If you check the service calls, 3 have been for the oven not reaching maximum temperature. Each service call is close to or more than \$200.00. The temperature works for a while and then returns to 259 degrees. Never been fixed properly. Now we have an error F2E1, service call \$125.00. The repairman said we have an error F2E1 and we would have to order a new keyboard. Really \$125.00 to tell us what we already knew. Now, to make matters worse he said this part, estimated cost \$500.00, may not correct the problem and further work/parts would be needed and he wouldn't know until he tried the new part. The most frustrating part is he said the keyboard part could not be returned if further work was necessary thus increasing the price and that couldn't be determined until he started the work! So, we have decided to buy a new gas range and a new fridge and obviously neither one will be a KitchenAid.

Helpful? Yes No



Woldetsadik of Brampton, ON on

June 9, 2016

Satisfaction Rating



I have purchased KitchenAid stove the latest model and the top glass cracked within 6 Month of the purchase and I have called KitchenAid and they told me that they will not cover the cooktop. I am not sure what the warranty is for. We do have a lot issues with Kitchen product in the house. I would recommend that do not buy kitchenAid products as the products are expensive and issues with quality and reliability.

Helpful? Yes No



Raghu of Austin, TX on June 5, 2016

Satisfaction Rating



We bought a new KitchenAid gas range Model in 2014. The model# is KGRS505XSS. Within 1 year, one knob got stuck in off position. We had to pay \$150 to service appliance person to get that fixed. Then

(<https://www.consumeraffairs.com/>)

less 1 year later a different knob has been stuck in off position. This is completely random and happens when we're not even operating [Menu](#) ▶ knob. An amateur layperson cannot fix it. For the 30 years that we have been owning other gas ranges and operating it in similar home type situations, this has never happened to us. This KitchenAid unit is defective OR this could be a basic design flaw. Beware of this type of problem and do NOT buy KitchenAid for this reason.

Helpful? Yes | No

### How do I know I can trust these reviews about KitchenAid?

- 567,327 reviews on ConsumerAffairs are verified.
- We require contact information to ensure our reviewers are real. ✓
- We use intelligent software that helps us maintain the integrity of reviews.
- Our moderators read all reviews to verify quality and helpfulness.

For more information about reviews on ConsumerAffairs.com please visit our [FAQ \(/about/faq/\)](#).



rux of Vergennes, VT on  
April 24, 2016

Satisfaction Rating



Buyer Beware! My partner and I bought a \$6,000 KitchenAid 36-inch dual-fuel range about 12 years ago. Since then, the oven has failed three times, the last time for good. When I called the manager of the expensive appliance store where we bought it, Cocoplum, in Essex Junction, VT, he told me that we had "a lemon" and went on to say that the company was no longer any good.

The problem, according to him, is that the high temperatures of the self-cleaning oven (which we have not used often) "do not play well" with the complex electronics of the stove. Bottom line: after 12 years, we have had to plunk down \$7,000 for a new stove, this time a Thermador with gas only. There is a class-action lawsuit being brought against the company in New York, and other reviews online confirm our expensive bad experience.

Helpful? Yes | No

(<https://www.consumeraffairs.com/>)



Pam of Boca Raton, FL on

April 15, 2016

Satisfaction Rating

Menu



Stove is just a couple of years old. Put foil in bottom and now can't clean the residue. Outside the stainless steel is pitting. Lastly heat doesn't seem distribute evenly. Would never buy this brand again.

Helpful? Yes No



Jean of Allentown, PA on

April 14, 2016

Satisfaction Rating



This is probably the worst oven I've ever had. It take 20 minutes for it to heat up to 425 degrees and just as long for any other temp. The noise it makes is annoying. Why they put the fan in the oven is beyond me. I wish I was told that it was noisy and slow! It gets hotter as you bake also. I would not buy another one.

Helpful? Yes No



Marcy of Cayucos, CA on

March 16, 2016

Satisfaction Rating



Provided by contractor - 6 burner stove top, large oven. Gas range, electric oven - the preferred method of most cooks - at least the ones that are getting up there in age! Great size oven so when whole family gets together - over 20 and adding - it is big enough to accommodate all dishes - top with 6 burners is big enough to let 2 people cook comfortably - the more the merrier!

Helpful? Yes No



Karen of Tucson, AZ on

March 16, 2016

Satisfaction Rating



(<https://www.consumeraffairs.com/>)

Kitchenaid Gas free standing range. I always thought Kitchenaid was a dependable brand. I believe this range cost us \$1700. I liked the [Menu](#) > had convection oven and that the grates on top covered the entire top so no matter what size pan or griddle you used it did not wobble. This range turned out to be the worst range I have ever owned! The repair man knew us by name including our dogs! The other terrible thing about it is we had to order this range and had to pay in advance of receiving it. Purchased at Westar in Tucson Arizona. The range did not come in for 5!!! Months.

AND to make matters worse our warranty started from the day we ordered it! Kitchenaid policy! I went on facebook and wished I had done that before the purchase because there were literally hundreds and hundreds of complaints. When I suggested we all get together and start a class action law suit Kitchenaid blocked me from posting on their wall. I will NEVER buy a Kitchenaid again. My advice would be stay away from Kitchenaid. They are not what they used to be. You pay alot of money for nothing!

I now research completely before I buy any appliances. I take my time, I ask around. Sometimes the less expensive brands are 100% better. It took so long to get this range that after my complaining weekly (because every week they said it would be in that week) they finally gave me a GE use in the meantime since I had NO range. The GE they loaned me was a \$700 range but after finally getting the Kitchenaid I realized the GE ran circles around the KA.

Helpful? Yes | No



Brenda of Oakland, CA on  
March 11, 2016

Satisfaction Rating



I bought this range during a kitchen remodel some months ago. While it is a good-looking range, it is dangerously easy to turn the knobs on without noticing. If you lean against the knobs, I'd even say brush up against them, they turn on with no flame, and you end up with gas escaping until somebody smells it. My spouse has no sense of smell, so it's usually me that notices. I'd say this happens weekly at least. (You also have to be very careful not to lean on the control panel on the top of the stove, as that will turn on the ovens.) Overall, as I said, a nice looking range but this is a design flaw that so far KitchenAid have refused to acknowledge. When I contacted them about it, they told me I could buy bushings to prevent this happening - so why do they sell bushings if they don't think it's a problem? Very disappointed.

Helpful? Yes No

Menu >

(<https://www.consumeraffairs.com/>)



Jeff and or Terry of Delphi, IN on

Feb. 21, 2016

Satisfaction Rating



Bought a kitchen high end gas double over stove and refrigerator. Thought it was best. Boy was I wrong. Was 4 years ago November, first the paint on bottom oven started to crack and peel. Call CS and was offered a 700 to go toward a new one which I paid 2500 for in the first place. Since then the top oven doesn't always work and when opening the top oven door it falls off. We are older so it's not been abused. Still looks new but junk. Going to go with LG or Samsung next. I am done with anything KitchenAid. They do NOT stand by their product at all.

Helpful? Yes No



Bob & Theresa of Kelowna, BC on

Jan. 25, 2016

Satisfaction Rating



Stove - YKERS303BSSO: The coating on the control panel is peeling and the lettering is part of this coating, this is going to affect the readability of the knobs in future if we cannot get this resolved. Since we bought this stove in June 2014 should be a warranty on this type of thing happening? We always use only mild dish soap and a soft cloth to clean it. Sent an email to



([https://media.consumeraffairs.com/files/rstoves-ovens\\_55262.jpg](https://media.consumeraffairs.com/files/rstoves-ovens_55262.jpg))

<http://www.whirlpoolappliances.ca> twice, second time included photos was told both times, that they recommend calling into their Customer Service Department at 1-800-807-6777 to have this issue resolved. They'll probably tell us to change the control panel, which will probably cost 1/3 of what a brand new stove would cost. Also, the oven inside window has water/steam stains, how do we get them clean?

Helpful? Yes No

[Menu >](#)

[\(https://www.consumeraffairs.com/\)](https://www.consumeraffairs.com/)



john of Tulsa, OK on Jan. 18, 2016

Satisfaction Rating



Apparently when you buy KitchenAid top of the line range (KDRU783VSS), it does not have the auto shut off baking function. It just basically alerts you when the time is up like the timer. Does turn on when delay time is used, but you have to manually shut it off. What a crock. I'm glad Whirlpool bought them out. Maybe they will terminate KitchenAid. They used to be good. Nothing but crap now. I'm sure to leave a review. Also bought the french door fridge and it would throw ice around your glass and end up on the floor. We got a replacement and it did the same thing. We finally had to upgrade so it would stop doing that. Now I can't get the water filter to reset on the new one. We bought the whole kitchen including microwave and dishwasher. So far the last two are doing fine. Stay away from kitchen-headache!! Buy something else. Anything else.

