

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

In re Flint Water Cases.

Judith E. Levy
United States District Judge

_____ /

This Order Relates To:

ALL CASES

_____ /

**NOTICE AND AGENDA FOR FINAL APPROVAL AND
FAIRNESS HEARING RELATED TO THE PARTIAL
SETTLEMENT**

The Court will hold a hearing on Class Plaintiffs' Motion for Certification of a Settlement Class, Final Approval of Class Settlement, and Appointment of Settlement Class Counsel (ECF No. 1794) and Co-Liaison Counsel's Brief in Support of Final Approval of the Proposed Settlement (ECF No. 1795) starting on **July 12, 2021, at 10:00 am** and continuing on **July 13, 2021 at 10:00 am**, and **July 15, 2021, at 9:00 am** in Ann Arbor, Michigan. The agenda will be as follows, although the Court may adjust the agenda prior to the hearing if necessary.

1. On **July 12, 2021 at 10:00am ET**, the Court will hear the following:
 - a. Argument from Co-Lead Class Counsel, Co-Liaison Counsel for Individual Plaintiffs, and the State of Michigan related to Plaintiffs' Motion for Final Approval. The Court will also call

upon the Master Guardian Ad Litem and the Special Master to provide a report.

- b. Argument on the counseled objections¹ in the following order:
 1. The *Washington* Plaintiffs
 2. The *Chapman* and *Lowery* Plaintiffs
 3. The *Anderson* Plaintiffs
- c. Rebuttal argument to counseled objections, if any, from Co-Lead Class Counsel, Co-Liaison Counsel for Individual Plaintiffs and other settling parties.
- d. As it relates to bone scan discovery only, the *Lowery* Plaintiffs' motion to Review and Respond to Hourly Billing and Costs and for Discovery of Bone Scan Information. (ECF No. 1710.)
- e. The *Washington* Plaintiffs' Joint Motion to Extend Bone Scanning Deadline. (ECF No. 1714.)
- f. The *Lowery* Plaintiffs Motion to Extend Deadlines for Scans and Causation Reports. (ECF No. 1717.)
- g. Rebuttal argument, if any, to the *Lowery* and *Washington* Plaintiffs' motions (ECF Nos. 1710, 1714, 1717.)

¹ As set forth below, the motion for attorney fees and reimbursement of expenses (ECF No. 1458; and Supplement, ECF No. 1796) will be heard on July 15, 2021. On July 12, 2021, argument from objectors will be limited *only* to those issues unrelated to the motion for attorney fees.

All proceedings on July 12, 2021 will be held via video teleconference (Zoom). Prior to the proceeding date, counsel with anticipated speaking roles will receive a direct email from the Court with the Zoom link to join the conference as panelists. Connection information and instructions may not be forwarded, distributed, or shared with counsel with non-speaking roles without the Court's advance approval. Counsel with non-speaking roles, and the public, may attend this proceeding via YouTube by visiting the Court's website: <http://www.mied.uscourts.gov>.

2. On **July 13, 2021 at 10:00am ET**, the Court will hear from objectors who are unrepresented by counsel who meet all qualifications and requirements set forth below.

Qualifications:

The Court will hear from *only* those objectors, not represented by counsel (“Unrepresented Objectors”), who properly and timely:

(a) registered to participate in the partial settlement on or before the registration deadline set forth in the Master Settlement Agreement;

(b) filed a written objection with the Court on or before the objection deadline set forth in the Master Settlement Agreement *and* indicated a desire to speak at the hearing; and

(c) contacted Special Master Deborah Greenspan to schedule a time slot for speaking at the July 13, 2021 hearing, in the manner set forth below.

Manner of Scheduling Time Slot:

The following steps *must* be taken before an Unrepresented Objector will be permitted to speak on July 13, 2021.

