# FLINT WATER CASES (FWC) QUALIFIED SETTLEMENT FUND CATEGORIES, MONETARY AWARDS, AND REQUIRED PROOFS GRID (11/11/20)

#### I. Minor Children (Ages 6 and Younger) Settlement Categories<sup>1</sup>

#### **Monetary Awards Explanation**

- Monetary Award amounts for the minors' ages 6 and younger Categories are stated as a factor of "x".
- The total of all x Categories will be allocated 64.5% of the FWC Qualified Settlement Fund as described in footnote 1.
- The actual dollar amount for x will be determined by the Claims Administrator after processing all Claims (except for Future Minor Sub-Qualified Settlement Fund Claims), as x is based upon the number of Claimants receiving Monetary Awards in each respective Category.
- While estimates of Monetary Award amounts based on x may be provided before all Claims are actually processed by the Claims Administrator, they will only be estimates which are subject to a number of variables that cannot be determined until

<sup>1</sup> Allocations of the FWC Qualified Settlement Fund, subject to the terms of the Settlement Agreement, are shown in the below chart. Unused funds in the Adult and Property Damage Sub-Qualified Settlement Fund, Business Economic Loss Sub-Qualified Settlement Fund, and Programmatic Relief Sub-Qualified Settlement Fund will revert to the Minor Child, Minor Adolescent, Minor Teen, and Future Minor Sub-Qualified Settlement Funds. If a Claimant is eligible for more than one personal injury Category, only the highest Monetary Award personal injury Category will be awarded. The following allocation percentage amounts assume the same relative ratio of Claimant participation in each category. Because the ultimate actual participation rates of Claimants in each category will vary, mathematical adjustments will be made as needed to maintain the same relative percentage amounts reflected in these allocations. In addition, the Monetary Award amounts for minors between ages six, and six years and six months, at the time of first exposure to Flint water will be smoothed out so that, for example, a six year old does not receive a vastly different Monetary Award than a six year and one month old. Examples of both the mathematical adjustments to maintain relative allocation percentages, and the smoothing out of Monetary Awards between ages six and six years and six months (showing a monthly 6% reduction of such awards from the prior month for each of those six months), are attached to this grid.

Minor Children Settlement Categories	79.5% (64.5% for ages $\leq$ 6 at first exposure; 10% for
	ages 7-11; 5% for ages 12-17)
Adults and Property Damage Settlement Categories	18% (15% for adults; 3% for property damage)
Business Economic Loss Settlement Category	0.5%
Programmatic Relief Settlement Category	2%

#### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40790 Filed 11/18/20 Page 381 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

all Claims are processed. Therefore, the actual Monetary Awards could vary significantly in amount from prior estimates of such awards.

#### **Definitions**

- "First exposure" means the date on which an individual first ingested or came into contact with Flint water.
- "Flint water" means water from the Flint Water Treatment Plant.
- "Resided or dwelled in Flint" means that an individual's legal residence or location where they regularly slept was in Flint, as reflected on a medical or other reliable record.
- "Were otherwise exposed" means that an individual ingested or came into contact with Flint water.

### <u>CATEGORY 1</u> Minor Child, ages 6 and younger, lead level.

<b>Category Description</b>	Monetary Awards	Required Proofs
Load Lovel	2	Pland Land Tagte Vanue or conillary
Lead Level	2x	Blood Lead Test: Venus or capillary
Individuals ages 6 and younger at first		blood lead test drawn by a clinical lab that
exposure who:		is CLIA (Clinical Laboratory Improvement
		Amendments) certified or LAMP (Lead
(1) For at least 21 days during any 30-day		and Multi-element Proficiency Program)
period between April 25, 2014 and July 31,		proficient and taken during the period of
2016;		May 16, 2014 through August 31, 2016.
		Qualifying laboratory methods to
(2) Resided, dwelled, or attended school or		determine blood lead concentrations
day care in Flint, or were otherwise		include atomic absorption spectrometry
exposed to Flint water; and		(AAS), inductively coupled plasma mass
		spectrometry (ICP-MS), Graphite Furnace
(3) Tested between May 16, 2014 and		Atomic Absorption Spectrometry
August 31, 2016 with a blood lead level		

## Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40791 Filed 11/18/20 Page 382 of 839

("BLL") at or above 10.0 mcg/dL; or tested between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with measurements of in vivo lead quantification in an individual's bone at or above 10.0 ug/G.	(GFAAS), Atomic Spectroscopy (AS), and Anodic Stripping Voltammetry (ASV).  Bone Lead Test: Test with an X-Ray fluorescence (XRF) device optimized to measure bone lead in vivo in humans and to perform measurements of in vivo bone lead in bones. Test must have been taken between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, except that the end date of 90 days after the date of the Preliminary Approval Order shall not be applied to Future Minor Claimants, who shall not be subject to that end date restriction. XRF bone test results must be signed and verified as properly calibrated, reliable and accurate by a board-certified PhD and/or M.D. qualified
	If any of the above-described blood or bone lead level test results for a particular individual are stated by the reporting testing entity as "less than" a numerical value (i.e., 3.0., 5.0, 10.0), then such result shall be treated as a lead level result of that numerical value. For example, a test result reported as "less than 3.0" or "<3.0" shall be treated as a lead level of 3.0.