Helpful? Yes No



Darlene of Simsbury, CT on

Jan. 15, 2016

Satisfaction Rating



KitchenAid freestanding induction range model KIRS608bss, purchased new, 4/12/13 3 months later the oven stopped working. I bake a lot so I knew when my baked products were taking 20 minutes longer than normal. I called for service and the first 2 times the tech literally said that all oven temperatures vary, this is to be expected! By the 3 call my oven started blinking message across the stovetop panel. They finally replace the computer system and told me I no longer had a warranty. At



[https://media.consumeraffairs.com/files/rstoves-ovens\\_53657.jpg](https://media.consumeraffairs.com/files/rstoves-ovens_53657.jpg)





(<https://www.consumeraffairs.com/>)

this point my range was 4 months old.. This same model although the oven is working the cleaning part is not. I have tried multiple time but the water does not get hot enough or steam long enough to clean the oven.

([https://media.consumeraffairs.com/files/rstoves-ovens\\_53660.jpg](https://media.consumeraffairs.com/files/rstoves-ovens_53660.jpg)) [Menu](#) >

To make matters worse, the front glass panel has so many grease stains in between the two glass panels that I'm embarrassed to have people in my kitchen as it appears I have never cleaned the glass.. I was told the only way it can be cleaned is to remove the screws and bolts inside, clean the inside of the panels then replace. The technician also said it's a waste of time as those streaks will come back the first time you use your oven and each time you remove the screws the tightness of the door panel loosens and heat will escape..

Helpful? Yes | No



Susan of Minneapolis, MN on  
Jan. 8, 2016

Satisfaction Rating



We have a Kitchenaid Superba stove and oven model KGRT607HWH6. It was in our house when we moved in 2004. It has a glass backsplash. Three years ago the backsplash exploded with my 10 year old twin sons and a teenage friend and myself standing within three feet of it. We are lucky we were not hurt. I think the pots cooking on the stove may have been touching the backsplash and it just got too hot. But, what a stupid design for a stove top! The repairman did order a new backsplash for \$100. For years I would find tiny pieces of glass stuck in corners and crevices in my kitchen. I guess I should be ashamed to admit it, but I have never used the self-cleaning feature and the oven is quite dirty. I started to look for instructions on-line, but, after reading all the complaints I am scared to try the self-cleaning feature. The instructions say to not use a commercial product. Not sure what I should do.

Helpful? Yes | No



Rickey of Raleigh, NC on  
Jan. 6, 2016

Satisfaction Rating



(<https://www.consumeraffairs.com/>)

We have had our KitchenAid KGRS505X oven for less than 3 years and it has broken down twice. First time only after a month which **Messu** > under warranty. The 2nd was a couple weeks shy of three years. It is costing us \$300 for a one year service warranty so we can get it repaired. Reasonable expectation for an oven of this cost would be 10 years of trouble-free service. So, at this rate I will have purchased this appliance twice in the expected 15 years of service. I can't tell you how much I regret buying this piece of garbage.

Helpful? Yes | No



Le of Renton, WA on Jan. 4, 2016

Satisfaction Rating



Under no circumstances would I purchase the K-A double wall oven. Woe and pity to those reviewers who are stuck with one of these. I purchased the first one back in 2001, very excited about the great features. Within 3 years, the self-cleaning program failed 3 times, the entire motherboard once... Glad I bought the extended warranty. I had to argue with K-A/Whirlpool to finally get a replacement that supposedly had the bugs fixed. Not so; the self-cleaning cycle again twice blew out the entire oven(s). What was I offered this time? A percentage of my original purchase price to be used toward another of the same model? Why on earth would I pay for or even want another of the same failing product?

After several repairs for the same issue, K-A told me they would no longer fix the ovens if the self-cleaning problem happened again. So, for the past 5 years, I have resorted to the old cleaning method (for fear of blowing the units). Now I am in the process of a kitchen remodel. Believe it or not, most of the retailers are recommending Kitchen-Aid, how dare they? I have investigated many brands of medium to high end quality and price. I recommend the GE Profile or Cafe series for both performance, worry free use and fair pricing. (NO, I do not work for GE!) FYI- The K-A tech told me the company has known about the self-cleaning blowout for years. Cheaper to fix on warranty or charge the customer that correct the problem! Let the buyer beware!

Helpful? Yes | No



Morgana of Nevada City, CA on  
Jan. 16, 2016

(<https://www.consumeraffairs.com/>)

Consumer Increased Rating!

★ ★ ★ ★ ★ Menu > 3



([https://media.consumeraffairs.com/files/reviews/kitchenaid-stoves-ovens\\_51371.JPG](https://media.consumeraffairs.com/files/reviews/kitchenaid-stoves-ovens_51371.JPG))

KitchenAid (Maytag) came through for me on the third range delivered. For the record, the first range was defective, probably the thermostat, and the second range was dented so that the gas line could not connect. I'm happy now with a working range, and it's a terrific range.



Morgana of Nevada City, CA on Jan. 2, 2016

#### Original Review

I hate to write a poor review, and I hope that later I'll be able to update this to a more positive review. I ordered a KitchenAid gas range, KSGG700ESS on December 21, 2014. I have natural gas. My range was delivered on 12/21 and at first I was thrilled. The stove burners were marvelous, the grates across the top heavy and perfect. The stove top was easy to clean. The installation guys were great. But, the oven never heated above 190 degrees and my kitchen smelled like gas. I called Home Depot, and KitchenAid said that they would deliver another stove.

A week went by without a delivery date for the stove replacement so I started phoning Home Depot. After 3 days of nagging I had a new delivery date: January 2, 2016. When the new stove was installed, these installers were a different crew, and their attitude was very negative. I asked them to wait while the oven was tested, and they gave me excuses and left. The new oven wouldn't even light, and again I smelled gas. By this time I was thinking that it wasn't the stove but something at my place. Researching online brought up a Kitchenaid repair manual for self-igniting stoves, so my husband and I went through the procedures for testing, step-by-step.

(<https://www.consumeraffairs.com/>)

We pulled out the stove and checked our valve. We checked the polarity of the outlet. We removed the oven base plate and used a handheld lighter to try to light the gas in case the issue was air in the lines. Finally we used a flashlight to look under the stove where the stove port connects to our gas port. There, we found the problem. The area was dented, and the ports could not, could never, connect. We had noticed that with this second range the bottom drawer was higher on one side than the other. The entire frame of this second range is twisted. So back I go through Home Depot to request a replacement for the replacement range. This time Kitchen Aid was less accommodating, stating that the problem MUST lie with us. Home Depot's hands are tied until KitchenAid makes some decision or arrangement. I'm waiting for a resolution on this issue.

Helpful? Yes No



DONNA of North Stonington, CT on  
Dec. 28, 2015

Satisfaction Rating



KitchenAid double wall ovens/ WALL OVEN- ELE BI 30 - My LOWER oven (the one not used except on holidays) went out on me on CHRISTMAS as I'm cooking a prime rib (at 500 degrees). The ovens have only been installed for a year! Got an error message asking for probe temperature. Wasn't using the probe although I do have the ability to use it. Checked the manual and found I did everything right.

I then ended up with an under cooked prime rib for 13 guests. Thanks for that! Then I tried to clean the damned thing since it hadn't cleaned well after Thanksgiving (I usually try to do this when we are in bed because the fumes are so awful). Guess I know why it didn't clean! This time after waiting till everyone left, I opened the windows (glad it's a warm December) and the oven wouldn't clean. Got an ERROR message this time of "E3F3". Heck if I know what it means. They were able to schedule a service appointment quickly but if they have to order parts, then I have to have another service appointment.

All I know is, I've got an oven that doesn't work during the holidays (I'm cooking for NY Day too). I called the extended warranty number and sat on hold for 42 minutes. THIS AFTER HAVING SPENT NEARLY 2 MONTHS TRYING TO GET MY BUILT IN KITCHEN AID DISHWASHER FIXED THAT HAS ONLY BEEN IN USE FOR 6 MONTHS! It needed an entire new drum. Nice since it already damaged my NEW cabinets and NEW floor in my NEW kitchen. No

(<https://www.consumeraffairs.com/>)

offer to fix the damage they caused even though they finally fixed the dishwasher. KitchenAid used to be really good appliances. NOT [Menu](#) MORE. I will avoid them in the future!

