

# **Exhibit 2**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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In re FLINT WATER CASES

Civil Action No. 5:16-cv-10444-JEL-  
MKM (consolidated)

Hon. Judith E. Levy  
Mag. Mona K. Majzoub

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**DECLARATION OF LESLIE M. KROEGER IN SUPPORT OF  
CLASS PLAINTIFFS' MOTION FOR CERTIFICATION OF  
SETTLEMENT CLASS, FINAL APPROVAL OF CLASS SETTLEMENT,  
AND APPOINTMENT OF SETTLEMENT CLASS COUNSEL**

I, Leslie M. Kroeger, make this declaration pursuant to **28 U.S.C. § 1746**. I hereby declare under penalty of perjury that the following is true and correct:

1. I am a partner at the law firm Cohen Milstein Sellers & Toll PLLC and am counsel of record in this case. I have been closely involved in the steps taken by Interim Co-Lead Class Counsel to facilitate the notice and registration process.

2. Prior to the settlement being announced Interim Class Counsel retained an answering service that could take calls seven days a week, 24 hours per day. That service went live on August 20, 2020, when the proposed settlement information was publicly announced.

3. Personnel at the law firms of Interim Co-Lead Class Counsel and Executive Team members have been available to take live calls (and return missed calls) from community members regarding the proposed settlement on Monday

through Friday, from 9 am to 5pm. For the initial 30 days and during the 60-day Registration period, law firm personnel were additionally available to answer and return calls on weekends.

4. Call logs from the answering service indicate that as of May 18, 2021, the answering service has fielded 5,562 calls, each of which were passed on to law firm personnel for either immediate answering or a follow-up call.

5. In addition to the answering service, Interim Class Counsel established a text-only request for information service for members of the community to ask questions regarding the proposed settlement. As of January 31, 2021, law firm personnel had responded to 574 text messages for information.

6. Interim Co-Lead Class Counsel established and have maintained a website, [www.flintwaterjustice.com](http://www.flintwaterjustice.com), to provide information to settlement class members regarding the settlement process. The website allows for individuals to initiate a “Chat” requesting information from law firm personnel. As of May 18, 2021, law firm personnel have responded to 1,331 web chats from members of the community.

7. Interim Co-Lead Class Counsel have further established and maintained a specific email account for the purpose of communicating with members of the community regarding this litigation and the settlement process. To

date, approximately 5,000 emails have been received and responded to concerning the settlement process.

8. In a continued effort to reach the community and answer questions on a larger scale, Interim Class Counsel held Conference Calls and Town Hall via Zoom explaining details of the settlement and registration process. Conference Calls, known within the community as “First Friday” calls, were held September 11, 2020, October 2, 2020; and November 6, 2020. Zoom Town Hall meetings were held December 2, 2020; January 28, 2021; February 25, 2021; March 4, 2021; March 11, 2021; March 18, 2021; March 25, 2021; and May 6, 2021. The Town Hall Meetings were recorded, and the video recordings were placed on the website for review by any member of the community. Additional Town Hall meetings are scheduled to be held at least monthly throughout the Claims Process.

9. Interim Co-Lead Class Counsel ran radio ads on seven local radio stations in Flint, Michigan, to further provide the public with information regarding the proposed settlement. These ads provided general information about the settlement and directed listeners to call a phone number or visit the settlement website for further information. These advertisements resulted in 2,771,332 delivered impressions.

10. Interim Co-Lead Class Counsel has office space at 1188 Robert T. Longway Blvd, Flint Michigan. Due to the COVID-19 pandemic, the office was

closed at the time the proposed settlement was announced. On January 29, 2021, after the Court issued its preliminary approval order, Interim Co-Lead Class Counsel re-opened the office under strict public health guidelines. Law firm personnel worked with over 2,000 individuals to complete registration forms. The office also served as a location for additional members of the community to drop off completed registration forms, forms of identification, or other documents required in the registration process. All items received were submitted to Archer, the claims administrator, for processing.

11. Many of the community members who attended Town Halls or otherwise reached out to Interim Co-Lead Class Counsel ultimately chose not to individually retain Class Counsel and instead registered to participate in the Settlement as an absent member of the Settlement Subclasses or minor. For all inquiries, Interim Co-Lead Class Counsel would first inquire as to whether the individual had previously retained counsel. If they had, they were referred to their counsel. Interim Co-Lead Class Counsel provided information and assistance to all other individuals who contacted them through one of the methods identified above.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed: Palm Beach Gardens, Florida  
May 27, 2021

s/ Leslie M. Kroeger  
Leslie M. Kroeger