CATEGORY 2  Minor Child, ages 6 and younger, lead level, or cognitive deficit.		
Category Description	Monetary Awards	Required Proofs
Lead Level Individuals ages 6 and younger at first exposure who:	1.5x	Blood or Bone tests: as described in required proofs for Category 1.
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;		Cognitive deficit: Report required as described in Category Description.
(2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water; and		
(3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or between 5.0 and 9.9 mcg/dL; or tested between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with measurements of in vivo lead quantification in an individual's bone at or between 5.0 and 9.9 ug/G;		
<u>OR</u>		
Cognitive Deficit Individuals ages 6 and younger at first exposure who:		

### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40793 Filed 11/18/20 Page 384 of 839

(1) For at least 21 days during any 30-day
period between April 25, 2014 and July 31,
2016;

- (2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water; **and**
- (3) Have a report documenting a full and individual evaluation dated after May 16, 2014, from a multidisciplinary evaluation team which shall include a board-certified pediatrician and neuropsychologist, and which report is based upon a neurocognitive or neuropsychological assessment battery of clinical, scientifically validated tests, including the Cambridge Neuropsychological Test Automated Battery (CANTAB), determining that the individual has a leadrelated cognitive impairment, caused after May 16, 2014, defined as: Cognitive during the impairment manifested individual's developmental period at ages 6 or younger, and who was exposed to Flint water during that period, as determined through testing and the demonstration of all of the following behavioral characteristics: (i) development at a rate of 2.0 standard deviations or more below the mean as determined through an assessment of intellectual functioning domain; (ii) scores approximately within the lowest six percentiles on a standardized test in

### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40794 Filed 11/18/20 Page 385 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

reading and arithmetic (this requirement will not apply if the individual is not of an age, grade, or mental age appropriate for formal or standardized achievement tests); (iii) lack of normally accepted development primarily in the cognitive domain; (iv) impairment of adaptive behavior; and (v) impairment which adversely affects an individual's educational performance.<sup>2</sup> The report determining that the individual has a cognitive impairment must be signed and verified as reliable and accurate by a PhD and/or M.D. qualified to do so in the appropriate field of study. The abovereferenced CANTAB shall include cognitive end points from: the Reaction Time Test (RTI); the Spatial Memory Span Test (SSP); the Stockings of Cambridge Test of problem solving (SOC); and the Dimensional Shift Test (IED) of attentional control.

<sup>2</sup> Based upon, but adjusted, Michigan Administrative Rules for Special Education (MARSE) R 340.1705, Cognitive impairment; determination. Rule 5.

## Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40795 Filed 11/18/20 Page 386 of 839

<u>CATEGORY 3</u> <u>Minor Child, ages 6 and younger</u> , lead level, cognitive deficit, preterm birth, or low birth weight.		
<b>Category Description</b>	Monetary Awards	Required Proofs
Lead Level Individuals ages 6 and younger at first exposure who:  (1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;  (2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water; and  (3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or between 3.0 and 4.9 mcg/dL; or tested between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with measurements of in vivo lead quantification in an individual's bone at or between 3.0 and 4.9 ug/G.  OR  Cognitive Deficit Individuals ages 6 and younger at first exposure who:	X X	Blood or Bone tests: as described in required proofs for Category 1.  Cognitive deficit: Report required as described in Category Description.  Infants born preterm or with low birth weight: Copy of mother's or infant's medical records showing that the infant was born preterm or with low birth weight between May 16, 2014 and April 30, 2017. Born "preterm" means born prior to 37 weeks of gestation. "Low birth weight" means born with a weight under 2500 grams or 5 lbs. 8oz.

### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40796 Filed 11/18/20 Page 387 of 839

(1) For at least 21 days during any 30-day
period between April 25, 2014 and July 31,
2016;

- (2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water; **and**
- (3) Have a report documenting a full and individual evaluation dated after May 16, 2014, from a multidisciplinary evaluation team which shall include a board-certified pediatrician and neuropsychologist, and which report is based upon a neurocognitive or neuropsychological assessment battery of clinical, scientifically validated tests, including the Cambridge Neuropsychological Test Automated Battery (CANTAB), determining that the individual has a leadrelated cognitive impairment, caused after May 16, 2014, defined as: Cognitive during the impairment manifested individual's developmental period at ages 6 or younger, and who was exposed to Flint water during that period, as determined through testing and the demonstration of all of the following behavioral characteristics: (i) development at a rate of 1.0 standard deviation or more below the mean as determined through an assessment of intellectual functioning domain; (ii) scores approximately within the lowest six percentiles on a standardized test in

## Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40797 Filed 11/18/20 Page 388 of 839

reading and arithmetic (this requirement	
will not apply if the individual is not of an	
age, grade, or mental age appropriate for	
formal or standardized achievement tests);	
(iii) lack of normally accepted	
development primarily in the cognitive	
domain; (iv) impairment of adaptive	
behavior; and (v) impairment which	
adversely affects an individual's	
educational performance. The report	
determining that the individual has a	
cognitive impairment must be signed and	
verified as reliable and accurate by a PhD	
and/or M.D. qualified to do so in the	
appropriate field of study. The above-	
referenced CANTAB shall include	
cognitive end points from: the Reaction	
Time Test (RTI); the Spatial Memory Span	
Test (SSP); the Stockings of Cambridge	
Test of problem solving (SOC); and the	
Dimensional Shift Test (IED) of	
attentional control.	
OR	
Infants born preterm or with low birth	
weights	
Infants, whose mothers:	
(1) For at least 21 days during any 20 days	
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31,	
2016;	
2010,	

### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40798 Filed 11/18/20 Page 389 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

(2) Resided, dwelled, attended school, or	
worked in Flint, or were otherwise exposed	
to Flint water; and	
	ĺ

(3) Gave birth such that the infant was born: (a) preterm between May 16, 2014 and April 30, 2017; **or** (b) with low birth weight between May 16, 2014 and April 30, 2017.