Helpful? Yes No



Thomas of Knoxville, TN on

Dec. 27, 2015

Satisfaction Rating



The KitchenAid Double Oven KODE500ESS is advertised as an Even Heat True Convection with Even Heat Preheat. The machine is attractive with its huge viewing windows, it's highly polished finish, its commercial style handles, and blue enamel interiors. The electronics are elaborate. You are able to adjust almost every function of the oven should you wish to so, down to alarm sound loudness, and calibrating the oven without a technician nearby.

However, this oven is not without fundamental flaws. The engineering is deficient in crucial areas: the temperature sensors are located near the top broiler unit, a unit which is used in the preheat cycle resulting in unreliable preheat readings; the heat release vent is located at the top near the electronics components, which could be affected by the extreme temperatures, such as those used in the cleaning cycle, ultimately causing an oven computer crash.

We chose this oven based on the many positive reviews and have had the oven for 6 months. Even after talking with KitchenAid representatives and two repairmen, we have yet to feel comfortable with the ovens ability to function properly. First, the preheat operation is worthless due to the location of the sensor. When the preheated indicator sounds after 8-10 minutes, the oven is probably 20-30 minutes away from the achieving the desired heat, should it ever be attained.

Second, the highly emphasized Even Heat claim is questionable. Once attained, the temperature can, by design, fluctuate. This we understand and have no problem with fluctuations, unless the variations are large. We have experienced 50-degree swings. We have agonized with uneven cooking in many directions: dishes done on the sides, unfinished in the middle; dishes browned on one corner, not on the others; when two dishes in same oven baked at same temperature, both requiring same number of minutes, one will be done before the other. The repairmen state there is nothing they can do to fix these problems.

(<https://www.consumeraffairs.com/>)

This is not a baker's oven. It is not even a novice's oven. It certainly is not as functional as our previous ones. It is unreliable, untrustworthy [Menu >](#) and we wish this one were not ours. If KitchenAid planned to put an extremely inferior product on the market prematurely at an exorbitant price, they have exceeded their expectations.

Helpful? Yes No



Andria of Itasca, IL on Dec. 27, 2015

Satisfaction Rating



So I will start out by saying that I did not read the negative reviews before purchase. This was not my first oven purchase and should have done more homework. The all the positives were so POSITIVE! So, that being said, my oven is about 6 weeks old. Yesterday for the first time, I tried out the self-cleaning feature. It ran well for a few hours then completely went out. Nothing. I tried everything with the power and fuses but nothing. I have been trying to get someone to help me but I can't reach anyone. Sears repair won't touch it. I will call again on Monday to KitchenAid again.

But seeing all of these poor reviews it is making me very nervous. I will have to say that this is a piece of junk. The glass on the inside is stained and gross. I will update this complaint again after KitchenAid gets back to me. But this is crazy. If consumer affairs knew about this problem with the fan and cleaning cycle, why is are they allowed to sell this crap? Class action, I want in. Should have never purchased a KitchenAid.

Helpful? Yes No



Terry of Thirnton, CO on  
Dec. 26, 2015

Satisfaction Rating



Purchases and installed 2/2015. Been using the top oven. Went to use the bottom one Christmas day, it kept blowing the fuse. Can't understand what is going on. I have read reviews of the oven shutting down when cleaning both but not using. If this is the case, why isn't there a recall on these ovens? Spending over 2600 on oven, you expect it to work and the problems getting solved but it's not. Unfortunately Kitchenaid was closed but I plan on getting this problem solved or they can pick it up and dump it. Hum. American made.

(<https://www.consumeraffairs.com/>)

They're not being tested before selling them. Sorry I am not a big fan of Kitchenaid. At this time wish I had my Jenn-Air back. Old faithful [Menu](#) > never let me down. Merry Christmas Kitchenaid. Hope your ovens work today.

Helpful? Yes No



michael of Happy Valley, OR on  
Dec. 19, 2015

Satisfaction Rating



My KitchenAid oven sucks! This is now the 3rd time I have a problem with the self-cleaning "upgrade" in my oven. The thermostat fails with the heat of self-cleaning. This time, however, the main keypad is fried. Almost \$500 just for the part, not counting labor and install. Thanks, KitchenAid, for delivering a product that is only successful in earning you more money! I could not be any more disappointed in their complete lack of responsibility in standing behind a product for which they make so much money. Brand new two years ago, and I continue to have mounting expenses for an appliance that was touted as being wonderful.

Helpful? Yes No



christine of Show Low, AZ on  
Dec. 11, 2015

Satisfaction Rating



I have always owned KitchenAid appliances. We thought they were the very best. I purchased a new stainless steel electric oven. The first time I cleaned it a fuse was blown. The oven has to be removed from the wall to fix it. I then realized that every time I used the self-cleaning it would blow the same fuse. After about 6 times I asked the repair man what could be causing this to blow and he said, "I see this all the time so don't use your self-cleaning and it won't happen." Why buy self-cleaning if you cannot use it?

So I used it again before Thanksgiving and another repair man from another company came out and had to order the fuse so no oven for Thanksgiving. I told him something must be causing the fuse to blow with the extreme heat cleaning the oven. He told me the same thing the other repairman said, "Don't clean it." I have owned a double KitchenAid oven in the past that was wonderful and never had a

(<https://www.consumeraffairs.com/>)

problem. My other appliances are KitchenAid but after paying all this money for what I thought was one of the best I will never buy KitchenAid again. [Menu](#) ▶

Helpful? Yes No



Donna of Penticton, BC on  
Dec. 11, 2015

Satisfaction Rating



I have had this stove for 5 years. It is "stainless steel" but the top griddle area has all rusted! Also, when I used the self clean program it fried the entire control panel which was expensive to replace even under warranty as they did not cover the service charge and it took 2 months to receive the part. I had a repeat of this problem again, so the panel needed to be replaced. I now have to "steam clean" my oven which does not work effectively! Also, measuring the oven temperature is NEVER close to the temperature on the display panel. I would never buy another KitchenAid stove again. The fan is very loud as well. I use my microwave as my oven instead of using this stove. Expensive and poor quality!

Helpful? Yes No



Cynthia of Portland, OR on  
Dec. 3, 2015

Satisfaction Rating



We bought our oven in 2008 and paid about \$1500. Immediately noticed that every time we'd cook it would smoke furiously. Called the place we bought it from and were shunted back and forth between sales and repair people. Then we noticed that it was getting dirty - like super filthy with thick residue everywhere that could not be scrubbed, so decided to use the self-clean setting. I left the house and returned an hour later and the entire house was covered in smoke. Dog was literally choking, and cat had holed up in the basement. Had to open every door and window to ventilate. Called the place, we bought it and got the same run-around.

We're not a wealthy family so this oven has been our ONLY oven since we purchased it and it's a daily battle. The door has fallen off, the board has been compromised, the stove top is awful to clean and can't keep an even temperature. Every time we use the oven we end



(<https://www.consumeraffairs.com/>)

up having to open the doors and windows. Total nightmare. Surprised no one has sued KitchenAid since it's apparent they're aware of these issues. Read the reviews online and realized that this was a thing with KitchenAid ovens in particular.

Helpful? Yes No



Sandra of Glenwood, GA on  
Dec. 1, 2015

Satisfaction Rating



KDRS483VSS - DO NOT BUY KITCHENAID RANGES!! They don't know how to repair them and their policy is not to replace them but to repair them. I am talking about an \$8000 dual fuel range that I have waited years to purchase only to find out that once it was delivered the only thing working properly was the gas top. This is a very classy looking expensive piece of JUNK metal. The hinges on the



large oven don't pull the door closed enough to turn off the oven light and you have to press the door in to turn light off. I now have no working ovens at all and this was through the Thanksgiving Holidays. No one cared!!! The oven shows several error codes and now just does nothing. I thought that KitchenAid was a reputable company but that is not the case. This is a known problem with these units. After many complaints still no results!!

([https://media.consumeraffairs.com/files/ranges-stoves-ovens\\_46038.jpg](https://media.consumeraffairs.com/files/ranges-stoves-ovens_46038.jpg))

Helpful? Yes No



Brent of Sierra Madre, CA on  
Nov. 29, 2015

Satisfaction Rating



Very Poor Aqua Clean on new Kitchen Aid KSGB900ESS oven. Used the oven to cook a cheesecake. Some loss of

(<https://www.consumeraffairs.com/>)

liquid resulted in the bottom of the oven. Used the aqua clean 3x, (very poor results). Ran the oven to 500 deg for 2 hours and then Aqua clean 3x. No change in cleaning results. Bar keeper's friend used and still not cleaned off. I used all the OEM cleaning scrapers and scrubbers that came with the new oven and the recommended practices in the ops manual, without any luck. It looks like the Aqua clean might be effective on something very soft, but not with normal burnt on material. Submitted a note to KitchenAid service to see what they have to say.



