

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

*In re* Flint Water Cases

No. 5:16-cv-10444-JEL-MKM

HON. JUDITH E. LEVY

MAG. MONA K. MAJZOUB

**NOTICE REGARDING PLAINTIFFS' MOTION FOR SETTLEMENT  
APPROVAL**

Plaintiffs<sup>1</sup> submit this notice and attached exhibits for consideration in connection with Plaintiffs' Motion to Establish Settlement Claims Procedures and Allocation and for Preliminary Approval of Class Settlement Components ("Motion for Settlement Approval"). ECF No. 1318. In addition to seeking preliminary approval of the proposed Settlement Agreement<sup>2</sup> executed on November 16, 2020, ECF No. 1319-1, that motion also sought approval of the Registration and Claim Forms through which Claimants will be able to participate in the Settlement.

The Settling Parties have made minor changes to the Amended Settlement Agreement, and to the proposed Registration and Claim Forms, previously submitted as MSA Exhibits 2 and 5, ECF No. 1319-2, to correct minor typographical errors

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<sup>1</sup> This notice is submitted on behalf of the proposed Class, and Co-Liaison Counsel for the Individual Plaintiffs.

<sup>2</sup> Referred to herein as "Settlement," "Settlement Agreement," "Amended Settlement Agreement," or "MSA."

and otherwise clarify certain language. Attached hereto as Exhibits B and C are the revised proposed Registration and Claim Forms. Plaintiffs have also attached redline drafts of these documents to identify these changes for the Court. The revised Amended Settlement Agreement is not submitted in redline, but reflects the following errata:

- Paragraph 3.34 – the last 2 lines were edited from “Claims Materials or Registration Form” to only “Claims Materials” to reflect the Settling Parties’ intent that timeliness of Registration Forms will not be re-considered at that point in the process.
- Paragraph 15.1 – the reference to “Lien Disclosure Administrator” was changed to “Lien Resolution Administrator.”
- Paragraph 21.34 – the words “against Settling Defendants” were added after “dismissed,” to clarify the understanding of the Settling Parties.

The Settling Parties also submit minor errata to Exhibits 6 and 11 to the Settlement Agreement, ECF No. 1319-2, 1350-1.<sup>3</sup> MSA Exhibit 6 lists related cases and has been edited to remove two cases, add one case, and correct a case number. MSA Exhibit 11 is a proposed Case Management Order and has been edited to replace “Genesee County Circuit Court” with “Court of Claims.”<sup>4</sup>

To provide potential Claimants with additional information regarding the Settlement registration and claims process, the Settling Parties have created instructions that will be disseminated alongside the Registration and Claim Forms,

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<sup>3</sup> The Exhibits showing the revised MSA Exhibits also contain versions that show any non-formatting changes in redline.

<sup>4</sup> No changes have been made to MSA Exhibits 11.1, 11.2, or 11.3.

as well as model declarations for Claimants to complete as part of the claims process. Those materials are also attached hereto as is the fee schedule for proposed Claims Administrator, Archer Systems, LLC.

The following documents are submitted herewith:

- Exhibit A: Revised Amended Settlement Agreement
- Exhibit B: Amended MSA Ex. 5 Flint Water Settlement Registration Form
- Exhibit B1: Amended MSA Ex. 5 Flint Water Settlement Registration Form (redline)
- Exhibit C: Amended MSA Ex. 2 Flint Water Settlement Claim Form
- Exhibit C1: Amended MSA Ex. 2 Flint Water Settlement Claim Form (redline)
- Exhibit D: Amended MSA Ex. 6 All Related Lawsuits
- Exhibit D1: Amended MSA Ex. 6 All Related Lawsuits (redline)
- Exhibit E: Amended MSA Ex. 11 Case Management Order (COC)
- Exhibit E1: Amended MSA Ex. 11 Case Management Order (COC) (redline)
- Exhibit F: Instructions for Completing Flint Water Settlement Claim Form
- Exhibit G: Supporting Documentation for Registration Form
- Exhibit H: Flint Water Settlement Declaration of Exposure
- Exhibit I: Flint Water Settlement Declaration of Real Property Owner/Renter and/or Business Owner
- Exhibit J: Flint Water Settlement Business Interruption Claim Form
- Exhibit K: Archer – FWC Settlement Fee Schedule & Description of Services

The amendments to the Settlement Agreement and prior submitted exhibits are not substantive in nature. Neither these amendments nor the supplemental documents materially alter the terms of the proposed Settlement. Accordingly, for the reasons provided in Plaintiffs' Motion for Settlement Approval, Plaintiffs ask

that the Court preliminarily approve the attached revised Amended Settlement Agreement and amended Registration and Claim Forms.

Dated: January 15, 2021

Respectfully submitted,

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## CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was filed with the U.S. District Court through the ECF filing system and that all parties to the above case were served via the ECF filing system on January 15, 2021.

Dated: January 15, 2021

/s/ Jessica B. Weiner

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