### <u>CATEGORY 4</u> <u>Minor Child, ages 6 and younger</u>, lead level, or formula-fed infant.

<b>Category Description</b>	Monetary Awards	Required Proofs
Lead Level Individuals ages 6 and younger at first exposure who:	0.5x	Blood or bone tests: as described in required proofs for Category 1.
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;		Formula-Fed Infants: Copy of mother's or infant's medical records dated between May 16, 2014 and August 31, 2016, indicating that infant was fed powdered or liquid-concentrate formula mixed with
(2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water; <b>and</b>		Flint water for at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016. Other verifiable, equivalent documentation to show this information is
(3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or between 0.1 and 2.9 mcg/dL; or tested between		acceptable.
May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with measurements of in vivo lead		

### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40799 Filed 11/18/20 Page 390 of 839

quantification in an individual's bone at or between 0.1 and 2.9 ug/G.		
<u>OR</u>		
Formula-Fed Infants Infants at first exposure who:		
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;		
(2) Resided, dwelled, or attended day care in Flint, or were otherwise exposed to Flint water; <u>and</u>		
(3) Were between April 25, 2014 and July 31, 2016 fed for at least 21 days during any 30-day period with powdered or liquid-concentrate formula mixed with Flint water.		
<u>CATEGORY 5</u> <u>Minor Child, ages 6 and younger</u> , residential water lead, or lead /galvanized steel service line.		
Category Description	Monetary Awards	Required Proofs
Residence <sup>3</sup> with water lead level of 15 ppb or higher	0.2x	Residence with water lead level of 15 ppb or higher: Water lead level test from: a

<sup>&</sup>lt;sup>3</sup> "Residence" in this category, and similarly described categories, means the residential real property where the individual resided or dwelled and was exposed to Flint water for at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016. "Resided or dwelled" means that an individual's legal residence or location where they regularly slept was in Flint, as reflected on a medical or other reliable record.

## Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40800 Filed 11/18/20 Page 391 of 839

Individuals ages 6 and younger at first	laboratory certified by the State of
exposure who:	Michigan; the list on the State of Michigan
	Flint Water Test Results website; the
(1) For at least 21 days during any 30-day	United States Environmental Protection
period between April 25, 2014 and July 31,	Agency; or Virginia Polytechnic Institute
2016;	and State University; with a result of 15
	ppb or higher dated between May 16, 2014
(2) Resided or dwelled in a Flint residence;	and August 31, 2016.
and and	
	Residence with lead or galvanized steel
(3) Such Flint residence tested between	service lines ("LSL"): City of Flint Report
May 16, 2014 and August 31, 2016 with a	evidencing that Claimant's residence had a
water lead level of 15 ppb or higher.	LSL at the time of exposure to Flint water between April 25, 2014 and July 31, 2016.
OD	between April 23, 2014 and July 31, 2010.
<u>OR</u>	
Residence with lead or galvanized steel	
service lines	
Individuals ages 6 and younger at first	
exposure who:	
(1) For at least 21 days during any 30-day	
period between April 25, 2014 and July 31,	
2016;	
(2) Resided or dwelled in a Flint residence;	
and and	
(3) Such Flint residence had lead or	
galvanized steel service lines.	

### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40801 Filed 11/18/20 Page 392 of 839

<u>CATEGORY 6</u> Minor Child, ages 6 and younger, no blood or bone lead level.				
<u>Category Description</u>	Monetary Awards	Required Proofs		
No Blood or Bone Lead Level Individuals ages 6 and younger at first exposure who:	0.15x	No blood or bone lead level: Form verification declaring that the requirements are met, with basic documentation.		
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;				
(2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water; <b>and</b>				
(3) Have no blood or bone lead level tests.				
CATEGORY 7  Minor Child, ages 6 and younger, exposed to Flint water after July 31, 2016.				
Category Description	Monetary Awards	Required Proofs		
Exposed to Flint water after July 31, 2016 Individuals ages 6 and younger at first exposure who:  (1) For at least 21 days during any 30-day	0.1x	Exposed to Flint water after July 31, 2016: Form verification declaring that the requirements are met, with basic documentation.		
period after July 31, 2016, and before the				

#### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40802 Filed 11/18/20 Page 393 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

Execution Date of the Settlement Agreement;	
(2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water.	

#### II. Minor Adolescent (Ages 7 through 11) Settlement Categories

#### **Monetary Awards Explanation**

- Monetary Award amounts for the minors' ages 7 through 11 Categories are stated as a factor of "y".
- The total of all y Categories will be allocated 10% of the FWC Qualified Settlement Fund as described in footnote 1.
- The actual dollar amount for y will be determined by the Claims Administrator after processing all Claims (except for Future Minor Sub-Qualified Settlement Fund Claims), as y is based upon the number of Claimants receiving Monetary Awards in each respective Category.
- While estimates of Monetary Award amounts based on y may be provided before all Claims are actually processed by the Claims Administrator, they will only be estimates which are subject to a number of variables that cannot be determined until all Claims are processed. Therefore, the actual Monetary Awards could vary significantly in amount from prior estimates of such awards.

#### **CATEGORY 8**

Minor Adolescent, ages 7 through 11, lead level.

Category Description	Monetary Awards	Required Proofs
Lead Level	2y	Blood or Bone tests: as described in required proofs for Category 1.

## Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40803 Filed 11/18/20 Page 394 of 839

Individuals ages 7 through 11 at first exposure who:  (1) For at least 21 days during any 30-day period between April 25, 2014 and July		
<ul><li>31, 2016;</li><li>(2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water; and</li></ul>		
(3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or above 10.0 mcg/dL; or tested between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with measurements of in vivo lead quantification in an individual's bone at or above 10.0 ug/G.		
<u>M</u>	CATEGORY 9  Innor Adolescent, ages 7 through 11, lead leve	el.
<b>Category Description</b>	Monetary Awards	Required Proofs
Lead Level Individuals ages 7 through 11 at first exposure who:	1.5y	Blood or Bone tests: as described in required proofs for Category 1.
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;		

### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40804 Filed 11/18/20 Page 395 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

(2) Resided, dwelled, or attended school or						
day care in Flint, or were otherwise						
exposed to Flint water; and						

(3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or between 5.0 and 9.9 mcg/dL; or tested between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with measurements of in vivo lead quantification in an individual's bone at or between 5.0 and 9.9 ug/G.

#### **CATEGORY 10**

Minor Adolescent, ages 7 through 11, lead level, or cognitive deficit.