Menu >

([https://media.consumeraffairs.com/files/rstoves-ovens\\_45597.jpg](https://media.consumeraffairs.com/files/rstoves-ovens_45597.jpg))

Helpful? Yes No



Phil of Huffman, TX on Nov. 25, 2015

Satisfaction Rating



On Nov 18, 2015, repair person finally showed up with the part to fix the oven. Had to replace entire display module. Based on our experience with the oven, we are hoping we do not experience the same issues with the KitchenAid microwave and dishwasher that we had installed at the same time as the oven.



Phil of Huffman, TX on Nov. 14, 2015

#### Original Review

We had a new KitchenAid double oven model KODE500ESS installed on Oct 22, 2015. On Nov. 3, 2015, the unit quit working with a display error message. Called KitchenAid and scheduled repair to be done on Nov. 6, 2015 but when the repair person arrived, said part had to be ordered and would be back on Nov. 13, 2015. Then on Nov. 12, 2015, we were told that the part had to come from the factory. And the repair company had no way of tracking a part that came from the factory and could not tell us when they would be back to repair. At this point, we have a new KitchenAid piece of junk that has been out of service for a long period than it has been in service.

(<https://www.consumeraffairs.com/>)

If KitchenAid really cared about their customers, they would have replaced the complete oven by now and not dragged this [Menu](#) on for so long.

Helpful? Yes No

[Next page \(/homeowners/kit\\_stoves.html?page=2\)](/homeowners/kit_stoves.html?page=2)

## Expert Review



ConsumerAffairs  
Research Team

The ConsumerAffairs Research Team believes everyone deserves to make smart decisions. We aim to provide readers with the

most up-to-date information available about today's consumer products and services.

KitchenAid has been an iconic name in household appliances since its founding in 1919 and the introduction of its flagship automatic mixer. It began producing cooking appliances in 1985.

**Product selection:** KitchenAid's line of cooking appliances is one of the largest in the industry, giving buyers a wealth of choices.

**Freestanding options:** KitchenAid's selection of freestanding appliances provides an array of options for buyers designing cooking islands and other non-traditional kitchen layouts.

**Heating options:** KitchenAid maintains one of the industry's largest selections of options for heating technologies.

**Robust support:** The company's online support options are easy to access and provide a wealth of information and replacement parts.

**Traditional quality:** KitchenAid's maintains that its tried-and-true quality is attributed to its long experience in the industry. The brand frequently eschews technology-driven special features in favor of dependable durability and use.

**Best for** Users cooking for one, users cooking for families and users cooking for businesses.

## Compare Ranges, Ovens, and Stoves

(<https://www.consumeraffairs.com/home>)



(<https://www.consumeraffairs.com/>)



(<https://www.consumeraffairs.com/h>

**SAMSUNG**

Menu >  
(<https://www.consumeraffairs.com/home-stove-oven-range.html>)



(<https://www.consumeraffairs.com/home>

**Compare All**

(<https://www.consumeraffairs.com/homeowners/ranges-ovens-stoves/#compare>)

## KitchenAid Stoves & Ovens Profile

### Basic Information

**Company Name:** KitchenAid  
**Address** P.O. Box 218  
St. Joseph, MI 49085  
United States  
**Website:** <http://www.kitchenaid.com/>

## KitchenAid Stoves & Ovens Images



1919.  
was born. And from that stemmed an entire i  
rensatle technology and timeless design. Au  
its with our products so you can keep doing  
to us all.



([https://media.consumeraffairs.com/brands/kitchenaid/kenaid\\_1919.jpg](https://media.consumeraffairs.com/brands/kitchenaid/kenaid_1919.jpg))

Home

(<https://www.consumeraffairs.com/>)

**Terms of Use** Your use of this site constitutes acceptance of the [Terms of Use](https://www.consumeraffairs.com/about/terms_of_use/)  
([https://www.consumeraffairs.com/about/terms\\_of\\_use/](https://www.consumeraffairs.com/about/terms_of_use/)).

Brands

(<https://www.consumeraffairs.com/brands/>)

Blog

Advertisements on this site are placed and controlled by outside advertising

(https://www.consumeraffairs.com/about/faq/) ConsumerAffairs.com does not evaluate or endorse the products and

[Menu >](#)

services advertised. See the FAQ (https://www.consumeraffairs.com/about/faq/) for

more information.

(https://www.consumeraffairs.com/about/)

Contact Us

**Partner with ConsumerAffairs for Brands** If your company has a page on our site,

we invite you to sign up for a Starter Account today

(https://www.consumeraffairs.com/about/contact/)

(https://www.consumeraffairs.com/brands/) to respond to your customers directly.

FAQ

Alternatively, you may call us at 1-866-773-0221.

(https://www.consumeraffairs.com/about/faq/)

The information on this Web site is general in nature and is not intended as a

substitute for competent legal advice. ConsumerAffairs.com makes no representation

(https://www.consumeraffairs.com/about/terms-of-use/)

as to the accuracy of the information herein provided and assumes no liability for any

Privacy Policy

damages or loss arising from the use thereof.

(https://www.consumeraffairs.com/about/privacy-policy/)

Copyright © 2018 ConsumerAffairs, LLC. All Rights Reserved. The contents of this

We are Hiring!

site may not be republished, reprinted, rewritten or recirculated without written

permission

(https://www.consumeraffairs.com/careers/)

"

"

"

GZJ KDKV"38"

Sharon of Moab, UT on April 18, 2016

Purchased the oven in summer 2015. Very disappointed in the AquaLift Self-Cleaning oven. Absolutely useless. Does absolutely nothing and I end up cleaning the oven by hand. As a senior citizen, this is uncomfortable; I have injured my leg in the process and now feel I must wipe the oven down after each use. I was so looking forward to having a nice clean oven at all times and it's not happening. This is of no value to me.

Helpful? ☒ Yes ☐ No

# EXHIBIT 17



Shelley of Winnipeg, MB on April 7, 2016

I HATE, HATE, HATE the aqua lift clean feature. It's awful. The bottom came somewhat clean but cook bacon and the sides and top are filthy and the aqua lift can't clean that. I don't know how this ever made it past the thought process stage to become a "thing" but it needs to go away. I'm quite cranky right now as I've just spent two hours scrubbing my oven while reaching past the oven door that doesn't come off because it's a "self-clean oven." This is what I have to look forward to for the next 10 years until it dies and I can get a new oven? What a joke!!

Helpful? ☒ Yes ☐ No

"

"

"

GZJ KDKV"3: "

Janice of Stittsville, ON on April 1, 2016

We bought a new stove from Lowe's in 2015 which is a Whirlpool with an AquaLift self-cleaning function. This function is totally useless. We have tried it several times and it does not remove the grime from the oven. We did not even have a very dirty oven. It doesn't clean the sides at all and the bottom is still dirty. I complained to the store and they told me the AquaLift function should be used every time the oven has been used. They recommend that I use a spray for the oven (which is porcelain) and scrub off the dirt. Give me back my old self-cleaning oven with the high heat. This new technology doesn't work.

Helpful? ☒ Yes ☐ No

# EXHIBIT 19

Ann of Griffin, GA on March 4, 2016

Whirlpool Gold Series gas oven with Aqua Lift. Very unhappy with this oven. Cons: Aqua Lift technology doesn't work AT ALL (manual cleaning required); stove top hard to clean; 2 front gas burners are "super" burners which is fine for boiling water, but too hot for regular cooking. Would be better to have one super burner in the middle or back but two upfront is way too hot for regular cooking, even on lowest setting. Was going to use spray cleaner but cannot on convection ovens. In a bind what to do except scrub with Brillo. Anyone used Brillo?

Helpful? ☒ Yes ☐ No

"

"

"

GZJ KDKV"42"

Irene of Yonkers, NY on Feb. 23, 2016

Whirlpool gas range Model#wfg10h0ah1 with aqua lift technology. This is the biggest ripoff that was ever done to me. It say self clean, not it cleans and then you clean. This is fraud plain and simple. I am handicapped and made it very clear to the salesperson that it had to be self cleaning. 4 times I did the clean cycle and I was in shock, I called repair, I thought the self clean was broken. However this is the line they give you over and over, that it's not broken. "This is working the way it was designed to work." So they made a range that is self cleaning, but no it doesn't do that. For 899.99, I did not deserve to get duped like this.

Helpful? ☒ Yes ☐ No

# EXHIBIT 21



Susan of Brooklyn, NY on Sept. 24, 2015

Like so many other reviewers I am totally dissatisfied with my KitchenAid Gas Range Model KGRS202BSS. I second the reviews by Gary of Tonawanda, NY on May 20, 2015 (and others) that the AquaLift Self Clean is not effective and that the black stove top stains, but primarily I totally agree with his comment about how the heat vents out and heats up the handles. This was also the comment of Sharyn of Pearl River, NY on July 2, 2015 (who I would like to thank for the tip about requesting the black knobs which I intend to do).