(a) On or before **June 30, 2021**, e-mail Special Master Deborah Greenspan at dgreenspan@blankrome.com or call 202-420-3100 to

request a time slot. Email is preferred. Requests made after June 30, 2021 will not be honored;

(b) Select one option for appearing on July 13, 2021: (a) via video teleconference (Zoom); (b) via telephone only; or (3) in person² in the Genesee County Circuit Court where the Honorable Joseph J. Farah will preside;

(c) Receive confirmation from Special Master Greenspan with the date and time of your speaking slot as well as any other instructions for appearing in person, by Zoom or telephone; and

(d) Appear at the date and time assigned. If a cancellation is needed, contact Special Master Greenspan as early as possible.

Due to the number of anticipated Unrepresented Objectors who have indicated a desire to speak, the Special Master may not be able to accommodate requests for changes. For the same reason, the Court may be unable to accommodate those who do not appear at their appointed time slot. Each individual Unrepresented Objector's presentation will be time-limited in the manner set forth by the Undersigned at the time of the hearing.

The Court will send this Notice and Agenda to all Unrepresented Objectors who qualify to be heard, as set forth above. It will be sent by U.S. Mail to the address provided with the Unrepresented Objectors' registration for the settlement.

² If you elect to appear in person, you are hereby ordered to follow any and all requirements set forth by the Genesee County Circuit Court for appearing in person, including those related to security, health, and safety. Refusal to do so will result in denial of your opportunity to speak.

Unrepresented Objectors are *not* required to speak at the hearing. The Court will consider all properly submitted written objections regardless of whether an Unrepresented Objector elects to speak on July 13, 2021.

All Unrepresented Objector presentations, whether made by video teleconference, telephone, or in-person in the Genesee County Circuit Court, are viewable to the public and may be accessed by visiting the Court's website: <http://www.mied.uscourts.gov>. Viewing the proceedings from the Genesee County Circuit Court gallery will not be permitted.

3. On **July 15, 2021, beginning at 9:00 am ET**, the Court will hear the following.
 - a. Argument from Co-Lead Class Counsel and Co-Liaison Counsel for Individual Plaintiffs on the Motion for Attorney Fees and Reimbursement of Expenses. (ECF No. 1458, supplement, ECF No. 1796).
 - b. Argument on the counseled objections to the Motion for Attorney Fees and Reimbursement of Expenses in the following order:
 1. The *Washington* Plaintiffs
 2. The *Chapman* and *Lowery* Plaintiffs
 3. The *Hall* objectors
 4. The *Anderson* Plaintiffs
 - c. Rebuttal argument to counseled objections, if any, from Co-Lead Class Counsel, Co-Liaison Counsel for Individual Plaintiffs.
 - h. As it relates to attorney fees and costs only: the *Lowery* Plaintiffs' motion to Review and Respond to Hourly Billing

and Costs and for Discovery of Bone Scan Information. (ECF No. 1710.)

- i. The *Hall* claimants Motion to Review and Respond to Hourly Billing and Costs. (ECF No. 1586.)
- j. Rebuttal argument, if any, to the *Lowery* Plaintiffs and *Hall* claimants' motions. (ECF Nos. 1710, 1586.)

All proceedings on July 15, 2021 will be held via video teleconference (Zoom). Prior to the proceeding date, counsel with anticipated speaking roles will receive a direct email from the Court with the Zoom link to join the conference as panelists. Connection information and instructions may not be forwarded, distributed, or shared with counsel with non-speaking roles without the Court's advance approval. Counsel with non-speaking roles, and the public, may attend this proceeding via YouTube by visiting the Court's website: <http://www.mied.uscourts.gov>.

IT IS SO ORDERED.

Dated: June 4, 2021
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record via the Court's ECF System to their respective email addresses disclosed on the Notice of Electronic Filing, and upon Unrepresented Objectors (ECF nos. 1560, 1563-1565, 1568-1574, 1603-1615, 1618-1625, 1628, 1629, 1631-1636, 1638, 1641-1647, 1649-1653, 1655-1657, 1660, 1662-1666, 1668, 1670, 1671, 1673-1682, 1684-1690, 1692-1705, 1707, 1740-1744, 1746-1749, 1754-1756, 1760-1767, 1812, 1813) via First Class U.S. mail on June 4, 2021.

s/William Barkholz
Case Manager