<b>Category Description</b>	Monetary Awards	Required Proofs
<u>Lead Level</u> Individuals ages 7 through 11 at first exposure who:	y	Blood or Bone tests: as described in required proofs for Category 1.
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;		Cognitive deficit: Report required as described in Category Description.
(2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water; <b>and</b>		

# Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40805 Filed 11/18/20 Page 396 of 839

(3) Tested between May 16, 2014 and	
August 31, 2016 with a BLL at or between	
3.0 and 4.9 mcg/dL; or tested between	
May 16, 2014, and 90 days after the date of	
the Preliminary Approval Order, with	
measurements of in vivo lead	
quantification in an individual's bone at or	
between 3.0 and 4.9 ug/G.	
<u>OR</u>	
<b>Cognitive Deficit</b>	
Individuals ages 7 through 11 at first	
exposure who:	
(1) F (1 (21 1 1 1 2 2 2 1	
(1) For at least 21 days during any 30-day	
period between April 25, 2014 and July 31,	
2016;	
(2) Resided, dwelled, or attended school or	
day care in Flint, or were otherwise	
exposed to Flint water; and	
exposed to 14IIIt water, and	
(3) Have a report documenting a full and	
individual evaluation dated after May 16,	
2014, from a multidisciplinary evaluation	
team which shall include a board-certified	
pediatrician and neuropsychologist, and	
which report is based upon a	
neurocognitive or neuropsychological	
assessment battery of clinical,	
scientifically validated tests, including the	
Cambridge Neuropsychological Test	

# Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40806 Filed 11/18/20 Page 397 of 839

Automated Battery (CANTAB),	
determining that the individual has a lead-	
related cognitive impairment, caused after	
May 16, 2014, defined as: Cognitive	
impairment manifested during the	
individual's developmental period at ages	
7 through 11, and who was exposed to	
Flint water during that period, as	
determined through testing and the	
demonstration of all of the following	
behavioral characteristics: (i) development	
at a rate of 1.0 standard deviation or more	
below the mean as determined through an	
assessment of intellectual functioning	
domain; (ii) scores approximately within	
the lowest six percentiles on a	
standardized test in reading and arithmetic	
(this requirement will not apply if the	
individual is not of an age, grade, or	
mental age appropriate for formal or	
standardized achievement tests); (iii) lack	
of normally accepted development	
primarily in the cognitive domain; (iv)	
impairment of adaptive behavior; and (v)	
impairment which adversely affects an	
individual's educational performance. The	
report determining that the individual has	
a cognitive impairment must be signed	
and verified as reliable and accurate by a	
PhD and/or M.D. qualified to do so in the	
appropriate field of study. The above-	
referenced CANTAB shall include	
cognitive end points from: the Reaction	

## Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40807 Filed 11/18/20 Page 398 of 839

Time Test (RTI); the Spatial Memory Span Test (SSP); the Stockings of Cambridge Test of problem solving (SOC); and the Dimensional Shift Test (IED) of attentional control.		
<u>M</u>	CATEGORY 11  Linor Adolescent, ages 7 through 11, lead leve	el.
<b>Category Description</b>	Monetary Awards	Required Proofs
Lead Level Individuals ages 7 through 11 at first exposure who:  (1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;  (2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water; and  (3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or between 0.1 and 2.9 mcg/dL; or tested between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with measurements of in vivo lead quantification in an individual's bone at or between 0.1 and 2.9 ug/G.	0.5y	Blood or Bone tests: as described in required proofs for Category 1.

## Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40808 Filed 11/18/20 Page 399 of 839

CATEGORY 12  Minor Adolescent, ages 7 through 11, residential water lead, or lead /galvanized steel service line.				
Category Description	Monetary Awards	Required Proofs		
Residence with water lead level of 15 ppb or higher Individuals ages 7 through 11 at first exposure who:	<b>0.2y</b>	Water lead level and LSL: as described in required proofs for Category 5.		
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;				
(2) Resided or dwelled in a Flint residence; and				
(3) Such Flint residence tested between May 16, 2014 and August 31, 2016 with a water lead level of 15 ppb or higher.				
OR				
Residence with lead or galvanized steel service lines Individuals ages 7 through 11 at first exposure who:				
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;				

# Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40809 Filed 11/18/20 Page 400 of 839

<ul> <li>(2) Resided or dwelled in a Flint residence; and</li> <li>(3) Such Flint residence had lead or galvanized steel service lines.</li> </ul>			
Minor Ado	CATEGORY 13  blescent, ages 7 through 11, no blood or bone	lead level.	
<b>Category Description</b>	Monetary Awards	Required Proofs	
No Blood or Bone Lead Level Individuals ages 7 through 11 at first exposure who:  (1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;  (2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water; and  (3) Have no blood or bone lead level tests.	0.15y	No blood or bone lead level: Form verification declaring that the requirements are met, with basic documentation.	
CATEGORY 14  Minor Adolescent, ages 7 through 11, exposed to Flint water after July 31, 2016.			
Category Description	Monetary Awards	Required Proofs	

#### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40810 Filed 11/18/20 Page 401 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

Exposed to Flint water after July 31,	0.1y	Exposed to Flint water after July 31, 2016:
2016 Individuals ages 7 through 11 at first exposure who:		Form verification declaring that the requirements are met, with basic documentation.
(1) For at least 21 days during any 30-day period after July 31, 2016, and before the Execution Date of the Settlement Agreement;		
(2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water.		

#### III. Minor Teen (Ages 12 through 17) Settlement Categories

#### **Monetary Awards Explanation**

- Monetary Award amounts for the minors' ages 12 through 17 Categories are stated as a factor of "z".
- The total of all z Categories will be allocated 5% of the FWC Qualified Settlement Fund as described in footnote 1.
- The actual dollar amount for z will be determined by the Claims Administrator after processing all Claims (except for Future Minor Sub-Qualified Settlement Fund Claims), as z is based upon the number of Claimants receiving Monetary Awards in each respective Category.
- While estimates of Monetary Award amounts based on z may be provided before all Claims are actually processed by the Claims Administrator, they will only be estimates which are subject to a number of variables that cannot be determined until all Claims are processed. Therefore, the actual Monetary Awards could vary significantly in amount from prior estimates of such awards.

# Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40811 Filed 11/18/20 Page 402 of 839

<u>CATEGORY 15</u> <u>Minor Teen, ages 12 through 17</u> , lead level.		
Category Description	Monetary Awards	Required Proofs
Lead Level Individuals ages 12 through 17 at first exposure who:	2z	Blood or Bone tests: as described in required proofs for Category 1.
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;		
(2) Resided, dwelled, attended school, or worked in Flint, or were otherwise exposed to Flint water; <b>and</b>		
(3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or above 10.0 mcg/dL; or tested between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with measurements of in vivo lead quantification in an individual's bone at or above 10.0 ug/G.		
CATEGORY 16 Minor Teen, ages 12 through 17, lead level.		
Category Description	Monetary Awards	Required Proofs
Lead Level	1.5z	

## Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40812 Filed 11/18/20 Page 403 of 839

Individuals ages 12 through 17 at first exposure who:  (1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;  (2) Resided, dwelled, attended school or worked in Flint, or were otherwise exposed to Flint water; and  (3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or between 5.0 and 9.9 mcg/dL; or tested between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with measurements of in vivo lead quantification in an individual's bone at or between 5.0 and 9.9 ug/G.		Blood or Bone tests: as described in required proofs for Category 1.
Minor Te	CATEGORY 17 een, ages 12 through 17, lead level, or cognitive	ve deficit.
<u>Category Description</u>	Monetary Awards	Required Proofs
Lead Level Individuals ages 12 through 17 at first exposure who:	z	Blood or Bone tests: as described in required proofs for Category 1.
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;		Cognitive deficit: Report required as described in Category Description.

### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40813 Filed 11/18/20 Page 404 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

(2) Resided, dwelled, attended school, or
worked in Flint, or were otherwise exposed
to Flint water; and

(3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or between 3.0 and 4.9 mcg/dL; or tested between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with measurements of in vivo lead quantification in an individual's bone at or between 3.0 and 4.9 ug/G.

#### OR

#### **Cognitive Deficit**

Individuals ages 12 through 17 at first exposure who:

- (1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;
- (2) Resided, dwelled, or attended school or day care in Flint, or were otherwise exposed to Flint water; **and**
- (3) Have a report documenting a full and individual evaluation dated after May 16, 2014, from a multidisciplinary evaluation team which shall include a board-certified pediatrician and neuropsychologist, and

# Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40814 Filed 11/18/20 Page 405 of 839

which report is based upon a	
neurocognitive or neuropsychological	
assessment battery of clinical,	
scientifically validated tests, including the	
Cambridge Neuropsychological Test	
Automated Battery (CANTAB),	
determining that the individual has a lead-	
related cognitive impairment, caused after	
May 16, 2014, defined as: Cognitive	
impairment manifested during the	
individual's developmental period at ages	
12 through 17, and who was exposed to	
Flint water during that period, as	
determined through testing and the	
demonstration of all of the following	
behavioral characteristics: (i) development	
at a rate of 1.0 standard deviation or more	
below the mean as determined through an	
assessment of intellectual functioning	
domain; (ii) scores approximately within	
the lowest six percentiles on a	
standardized test in reading and arithmetic	
(this requirement will not apply if the	
individual is not of an age, grade, or	
mental age appropriate for formal or	
standardized achievement tests); (iii) lack	
of normally accepted development	
primarily in the cognitive domain; (iv)	
impairment of adaptive behavior; and (v)	
impairment which adversely affects an	
individual's educational performance.	
The report determining that the individual	
has a cognitive impairment must be	

# Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40815 Filed 11/18/20 Page 406 of 839

signed and verified as reliable and accurate by a PhD and/or M.D. qualified to do so in the appropriate field of study. The above-referenced CANTAB shall include cognitive end points from: the Reaction Time Test (RTI); the Spatial Memory Span Test (SSP); the Stockings of Cambridge Test of problem solving (SOC); and the Dimensional Shift Test (IED) of attentional control.		
	CATEGORY 18 Minor Teen, ages 12 through 17, lead level	
<b>Category Description</b>	Monetary Awards	Required Proofs
Lead Level Individuals ages 12 through 17 at first exposure who:	0.5z	Blood or Bone tests: as described in required proofs for Category 1.
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;		
(2) Resided, dwelled, attended school, or worked in Flint, or were otherwise exposed to Flint water; <b>and</b>		
(3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or between 0.1 and 2.9 mcg/dL; or tested between May 16, 2014, and 90 days after		

## Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40816 Filed 11/18/20 Page 407 of 839

the date of the Preliminary Approval Order, with measurements of in vivo lead quantification in an individual's bone at or between 0.1 and 2.9 ug/G.		
Minor Teen, ages 12 thr	CATEGORY 19 ough 17, residential water lead, or lead /galva	anized steel service line.
Category Description	Monetary Awards	Required Proofs
Residence with water lead level of 15 ppb or higher Individuals ages 12 through 17 at first exposure who:  (1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;  (2) Resided or dwelled in a Flint residence; and  (3) Such Flint residence tested between	0.2z	Water lead level and LSL: as described in required proofs for Category 5.
(3) Such Flint residence tested between May 16, 2014 and August 31, 2016 with a water lead level of 15 ppb or higher.		
<u>OR</u>		
Residence with lead or galvanized steel service lines Individuals ages 12 through 17 at first exposure who:		

# Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40817 Filed 11/18/20 Page 408 of 839

<ul> <li>(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;</li> <li>(2) Resided or dwelled in a Flint residence; and</li> <li>(3) Such Flint residence had lead or galvanized steel service lines.</li> </ul>		
Minor T  Category Description	CATEGORY 20 deen, ages 12 through 17, no blood or bone le Monetary Awards	ad level.  Required Proofs
No Blood or Bone Lead Level Individuals ages 12 through 17 at first exposure who:  (1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;  (2) Resided, dwelled, attended school or worked in Flint, or were otherwise exposed to Flint water; and  (3) Have no blood or bone lead level tests.	0.15z	No blood or bone lead level: Form verification declaring that the requirements are met, with basic documentation.

#### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40818 Filed 11/18/20 Page 409 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

CATEGORY 21  Minor Teen, ages 12 through 17, exposed to Flint water after July 31, 2016		
<b>Category Description</b>	Monetary Awards	Required Proofs
Exposed to Flint water after July 31, 2016 Individuals ages 12 through 17 at first exposure who:  (1) For at least 21 days during any 30-day period after July 31, 2016, and before the Execution Date of the Settlement Agreement;  (2) Resided, dwelled, attended school or worked in Flint, or were otherwise exposed to Flint water.	0.1z	Exposed to Flint water after July 31, 2016: Form verification declaring that the requirements are met, with basic documentation.

#### IV. Adult Settlement Categories

#### **Monetary Awards Explanation**

- Monetary Award amounts for adult and women miscarriage Categories are stated as a factor of "AX" or in actual dollar amounts.
- The total of all adult and women miscarriage Categories will be allocated 15% of the FWC Qualified Settlement Fund as described in footnote 1.

#### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40819 Filed 11/18/20 Page 410 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

- The actual dollar amount for AX will be determined by the Claims Administrator after processing all Claims (except for Future Minor Sub-Qualified Settlement Fund Claims), as AX is based in part upon the number of Claimants receiving Monetary Awards in each respective Category.
- While estimates of Monetary Award amounts based on AX may be provided before all Claims are actually processed by the Claims Administrator, they will only be estimates which are subject to a number of variables that cannot be determined until all Claims are processed. Therefore, the actual Monetary Awards could vary significantly in amount from prior estimates of such awards.

CATEGORY 22  Adult, lead level.		
<b>Category Description</b>	Monetary Awards	Required Proofs
<u>Lead Level</u> Individuals ages 18 and older at first exposure who:	2AX	Blood or Bone tests: as described in required proofs for Category 1.
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;		
(2) Resided, dwelled, attended school, or worked in Flint, or were otherwise exposed to Flint water; <b>and</b>		
(3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or above 10.0 mcg/dL; or tested between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with		

lead

of

measurements

in

vivo

# Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40820 Filed 11/18/20 Page 411 of 839

quantification in an individual's bone at or above 10.0 ug/G.		
	<u>CATEGORY 23</u> <u>Adult</u> , lead level, or serious personal injury.	
Category Description	Monetary Awards	Required Proofs
Lead Level Individuals ages 18 and older at first exposure who:	AX	Blood or Bone tests: as described in required proofs for Category 1.
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;		Serious Personal Injury Medical Records: Copy of medical records or report as described in Category Description.
(2) Resided, dwelled, attended school or worked in Flint, or were otherwise exposed to Flint water; <b>and</b>		
(3) Tested between May 16, 2014 and August 31, 2016 with a BLL at or between 5.0 and 9.9 mcg/dL; or tested between May 16, 2014, and 90 days after the date of the Preliminary Approval Order, with measurements of in vivo lead quantification in an individual's bone at or between 5.0 and 9.9 ug/G.		
<u>OR</u>		

# Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40821 Filed 11/18/20 Page 412 of 839

Serious Personal Injury Individuals ages 18 and older at first exposure who:	
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;	
(2) Resided, dwelled, attended school or worked in Flint, or were otherwise exposed to Flint water; <b>and</b>	
(3) Have: severe hypertension, neuropathy, stroke, anemia, or renal insufficiency; and who were treated for such conditions by a board-certified physician, or a person supervised by such physician, appropriate for treating those conditions, between May 16, 2014 and July 31, 2016; and that is documented in medical records or a report by such physician or supervisee, or by another board-certified physician in the appropriate field, between May 16, 2014 and 90 days after the date of the Preliminary Approval Order, as being caused or exacerbated by that individual's exposure to Flint water between May 16, 2014 and July 31, 2016.	

# Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40822 Filed 11/18/20 Page 413 of 839

<u>CATEGORY 24</u> <u>Adult</u> , physical injury.		
Category Description	Monetary Awards	Required Proofs
Physical Injury Individuals ages 18 and older at first exposure who:	0.5AX	Medical Records: Copy of medical records or report as described in Category Description.
(1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;		
(2) Resided, dwelled, attended school or worked in Flint, or were otherwise exposed to Flint water; <b>and</b>		
(3) Have: any physical injury treated by a board-certified physician, or a person supervised by such physician, appropriate for treating such injury, between May 16, 2014 and July 31, 2016; and that is		
documented in medical records or a report by such physician or supervisee, or by another board-certified physician in the appropriate field, between May 16, 2014		
and 90 days after the date of the Preliminary Approval Order, as being caused or exacerbated by that individual's exposure to Flint water between May 16,		
2014 and July 31, 2016. Examples of such physical injuries include, but are not limited to, skin rashes, skin lesions, hair		

## Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40823 Filed 11/18/20 Page 414 of 839

loss, respiratory, pneumonia, and gastrointestinal conditions.		
Adult, expos	CATEGORY 25 ure after July 31, 2016, with lead level or phy	ysical injury.
<u>Category Description</u>	Monetary Awards	Required Proofs
Lead Level or Physical Injury Individuals ages 18 and older at first exposure who:  (1) For at least 21 days during any 30-day period after July 31, 2016, and before the Execution Date of the Settlement Agreement;	0.1AX	Blood or Bone tests: as described in required proofs for Category 1, but subject to date restrictions in this Category Description.  Medical Records: Copy of medical records or report as described in Category Description.
(2) Resided, dwelled, attended school or worked in Flint, or were otherwise exposed to Flint water; <u>and</u>		
(3) Have a BLL at or above 5 mcg/dL, or measurements of in vivo lead quantification in an individual's bone at or above 5 ug/G, and tested after July 31, 2016 and before the Execution Date of the Settlement Agreement; or have: any physical injury treated by a board-certified physician, or a person supervised by such physician, appropriate for treating such injury, after July 31, 2016 and before the Execution Date of the Settlement Agreement; and that is documented in		

## Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40824 Filed 11/18/20 Page 415 of 839

medical records or a report by such physician or supervisee, or by another board-certified physician in the appropriate field, between July 31, 2016 and 90 days after the date of the Preliminary Approval Order, as being caused or exacerbated by that individual's exposure to Flint water after July 31, 2016 and before the Execution Date of the Settlement Agreement. Examples of such physical injuries include, but are not limited to, skin rashes, skin lesions, hair loss, respiratory, pneumonia, and gastrointestinal		
conditions.	<u>CATEGORY 26</u>	
	Women Miscarriages	
<b>Category Description</b>	Monetary Awards	Required Proofs
Miscarriages Women of any age who:  (1) For at least 21 days during any 30-day period between April 25, 2014 and July 31, 2016;  (2) Resided, dwelled, attended school or worked in Flint, or were otherwise exposed to Flint water; and	1.1AX	Contemporaneous Medical Records: Copy of medical records dated between May 16, 2014 and April 30, 2017, which includes an opinion from a board-certified physician in obstetrics and gynecology stating that the Claimant suffered from the claimed injury between May 16, 2014 and April 30, 2017.
		Blood test: as described in required proofs for Category 1, but subject to date restrictions in this Category Description.

#### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40825 Filed 11/18/20 Page 416 of 839

(3) Suffered a miscarriage any time between May 16, 2014 and April 30, 2017, with the mother's or fetus' cord BLL of 5 mcg/dL or higher.		
	<u>CATEGORY 27<sup>4</sup></u> <u>Adult</u> , Legionnaires'.	
<u>Category Description</u>	<b>Monetary Awards</b>	Required Proofs
Legionnaires' General (Category 27A) Individuals ages 18 and older at first exposure who:	Category 27A: 0.5AX	Legionnaires' Contemporaneous Medical Records: Copy of medical records dated between April 25, 2014 and December 31, 2018, reflecting that Claimant was
(1) Between April 25, 2014 and December 31, 2018;		diagnosed with the claimed injury between April 25, 2014 and December 31, 2018, and in the case of death that such death was
(2) Were exposed to Flint water; <b>and</b>		primarily or secondarily caused by Legionnaires', or that the death certificate
(3) Were diagnosed with Legionnaires'		indicates the primary or secondary cause of
Disease during the time period April 25,		death was Legionnaires'. In the event that
2014 through December 31, 2018, not		the Claims Administrator issues an
causing death.		Adverse Notice to a Claimant in this
Y	G 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	Category 27, the Claims Administrator will
Legionnaires' Death (Category 27B)	Category 27B <sup>5</sup> :	advise the Claimant, and may request an
Individuals ages 18 and older at first	Ages 49 and under: \$1,500,000	affidavit in the form attached to this grid to
exposure who:	Ages 50-59: \$1,250,000	support a Reconsideration Request.

<sup>&</sup>lt;sup>4</sup> This description of Category 27 assumes that the McLaren Defendants will not exercise any rights under Articles XVIII (Walk-Away Provisions) or XVII (Rescission) of the Settlement Agreement. If the McLaren Defendants exercise such rights, then under Article XVII, the description here of Category 27 shall be superseded and replaced with Exhibit 18 to the Settlement Agreement.

<sup>&</sup>lt;sup>5</sup> Monetary Awards under Settlement Category 27B are stated as gross dollar awards from which attorneys' fees and expenses owed by those Claimants will be deducted in an amount reviewed and approved by the Federal Court.

### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40826 Filed 11/18/20 Page 417 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

	Ages 60-69: \$1,000,000	
(1) Between April 25, 2014 and December	Ages 70-79: \$500,000	
31, 2018;	Ages 80 and over: \$300,000	
(2) Were exposed to Flint water; <b>and</b>		
(3) Were diagnosed with Legionnaires'		
Disease during the time period April 25,		
2014 through December 31, 2018, causing		
death.		

#### V. Property Damage and Business Economic Loss Categories

#### Residential Property Damage Category Monetary Awards Explanation

- Only one award per owned or leased parcel of residential real property. No recovery shall exceed \$1,000 per parcel of residential real property. If the owner or lessee of such parcel of property changed during the period of April 25, 2014 through July 31, 2016, and as a result there is more than one Claimant for such parcel, then one PX award will be split pro rata by all who were owners or lessees during the period April 25, 2014 through July 31, 2016.
- The Monetary Award amount for the Residential Property Damage Category is stated as "PX".
- The total PX Category will be allocated 3% of the FWC Qualified Settlement Fund as described in footnote 1.
- The actual dollar amount for PX will be determined by the Claims Administrator after processing all Claims (except for Future Minor Sub-Qualified Settlement Fund Claims), as PX is based in part upon the number of Claimants receiving Monetary Awards in this Category, subject to the cap that no recovery in this Category shall exceed \$1,000 per parcel of residential real property.
- While estimates of Monetary Award amounts based on PX may be provided before all Claims are actually processed by the Claims Administrator, they will only be estimates which are subject to a number of variables that cannot be determined until

#### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40827 Filed 11/18/20 Page 418 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

all Claims are processed. Therefore, the actual Monetary Awards could vary significantly in amount from prior estimates of such awards.

## CATEGORY 28 Residential Property Damage

Category Description	Monetary Awards	Required Proofs
Owner of Residential/Residence, Lessee of Residential/Residence, Decrease in Residential Property Value, Harm to Pipes or Property in Residence  All individuals who owned or who were the lessee of a parcel of residential real property in the City of Flint, and where that residential property received Flint water on or between April 25, 2014 and July 31, 2016. This Category does not include owners who also rented out or otherwise earned income from their residential real property, since Category 29 addresses that		Proof of Ownership or Lease: Copy of any document showing proof of residential real property ownership or of being a residential lessee in the City of Flint during the period of April 25, 2014 to July 31, 2016, as well as that the property was receiving Flint water, including, but not limited to, a water bill, deed, housing contract, mortgage statement, lease, property or income tax statement. Claim form will require identification of all owners, lessees, and other interested parties in the real property, so that the proper legal recipient can receive the
situation.		award.