This range is TERRIBLE. It becomes a literal sauna in my kitchen when I try to cook using the stove top and/or the oven. Everyone who comes to my home comments on it. And this is despite the fact that I have a fan above the oven which is vented to the outside. I take care of my 2 year old grandson, and I live in fear of him burning himself since the knobs are obviously within his reach. He has definitely learned about the concept of HOT. I purchased this range from PC Richards, and they have sent 3 different servicemen out, only to tell me that's the way it is! Unbelievable. I just visited my friend who has a kitchen much smaller than mine, and her new Maytag slide in gas range did not produce the sauna effect that my KitchenAid range does. DON'T BUY KITCHENAID. YOU'LL REGRET IT.

Helpful? ☒ Yes ☐ No

"

"

"

GZJ KDQ"44"



# CONSUMERIST



Want Consumerist in your inbox? We will not sell or rent your email

Email Address

JOIN



SUBMIT A TIP

KITCHENAID



## My Advanced New Self-Cleaning Oven Needs A Lot Of Help To Clean Itself

By [Laura Northrup](#) February 8, 2013



In for more cleaning.

Susan's new Kitchenaid gas range is pretty nice, but she writes that exciting advancements in self-cleaning oven technology aren't all they're cracked up to be. Whirlpool's Aqualift self-cleaning system seemed to be a technological advance comparable to

[see-through dishwashers](#), but she reports that her oven only cleans the bottom center, and not the sides or the corners. You know, the parts that you want your self-cleaning oven to take care of for you.

Update: [Sears saved the day!](#)

She writes:

*I have a 30 day old Kitchen Aid convection gas range.  
Love how it cooks.*

*HOWEVER, their "Aqualift" cleaning technology is a rip  
AND entirely misleading.*

### TRENDING

[5 Brands Of Curry Powder Recalled Because Of Lead-Contaminated Turmeric](#)

[Debt Collector Gets Out Of Lawsuit... By Buying The Lawsuit Out From Under The Plaintiff](#)

[Tesla Model S Engulfed In Flames During Worst Test Drive Ever](#)

[Turmeric Sold At Target, Big Lots, Supermarkets Recalled For Possible Lead](#)

[Police Officer Smashes Window Of Hot Car And Realizes He's Just Rescued A Lifelike Doll](#)

### DON'T PANIC!

We are currently testing a new commenting system. Want to help? Request an invite.

*If you think you're getting a cool new oven with cool new cleaning technology, THINK AGAIN!*

*It does a lovely job of cleaning the bottom center of the oven, But NO cleaning around the perimeter OR the side walls.*

*So... every time you want to clean your cool new oven, you'll be scrubbing it yourself!!!*

We asked Susan to send along some photos, and she obliged.







*The attached photos show the interior of the oven, which went from clean/new to this after cooking 1 time at a high temperature (chicken) – and AFTER 2 cleaning cycles.*

*Whirlpool/Kitchen Aid advised using their cleaning product, “Affresh”. It took me 1/2 hour to rub out about 5 inches of stain using that product.*

*Unbelievable that my ancient Whirlpool bottom-of-the-line oven, with the old high temp cleaning system, required only a damp cloth wipe afterwards, and went to the recycling dump cleaner than my new oven is today!*

That’s very sad, especially if the oven cooks beautifully. The whole point of self-cleaning ovens was supposed to be that we wouldn’t have to spray stuff inside and spend hours scrubbing. If it’s any comfort, **appliances don’t seem to last very long these days**, so Susan will be shopping for a new range before she even knows it!

---

Tell a friend:



Tagged With: self-cleaning ovens, ranges, ovens, appliances, whirlpool, kitchenaid

---

< PREVIOUS

Lost Your License Or Passport?  
Airport Security Will Accept A  
Costco Card

NEXT >

Almost \$1 Billion In Defaulted  
Perkins Loans Prompting Schools  
To Sue Former Students

**MORE FROM CONSUMERIST**

Sears Delivers Filthy Oven, Has No Idea  
Why

Customer Claims Uber Driver Staged  
Vomit Scene To Collect Bogus \$200  
Cleaning Charge

Boeing Creates Self-Cleaning Airplane  
Bathroom, Claims To Kill 99.99% Of  
Germs



[About Us](#)

Part of 

Founded in 2005, Consumerist is an independent source of consumer news and information published by Consumer Media LLC, a not-for-profit subsidiary of Consumer Reports.

**Donate**

[Comments Code](#)

[Comments FAQ](#)

[No Commercial Use Policy](#)

[Privacy Policy](#)

[User Agreement](#)

[Work With Us](#)

**Want Consumerist in your inbox?** We will not sell or rent your email

**Join**



[RETURN TO TOP](#)



Powered by [WordPress.com](#) VIP





# EXHIBIT 23



**ronach**

Get ready for rubber gloves and oven cleaner. It does not work. Consumer reports says it doesn't work, but I bought before reading reviews. I want to get rid of mine. They are sending me a special oven cleaner for this piece of junk so what good is this self cleaning oven that needs a special oven cleaner? I will never again buy American.

2 Likes    Bookmark

September 19, 2012 at 7:20AM



"

"

"

GZJ KDQ"46"

**Tonkita**

I bought A Whirlpool range convection, self cleaning and I'm very furious too because the self cleaning, after several time of cleaning, which the last one I let it go for 4 hours, it didn't clean anything at all. My old GE of 30 years used to come out spotless. It has been over a year already, twice the technician came out and there was nothing he could do. We bought 5 years extended warranty and Sears told us there is nothing they can do. I still have to try calling the manufacturer, hoping they'll give me some satisfaction. It really sucks. We should be more further ahead with technology. Now I don't know who to trust anymore.

**Like    Bookmark**

January 29, 2013 at 10:46PM

# EXHIBIT 25

**kimba56**

I, too, unfortunately purchased this awful oven. It is uncleanable! I bake frequently, and any form of grease splatter is not removable from the sides and back. Wrote to the company and all they did was tell me to follow the instructions that came with the range! Do they think I'm stupid? I am very angry. Any advice that can be passed along regarding how I can clean it, or how to make the company responsible for this lousy oven, would be greatly appreciated.

**1 Like    Bookmark**

February 11, 2013 at 8:46PM

"

"

"

GZJ KDQ"48"



**PMCCUNN**

I was also dumb enough to buy this range. I've had it one year. Have written complaints to Maytag and Whirlpool. I received phone calls from some underpaid know nothing who treated me as if I'd never cleaned an oven before.

For Whirlpool/Maytag to call this "self-cleaning" is false advertising and they need to make it right with me or I will not purchase another product from them ever again!

**Like** **Bookmark**

February 13, 2013 at 6:58PM



# EXHIBIT 27



**beckywy**

I have this horrible range and it is a piece of garbage. It might as well not even have a self cleaning feature. It does not work. Cleaning the glass top of the stove is also very difficult. It was a total waste of money, Maytag doesn't care and won't do anything about it. DO NOT PURCHASE ONE. There is also little to no storage space in the drawer. There is not one good thing I can say about this stove. Not one.

1 Like    **Bookmark**

January 18, 2014 at 4:14PM

"

"

"

GZJ KDKV"4: "



**carolm702**

Carolm 7

I bought this range WYMER888BW the 25th Jan. 2014. What a waste of money, self clean not at all. Would never buy a Maytag or Whirlpool product again. Takes a lot of hard scrubbing & scraping not to mention time to do repeated steam clean cycles and trying to clean this trash. Biggest mistake in a purchase we have made in our 50 years of marriage. Would not recommend!!!

1 Like    **Bookmark**

May 11, 2015 at 2:03PM

# EXHIBIT 29



**Jim Woodmansee**

Does not work at all! My wife and I bought it 2 years ago from Lowes (on sale). We have tried the self cleaning feature multiple times, even have run it twice (simultaneously) to see if double the cleaning time would help. Each time, we end up using gloves and other cleaning products to scrape out the mess. I don't know how Maytag tested this before it was marketed, but it does not clean anything.

**1 Like    Bookmark**

September 13, 2015 at 6:38AM

"

"

"

GZJ KDKV"52"



**katemt2621**

i gave up fighting with maytag/whirlpool..after a year of owning the same oven, it was junk. I sold it for 500\$, (loss 200\$)and bought a regular GE stove which has the old fashion kind of self cleaning oven cleaning feature...and i LOVE it. Never will i purchase a whirlpool or Maytag product again. They are throw away appliances in more ways than one. Good luck on your junk. Sell it , take the loss and get rid of your headache.

**2 Likes    Bookmark**

September 14, 2015 at 3:39AM



# EXHIBIT 31

**MarilynM Sherman**

Whoever invented Aquaift to clean ovens obviously never cleaned an oven ever!! Today, a day after Thanksgiving I spent all morning "cleaning" my oven only to have it look as bad as it did before I started. The AquaLift did nothing for the sides and the stains on the bottom after two cleaning cycles!!! Whatever can be done other than getting a new oven?

**1 Like    Bookmark**

November 27, 2015 at 4:43PM

# EXHIBIT 32



**pattykr7**

This is so frustrating. I too do not read the reviews before purchasing. I saw that it was self-cleaning that was all I thought I needed to know. How can this be considered new technology and how can the company get away with advertising self-cleaning oven when it absolutely does not clean one bit?! Very frustrated!

**3 Likes    Bookmark**

December 16, 2015 at 5:10PM

# EXHIBIT 33

**Robert Reid**

We had the Whirlpool recommended technician from Appliance Mechanics (425-212-9076) out on 12/29 and he verified that the Aqua-Lift is working as designed (meaning what??). However that doesn't solve the problem with the promises that were made regarding how well this technology is supposed to work. It can't be cleaned with conventional cleaners and the bottom is stained from food that never came up after the cleaning and scrubbing per Whirlpool's instructions. I have sent 4 emails to Whirlpool customer service and never heard back. What we are requesting is that since that Whirlpool is promoting this as the next best thing and not performing up to our (and anyone on the internet who has this technology) expectations, we are requesting that Whirlpool replace the oven with one comparably priced that has conventional cleaning capabilities

Follow-up: I finally got in touch with Whirlpool after 4 emails and posting on Facebook. It seems that they respond when you post on social media. I was requesting a replacement oven with conventional self cleaning and and after much back-and-forth I was informed that because the technician reported that the oven was functioning correctly that they could not give me a replacement. Their reason being that a continually dirty oven had nothing to do with function but was a cosmetic issue. The CS rep was "kind" enough to offer me a bottle of the Affresh cleaner. Don't fall for the AquaLift hype.

3 Likes    **Bookmark**

December 30, 2015 at 4:38PM

# EXHIBIT 34



**kmcs1952**

Yes. This oven aqua clean is a joke! I wish I could have my old oven than got VERY hot and stinky back. Would rather clean up a little ash than scrub my fingers off!

**Like** **Bookmark**

January 31, 2016 at 12:43PM



# EXHIBIT 35

**Chris Adams**

I just tried the Aqualift feature and am on the thrid cycle now. So far only the bottom part has gotten clean and the sides are still greasy. Hate this feature. Had I known how horrible it was I would have never bought it. I am also not happy with the glass top as that too is difficult to keep clean. This is the first time I have used the Aqualift feature and it was right after grease was spilled from a meatloaf pan. If anyone is looking to buy a stove with this feature don't.

**Like** **Bookmark**

February 20, 2016 at 12:56PM

# EXHIBIT 36

**Ginny Bess**

The aqualift does not clean at all! I finally got disgusted and used oven cleaner and it took the finish off the sides of oven, so now my oven is ruined. Looks dirty all the time, so dissatisfied. As I used the oven cleaner I know I will have no prayer with Whirlpool. I bought this stove without reading reviews. My mistake, never again! With all these complaints and a product that obviously does not do it's job, there has to be a class action maybe?

**2 Likes    Bookmark**

March 18, 2016 at 1:26PM

# EXHIBIT 37



**kmcs1952**


Welcome to the crappy Aqualift club! I finally put some foil on the bottom rack to help catch any drips. This was suggested from the dealer who agrees it's worthless!! Evidently our govt regulations at work!! I also bought some Easy off with a blue top as it was suggested it works well. I haven't used it yet but I will when needed!! Good luck.

**2 Likes**   **Bookmark**

April 30, 2016 at 7:06AM

# Exhibit 38

## SOS: Self-cleaning oven wasn't, so Madison woman promised refund

 [madison.com/wsj/news/local/ask/sos/sos-self-cleaning-oven-wasn-t-so-madison-woman-promised/article\\_f6c982e9-613f-5a24-a269-add0ef1af186.html](https://www.madison.com/wsj/news/local/ask/sos/sos-self-cleaning-oven-wasn-t-so-madison-woman-promised/article_f6c982e9-613f-5a24-a269-add0ef1af186.html)  
CHRIS RICKERT crickert@madison.com

June 4, 2018



The only ingredients Barb Behnke was supposed to need to cook up a clean oven were a little water, a sponge, 200 degrees and 40 minutes.

Instead, she ended up needing more than six months, an assist from SOS and a different oven.

Behnke, of Madison, considers herself a pretty tidy cook, and she expects the products she buys to perform as advertised. So she was miffed when she discovered that the self-cleaning feature on her new Maytag oven didn't.

According to Maytag's manufacturer, Whirlpool, the oven's AquaLift self-cleaning technology was developed in response to customer dissatisfaction with traditional self-cleaning, which works by raising the oven's temperature to as high as 800 degrees for several hours.

AquaLift, by contrast, relies on about two cups of distilled water, a much lower temperature and much less time to loosen baked-on grime that supposedly can be sponged away.

This was not Behnke's experience, and she emailed SOS 15 photos of her still-dirty oven after five consecutive cleanings, along with one showing a sponge mangled from her attempts to remove the still-baked-on grime.

"I have had numerous phone calls and emails to Maytag," she wrote SOS on April 11. "They told me to try it more than once. Then they blamed me that I ran it with drips in there."



She said she also had multiple visits from Maytag service techs, one of whom told her Maytag realized AquaLift isn't working and would be discontinued. In fact, in August 2016, attorneys filed a federal class-action lawsuit against Whirlpool contending AquaLift was a bust and Whirlpool has admitted as much.

SOS reached out to Whirlpool, Maytag, Grand Appliance and TV in Sun Prairie where Behnke bought the oven, and Maytag's PR firm, Ketchum, in early May and was rewarded with two phone calls from the Whirlpool executive offices.

Long story short: Whirlpool would have preferred to replace her oven with a different Maytag, but Behnke couldn't find one she liked, so it's refunding her \$894.64 for the AquaLift oven.

#### **'Subscription' fee refunded**

SOS had similar luck getting a \$69.95 refund for Madison grandmother Louise Goldstein, who pays for her granddaughter from out of state to attend the Jewish Federation of Madison's Camp Shalom.


The problem was the third-party firm the federation uses to process camp payments. When the granddaughter was signed up last year, Active Network also signed her grandmother up for a yearlong membership in its Active Advantage program, which provides discounts on products and event registration fees.

Goldstein disputes Active's characterization of the membership as an "opt-in" opportunity — where the customer formally agrees to the subscription — rather than an "opt-out" opportunity — where the customer has to formally reject the subscription to avoid automatic enrollment and charges.

She said Active refunded the \$79.95 she was charged for Active Advantage this year, but was holding firm on keeping 2017's \$69.95 fee — at least until SOS stepped in and the \$69.95 quietly showed up as a credit on her credit card statement.

# Exhibit 39

## SOS: Whirlpool promises 'buybacks' of self-cleaning ovens that don't

 [madison.com/wsj/news/local/ask/sos/sos-whirlpool-promises-buybacks-of-self-cleaning-ovens-that-don/article\\_c5e3601b-09b3-5cc7-b4b2-338f510fa108.html](https://www.madison.com/wsj/news/local/ask/sos/sos-whirlpool-promises-buybacks-of-self-cleaning-ovens-that-don/article_c5e3601b-09b3-5cc7-b4b2-338f510fa108.html)  
CHRIS RICKERT crickert@madison.com

July 9, 2018



Whirlpool told SOS last week that it will buy back three more of its AquaLift self-cleaning ovens that some unhappy customers say don't, in reality, clean themselves.

SOS' June 4 column about Barb Behnke's seven-month quest to return her AquaLift model was seen by at least one person having the same trouble getting the low-temperature technology to work, and one who didn't want to risk it.

"I've spoken to Sara, Whirlpool consumer care representative; Megan, a Whirlpool resolution specialist; Benjamin, a resolution leader; Tina, a resolution leader supervisor, and have had no movement or help from Whirlpool," Jan Rohde of Madison emailed on June 11. "I was told the stains are cosmetic and that Whirlpool would send a me a free cleaning kit! This is not acceptable!"