#### **Business Property Damage Category Monetary Awards Explanation**

- Only one award per business, or parcel of real property. No recovery shall exceed \$5,000 per business, or parcel of real property. If the owner of such parcel of real property changed during the period of April 25, 2014 through July 31, 2016, and

#### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40828 Filed 11/18/20 Page 419 of 839

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

as a result there is more than one Claimant for such parcel, then one BX award will be split pro rata by all who were owners during the period April 25, 2014 through July 31, 2016.

- The Monetary Award amounts for the Business Property Damage and Business Economic Loss Categories are stated as "BX".
- The combined total of both BX Categories will be allocated 0.5% of the FWC Qualified Settlement Fund as described in footnote 1.
- The actual dollar amount for BX will be based upon each Claimant's submission of proof of their business damages, and will be determined by the Claims Administrator after processing all Claims (except for Future Minor Sub-Qualified Settlement Fund Claims), as BX may also be based in part upon the number of Claimants receiving Monetary Awards in the BX Categories, subject to the cap that no recovery in the BX Categories shall exceed \$5,000 per business, or parcel of real property, as the case may be.
- If the total amount of valid claims in the BX Categories exceeds the allocated 0.5% of the FWC Qualified Settlement Fund as described in footnote 1, then the BX Categories will be paid out on a pro rata basis of that 0.5% allocation. However, in that event, if the average payout in the BX Categories is under \$100 per Claimant, then the Claims Administrator will not pay any Monetary Awards under \$100 in such BX Categories, and no Claimant shall be entitled to any such award under \$100. Any Monetary Award in the BX Categories that was under \$100 shall be treated as a value of zero. The Claims Administrator will then recalculate the Monetary Awards in the BX Categories without considering any such zero value awards.
- While estimates of Monetary Award amounts based on BX may be provided before all Claims are actually processed by the Claims Administrator, they will only be estimates which are subject to a number of variables that cannot be determined until all Claims are processed. Therefore, the actual Monetary Awards could vary significantly in amount from prior estimates of such awards.

	CATEGORY 29 Business Property Damage				
<b>Category Description</b>	Monetary Awards	:	Required Pr	oofs	
<b>Business Property Damage</b>	BX	Proof of Ownership:	Business Copy of	and any	Property document

Flint Water Cases (FWC) Qualified Settlement Fund Categories, Monetary Awards, and Required Proofs Grid, 11/11/20

	<del>-</del>
All nonfarm businesses that owned and	showing proof of business and real
earned income from real property in the	property ownership in the City of Flint, and
City of Flint, and where such real property	such property receiving Flint water, during
received Flint water, on or between April	the period of April 25, 2014 through July
25, 2014 and July 31, 2016.	31, 2016, including, but not limited to, a
	water bill, deed, housing contract,
	mortgage statement, property or income
	tax statement, lease, tax registration, state
	filing, certificate of incorporation, or any
	document that the Claims Administrator
	deems sufficient. Claim form will require
	identification of all business owners and
	other interested parties in the real property,
	so that the proper legal recipient can
	receive the award.
	Proof of Damages: Proof of damages shall
	be measured by loss of net profits year over
	year as reflected in tax filings. Claimants
	year as reflected in tax fillings. Claimants

#### **Business Economic Loss Category Monetary Awards Explanation**

- Only one award per business. No recovery shall exceed \$5,000 per business.
- The Monetary Award amounts for the Business Property Damage and Business Economic Loss Categories are stated as "BX".

shall complete a Business Interruption Claim Form to be submitted as an

attachment to the Claim Form.

- The combined total of both BX Categories will be allocated 0.5% of the FWC Qualified Settlement Fund as described in footnote 1.

#### Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40830 Filed 11/18/20 Page 421 of 839

- The actual dollar amount for BX will be based upon each Claimant's submission of proof of their business damages, and will be determined by the Claims Administrator after processing all Claims (except for Future Minor Sub-Qualified Settlement Fund Claims), as BX may also be based in part upon the number of Claimants receiving Monetary Awards in the BX Categories, subject to the cap that no recovery in the BX Categories shall exceed \$5,000 per business, or parcel of real property, as the case may be.
- If the total amount of valid claims in the BX Categories exceeds the allocated 0.5% of the FWC Qualified Settlement Fund as described in footnote 1, then the BX Categories will be paid out on a pro rata basis of that 0.5% allocation. However, in that event, if the average payout in the BX Categories is under \$100 per Claimant, then the Claims Administrator will not pay any Monetary Awards under \$100 in such BX Categories, and no Claimant shall be entitled to any such award under \$100. Any Monetary Award in the BX Categories that was under \$100 shall be treated as a value of zero. The Claims Administrator will then recalculate the Monetary Awards in the BX Categories without considering any such zero value awards.
- While estimates of Monetary Award amounts based on BX may be provided before all Claims are actually processed by the Claims Administrator, they will only be estimates which are subject to a number of variables that cannot be determined until all Claims are processed. Therefore, the actual Monetary Awards could vary significantly in amount from prior estimates of such awards.

	CATEGORY 30 Business Economic Loss	
<b>Category Description</b>	Monetary Awards	Required Proofs
Business Economic Loss All nonfarm and non-real property businesses that operated in the City of Flint, and that received Flint water, on or	BX	Proof of Business Ownership: Copy of any document showing proof of business incorporation or organization, and business
between April 25, 2014 and July 31, 2016.		ownership operating in the City of Flint, and receiving Flint water, during the period of April 25, 2014 to July 31, 2016, including, but not limited to, a water bill, property or income tax statement, tax
		registration, state filing, certificate of

# Case 5:16-cv-10444-JEL-EAS ECF No. 1319-2, PageID.40831 Filed 11/18/20 Page 422 of 839

incorporation, or any document that the Claims Administrator deems sufficient. Claim form will require identification of all business owners and other interested parties in the business, so that the proper legal recipient can receive the award.
Proof of Damages: Proof of damages shall be measured by loss of net profits year over year as reflected in tax filings. Claimants shall complete a Business Interruption Claim Form to be submitted as an attachment to the Claim Form.