David Haas of Prairie du Sac bought his AquaLift model in 2016 and hadn't yet tried the self-cleaning feature, but after seeing the June 4 column decided he wanted to return the oven. A third person was interested in getting in on an AquaLift-related class-action lawsuit against Whirlpool and considering whether to go through with trying to get a replacement oven.

According to Whirlpool — whose brands include Maytag, Amana and KitchenAid — AquaLift's self-cleaning technology was developed in response to customer dissatisfaction with traditional self-cleaning, which works by raising the oven's temperature to as high as 800

degrees for several hours. AquaLift, by contrast, relies on about two cups of distilled water, a much lower temperature and much less time to loosen baked-on grime.

That has not been the experience of many AquaLift customers, however.

According to the notes from a June 7 service call on Rohde's oven, a Diamond Factory Service technician found that "when customer cleaned unit with the aqua lift clean cycle (it) did not remove baked on stains. Per whirlpool this is a cosmetic issue and is not covered. Unit is functioning correctly. Whirlpool agreed to cover service charge."

It also agreed to cover more than that after SOS sent the three most recent complaints, en masse, to Whirlpool representatives on June 19. Haas, for example, got a phone call June 20 from Whirlpool executive office lead Curtressa Bolton, who followed up with an email the same day saying, "I am honoring the offer to issue a refund on the Maytag Range, for the full retail value and the sales tax."


And here's Whirlpool media representative Cean Burgeson in a July 2 email to SOS:

"All of those additional three customers you forwarded to us have been contacted by our customer service team and are in the process of having buybacks completed."

SOS will follow up to determine the exact timing, amount and scope of Whirlpool's AquaLift recompense.



## SOS: Bill collector called off in wake of failed washing machine repair

 [madison.com/ws/news/local/ask/sos/sos-bill-collector-called-off-in-wake-of-failed-washing-machine-repair/article\\_70fdad7a-732e-520a-9a74-a58df96abc5a.html](https://www.madison.com/ws/news/local/ask/sos/sos-bill-collector-called-off-in-wake-of-failed-washing-machine-repair/article_70fdad7a-732e-520a-9a74-a58df96abc5a.html)  
CHRIS RICKERT crickert@madison.com

August 27, 2018



In the end, Mike and Jackie Shivers' 15- to 20-year-old washing machine could not be saved, so it was only fair that Sears Home Services refunded the \$482.56 it charged them for trying to save it.

Less fair was the \$270 bill the Shiverses got five months later from a collections agency.

Mike, 83, said a support rod inside the old Kenmore failed, causing the tub to bang against the machine's innards during the spin cycle. Three technicians from Sears Home Services — the retailer's in-house repair service — gave up on getting it to spin smoothly again after they found that the tub itself was cracked.

The Shiverses bought a new washing machine and figured that was the end of it until early July, when they got a bill from a collections agency for \$270 it said they owed Sears.

Mike said the couple spent considerable time on the phone with the collections agency and Sears disputing the charge, but after being "outsourced to India," "we realized it was a hopeless situation" and contacted SOS.

On Aug. 9, SOS contacted two Sears officials, Jesse Liszka and Larry Costello, who have been helpful in the past, and Mike said that early in the week of Aug. 13, he got a call from Dana Shoulders of Sears' Texas office saying that the bill had been erased and to contact her directly if he had any other problems.

SOS got an emailed statement from Liszka saying "the satisfaction of our members is our top priority" and that the "erroneous bill" had been zeroed out.

The mix-up stemmed from “a systems/billing error that has been corrected,” she said.

### **SOS rocks**

The April 9 SOS column about an 86-year-old Waunakee woman who wanted delivery of her USA Today was the inspiration for a new song by Madison indie-pop band Woodrow. The band wrote “\$19.95” as part of a contest by Madison’s Triple M radio station, 105.5 FM, in which contestants could write a song based on a newspaper story.

“Companies these days don’t really treat you like they used to,” intones Woodrow lead singer Connor Brennan. “USA Today will pay for what you put her through.”

The track, part of Woodrow’s new EP, “Ice Cream for Breakfast,” can be downloaded at the State Journal website. A release party, with actual ice cream, is planned for Thursday at the High Noon Saloon, 701 E. Washington Ave.

### **AquaLift, continued**

Since SOS helped a Madison woman obtain a refund for a Maytag-brand self-cleaning oven that didn’t clean itself, it has received about a dozen other complaints about Whirlpool-made ovens with the allegedly faulty AquaLift technology.

SOS has forwarded all of them to Whirlpool, and over the last two weeks got word of two other belatedly compensated customers. Kathleen Gamoke of Stoughton said the company had her oven picked up on Aug. 17 and she was issued a refund of \$1,318. David Haas of Prairie du Sac got a \$523.52 refund for his AquaLift model on Aug. 16.

## SOS: Samsung refrigerator refund — doubled, not cubed



madison.com/ws/news/local/ask/sos/sos-samsung-refrigerator-refund-doubled-not-cubed/article\_21e47f4f-78be-504d-bdbe-d0dc6e807dbc.html  
CHRIS RICKERT crickert@madison.com

September 3, 2018



Niem Allen figured if SOS can help one southern Wisconsin woman with a faulty refrigerator, it can help another.

She was right.

Allen, of Albany, contacted SOS after a friend gave her a clipping of the column's July 30 edition, which recounted the tale of a Stoughton woman whose Samsung refrigerator couldn't keep a chill.

Allen's Samsung could keep a chill — and then some. What she thinks was a leak in the freezer's ice maker was causing the unit's ice tray to freeze to the freezer's innards.

Plus, she said, the thing wouldn't give her cubes, only crushed.

Allen said that for the first half of May, Samsung tried to find a local technician to come out and fix the fridge, which was only 5 months old.

"I preferred to keep the refrigerator if I can get somebody to fix it," she said.

That effort failed, Allen said, so Samsung offered to buy it back on May 18.

"They say they're going to send me a check and never did," Allen said, and as of July was told "it's still in process."

Allen, 68, got in touch with SOS on July 31, and SOS contacted Samsung later that same day.

On Aug. 1, Allen got an email from Alicia Laing, of Samsung's Office of the President, apologizing for her hassle and promising her check would arrive in seven to 10 business days.

It did, for \$1,896.89, on Aug. 10, Allen said.

Laing did not respond when asked what led to the mix-up. A Samsung spokesman, Zach Dugan, said in a statement that the company "will carefully review Ms. Allen's experience in an effort to constantly improve our processes."

**Whirlpool, continued (again)**

Jo Kiesow, of Sun Prairie, wrote on Aug. 25 to say Whirlpool replaced her AquaLift-equipped oven with a new double oven that retails for \$1,849 but only cost her an extra \$375.

Kiesow is among the nearly 20 Whirlpool customers whose stories SOS has been forwarding to the company. AquaLift is a low-heat self-cleaning feature that, in the experience of the customers, doesn't work.

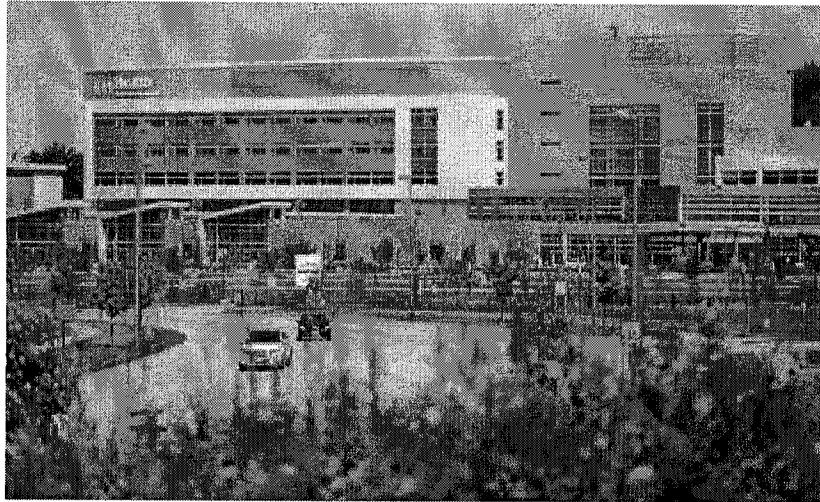
"The only self-cleaning ovens were very simple models or a double oven which was much more expensive than the one we have," Kiesow writes. "They offered us a double oven for \$375 more or they would refund our money. We chose the double oven because it was a very expensive model and I have always wanted a double oven."



## SOS: UW Health changes course, decides one co-pay for two ER visits is plenty

 [madison.com/wsj/news/local/ask/sos/sos-uw-health-changes-course-decides-one-co-pay-for/article\\_826e413e-306d-56ab-941e-c466188be6d2.html](https://www.madison.com/wsj/news/local/ask/sos/sos-uw-health-changes-course-decides-one-co-pay-for/article_826e413e-306d-56ab-941e-c466188be6d2.html)  
CHRIS RICKERT [cricket@madison.com](mailto:cricket@madison.com)

September 17, 2018



May 15 turned into a long night for Madison Far East Siders Clement and Marilyn Pittz after Clement, 83, began suffering from leg pain and had to be shuttled among three UW Health facilities.

"It was a terrible night. It was exhausting," Marilyn recounted.

The subsequent billing fiasco was just the icing on the cake.

The Pittzes went first to UW's East Side urgent care clinic, where Marilyn said a physician told them they needed a higher level of care than was available there and gave them the choice of going to either UW Health at The American Center on the Far East Side or University Hospital on the Near West Side.

The American Center was closer, so that's where they went, only to be told when they got there that it also didn't have the care Clement needed.

So it was on to University Hospital on the other side of town, where Marilyn said they would have gone to begin with had they known that's where they'd end up.

Then the bills came. Out-of-pocket expenses for the Pittzes were a \$10 co-pay for the urgent care clinic and two \$75 co-pays for emergency room visits at University Hospital and The American Center.

Pittz has no objections to making co-pays for medical visits chosen or required by her or her husband, but she noted that it was the physician who (wrongly) said Clement could get the required care at The American Center, and so she figured she should be responsible for only one of the two \$75 co-pays.

She explained this to UW Health Patient Relations, to no avail.

"The charges for your visit are appropriate and we cannot interfere with the contractual agreement you have with your insurance carrier," Patient Relations coordinator "Maureen" wrote in a July 30 letter that does not provide her last name.

For this billing predicament, the second time proved to be the charm.

SOS asked UW Health spokeswoman Lisa Brunette if Marilyn had a point.

"She does have a point," Brunette wrote back the next day, Aug. 30. "We agree that under these circumstances only one co-pay should have been charged and we will remove one of the \$75 co-pays."

If Patient Relations hadn't been sympathetic, Marilyn said her husband's regular vascular and heart physician took an interest.

She said he asked for paperwork related to the billing dispute and told her "we need to improve things; you shouldn't have to go through all this all night."

### **Whirlpool refund**

Jan Rohde's monthslong dispute with Whirlpool over her not-so-self-cleaning self-cleaning Whirlpool oven is coming to a close.

On Sept. 3, she wrote to say she'd received a \$1,410 refund for the oven, including taxes.

SOS has fielded some 20 complaints from Whirlpool customers upset that Whirlpool's low-heat AquaLift self-cleaning technology doesn't work. Attorneys are also seeking class-action status for a suit against Whirlpool claiming the technology doesn't work.

# Exhibit 40

**Robbins Geller  
Rudman & Dowd LLP**

Atlanta  
Boca Raton

Chicago  
Manhattan

Melville  
Nashville

Philadelphia  
San Diego

San Francisco  
Washington, DC

Mark S. Reich  
MReich@rgrdlaw.com

October 19, 2018

VIA E-MAIL

Mr. Marc Bitzer, CEO  
c/o Michael Williams, Esq.  
Whirlpool Corporation  
2000 North M-63  
Benton Harbor, MI, 49022-2692

Re: *Danielkiewicz v. Whirlpool Corporation*

Dear Mr. Bitzer:

We represent Plaintiffs Thomas and Katherine Danielkiewicz, Don Martin, John Curcio, Georgia Stamates, Arlene Powers, Nancy Leonti, Linda Watts, and Claudia Goodman (collectively, "Plaintiffs"). Plaintiffs are residents of Michigan, Florida, California, New York, and Missouri that acquired Whirlpool Corporation ("Whirlpool") ovens with AquaLift™ self-clean technology (the "Whirlpool Ovens" or "Ovens").

We write on behalf of Plaintiffs to make a demand for damages and injunctive relief pursuant to the Michigan Consumer Protection Act, Mich. Comp. Laws Ann. §445.901, *et seq.*, ("MCPA"), the Florida Deceptive and Unfair Trade Practices Act, Fla. Stat. Ann. §501.201, *et seq.* ("FDUTPA"), the Missouri Merchandising Practices Act ("MMPA"), §407.010, RSMo; the California Consumers Legal Remedies Act, California Civil Code §1750, *et seq.* ("CLRA"), the California Unfair Competition Law, Bus. & Prof. Code §17200 *et seq.* ("UCL"), and the New York General Business Law §§349-350 ("GBL") (collectively, "the Consumer Protection Statutes") as well as for breach of contract, breach of express and implied warranties, and unjust enrichment. Plaintiffs contend that Whirlpool violated express and implied product warranties and the above Consumer Protection Statutes by falsely representing the functions and capabilities of the Ovens' AquaLift technology.

This pre-suit letter echoes the complaints and notice regarding the ineffectiveness or inoperability of AquaLift that was relayed: (a) directly to Whirlpool; (b) to Whirlpool through its authorized retailers; and/or (c) to Whirlpool through its authorized repair agents and representatives. Whirlpool has failed to disclose to Plaintiffs, and misrepresented, that the Whirlpool AquaLift technology would not, could not, and does not work as warranted and advertised. Whirlpool has violated and continues to violate the Consumer Protection Statutes and common law asserted above by engaging in the following practices:

Robbins Geller  
Rudman & Dowd LLP

Mr. Marc Bitzer  
c/o Michael Williams, Esq.  
October 19, 2018  
Page 2

- (a) Representing that the Whirlpool Ovens have characteristics and benefits which they do not, *i.e.* that the AquaLift technology effectively self-cleans the Whirlpool Ovens, and otherwise works as advertised;
- (b) Representing that the Whirlpool Ovens are of a particular standard, quality, or grade, which they are not, *i.e.* that the AquaLift technology effectively self-cleans Whirlpool Ovens, let alone, in less than one hour as promised in Whirlpool's advertising;
- (c) Advertising or marketing the Whirlpool Ovens with the intent not to sell the products as advertised;
- (d) Representing that the Whirlpool Ovens have been supplied in accordance with previous representations, when they have not; and
- (e) Failing to warn or disclose to purchasers of the Whirlpool Ovens technology would not, could not, and does not work as advertised.

Based on information obtained as of the issuance of this letter, Whirlpool features AquaLift in the marketing or advertising of the Whirlpool Ovens, encompassing approximately 87 different Whirlpool-manufactured ovens to consumers, under multiple brand names. Whirlpool distinguishes these ovens by highlighting and stressing AquaLift, as a key feature and critical attribute, noting that AquaLift is an "exclusive" technology, is "first of its kind," and was developed to directly address consumer dissatisfaction.

What is more, Whirlpool seeks to induce or persuade consumers to purchase the Whirlpool Ovens through advertising slogans, which include, but are not limited to: (a) "Get odor-free cleaning without harsh chemicals in only 50 minutes"; (b) "When it's time for cleanup, AquaLift self-cleaning technology helps you wipe away messes in your slide-in electric range or gas stove without harsh chemicals or odors"; and (c) "At the end of the meal, this self-cleaning oven's AquaLift self-cleaning technology delivers odor-free oven cleaning without chemicals in only 50 minutes."

Whirlpool knew, or should have known, that its representations and advertisements regarding AquaLift were unsubstantiated, false, and misleading. Plaintiffs seek a Court order enjoining the above-described wrongful acts and practices of Whirlpool pursuant to the Consumer Protection Statutes.

Robbins Geller  
Rudman & Dowd LLP

Mr. Marc Bitzer  
c/o Michael Williams, Esq.  
October 19, 2018  
Page 3

AquaLift has failed to, and does not, perform as advertised and warranted by Whirlpool. Accordingly, pursuant to the Consumer Protection Statutes, Plaintiffs, individually and on behalf of all other similarly situated consumers who purchased a Whirlpool Oven, hereby demand that Whirlpool rectify the actions described above by immediately ceasing its misleading advertising and marketing campaign and engaging in a corrective campaign to inform consumers of its use of illegal advertising.

Additionally, on behalf of themselves and all others similarly situated, Plaintiffs hereby demand that Whirlpool provide complete monetary relief because of AquaLift's failure to perform as advertised and warranted, and that Whirlpool provide full restitution and disgorgement. Plaintiffs hereby demand further that Whirlpool agree to be bound by its legal obligation and to give notice to them of its intent to do so.

We await your response.

Very truly yours,

*/s/ Mark S. Reich*

Mark S. Reich

cc: Stuart Davidson, Esq.  
Jessica Scott, Esq.  
Julian Ellis, Esq.  
Laura McNabb, Esq.  
Stuart Davidson, Esq.  
Jonah Goldstein, Esq.  
Lucas Olts, Esq.