



The Flint Water Class Action Legal Team

Pitt McGehee Palmer & Rivers, P.C.

Goodman & Hurwitz, P.C.

Trachelle C. Young & Associates

Weitz & Luxenburg, P.C.

Law Offices of Deborah Labelle

Cynthia M. Lindsey & Associates

McKeen & Associates, P.C.

Law Offices of Teresa A. Bingman

(248) 658-0020

1176 Robert T. Longway Blvd., Flint, MI 48503

www.flintwaterclassaction.com

CLASS UPDATE FOR MAY 2017

MAY 10, 2017

Dear Class:

The legal team is pleased to announce that we will now circulate monthly emails to keep class members up-to-date with our various lawsuits. We hope that this will increase transparency between the legal team and our clients. These monthly updates will contain information related to our legal actions and any action items for class members. Please look out for these emails at the beginning of each month.

I. Recap of the April 2017 Class Update

To recap our most recent update to the class, the legal team filed a lawsuit against the United States Environmental Protection Agency (“EPA”) in Federal District Court in Detroit, Michigan on January 30, 2017. The title of the case is Jan Burgess, and all 1,703 individuals identified in the Burgess FTCA administrative Complaint FTCA v. United States of America, case number 17-10291. The action seeks to recover damages for those who have experienced personal and property damage because of the negligence of the United States Environmental Protection Agency. The case has been assigned to Judge Linda Parker.

On May 5, 2017, the legal team submitted its latest administrative complaint to the EPA adding another 920 individuals to the prior 1,703 individuals already submitted. **The addition of these 920 individuals brings the total alleged damages in the administrative complaint to \$1,107,300,00.**

If you did not submit the requisite forms ensuring your inclusion in the administrative complaint, please do not panic. **You can still join the EPA class action by submitting an EPA Authorization and Retainer. Both must be signed to ensure your inclusion in the EPA lawsuit.** These forms can be accessed by clicking the below links:

[EPA Authorization](#)

[EPA Retainer](#)

Once completed, these forms can be returned via:

- Email (flintwaterclassaction@pittlawpc.com);

- **Mail (117 W. Fourth Street, Suite 200, Royal Oak, MI 48067);**
- **Fax (2483989804); or**
- **At our Flint office (1176 Robert T. Longway Blvd, Flint, MI 48503)**

Anyone who has been exposed to Flint's contaminated water is also eligible for our five other class action lawsuits. These lawsuits seek damages for property damage, physical harm, and emotional harm with our other class actions. The referenced class actions include:

1. A class action lawsuit in federal court against Governor Snyder, the State of Michigan and other governmental officials. This class action is pursued on behalf of tens of thousands of residents and other Flint water users who from April 25, 2014 to the present, have experienced and will continue to experience serious personal injury and property damage caused by Defendants' deliberate misconduct. This case was filed in Federal District Court in Detroit, Michigan and assigned to **Judge John O'Meara, case number 15-14002**. Unfortunately, Judge O'Meara recently issued a decision dismissing the lawsuit claiming that our claims are pre-empted by the Safe Water Drinking Act. We have filed an appeal to the federal 6th Circuit Court of Appeals and oral argument is scheduled for June 2017;
2. A class action lawsuit filed in the State of Michigan Court of Claims against Governor Snyder, the State of Michigan, the Michigan Department of Environmental Quality, the Michigan Department of Health and Human Services, and Emergency Managers Darnell Earley and Jerry Ambrose. This class action lawsuit asserts that the Defendants violated the Michigan constitution and seeks to recover personal injury and property damage caused by Defendants' deliberately indifferent decision to expose the class members to the extreme toxicity of Flint River water and the fraudulent concealment of the severe public health crises these Defendants created as well as Defendants' unconscionable refusal to mitigate the damage they caused. This case has been assigned to **Judge Mark Boonstra, case number 16-000017**. The Defendants filed a Motion to Dismiss, which was denied in part and granted in part. This decision is currently on appeal before the Michigan Court of Appeals. We are in the process of submitting briefs on appeal but do not have a hearing date as of yet;
3. A class action lawsuit filed in the State of Michigan Genesee County Circuit Court against the City of Flint and other governmental officials asserting claims of gross negligence and seeking personal injury and property damages. **This case has been assigned to Judge Richard Yuille, case number 16-106112;**
4. A class action lawsuit filed against engineering companies, Lockwood, Andrews, and Newnam ("L.A.N.") and Veolia North America asserting claims against the Defendants based on Defendants' deliberate decision to participate in a conspiracy, the result of which was to violate rights secured to the class members by the United States Constitution, professional negligence and fraud claims and seeks personal injury and property damages. This case was filed in Federal District Court in Detroit, Michigan and assigned to **Judge John O'Meara, case number 16-11480;**

5. We have also joined another class action lawsuit that has been filed in federal court against governmental officials and the engineering companies and that case has been assigned to another judge, **Judge Judith Levy, case number 16-14498**.

Information about all lawsuits filed by the legal team can be found on our website:

www.flintwaterclassaction.com/lawsuits-filed

While we are anxious to engage in discovery in these matters, which will include obtaining documents and taking sworn testimony (depositions), these cases have been procedurally delayed due to the Defendants' motions to change venue and dismiss the claims, arguing a variety of defenses, including the defense of governmental immunity. We are confident that we will prevail in these motions to dismiss, however, we are not permitted to engage in discovery until after they have been decided.

II. April 24th Community Meeting



Attorney Trachelle Young speaking at the April 24th Community Meeting

On April 24, 2017, the legal team hosted a community meeting at Greater Holy Temple Church of God in Christ in Flint. Approximately 200 individuals attended in the event throughout the evening. Among the topics of discussion for the night were the status of the six class action lawsuits that have been filed by the legal team, class actions that have been filed by the American Civil Liberties Union (ACLU) of Michigan, and the legal team's goals for the upcoming months. We thank those who could attend this meeting. For those who were not in attendance, you can find an outline of the updates as well as several informational forms here on our website:

<http://www.flintwaterclassaction.com/case-updates/>

Below are a few links to news articles that were written about the event:

<http://www.abc12.com/content/news/Flint-residents-updated-on-status-of-lawsuit-filed-against-EPA--420312804.html>

<http://nbc25news.com/news/local/meeting-updates-public-on-status-of-flint-water-crisis-class-action-lawsuits>

<http://www.wnem.com/clip/13274504/community-holds-meeting-on-class-action-lawsuit?autostart=true>

III. Action Items and Additional Information (Signing Up, Providing Documents, and Foreclosures)

For friends and family interested in becoming a part of our class actions, they can show their interest in the following ways:

- Leaving a voicemail on our hotline at (248) 398-0020;
- Filling out a questionnaire on our website: www.flintwaterclassaction.com; or
- Coming to our Flint office and speaking with a representative of the legal team

Our Flint office is located at the following address:

1176 Robert T. Longway Boulevard
Flint, MI 48503

Hours: Tuesdays and Thursdays, 9:00 am to 5:00 pm

As always, you can stop by our Flint office if you need to drop off any paperwork. We are currently asking class members to submit any **water test results** or **blood test results**, if the tests have already been completed. Click here to check our damage inventory document to see what information you should save so we can prove your alleged damages. [A list of things to save and keep can be found here.](#) You may not be able to recover damages if you do not preserve your documents.

If you are concerned about the future of your property and the possibility of your mortgage being foreclosed as a result of your water bills, check out the following website: <http://www.stepforwardmichigan.org/>. This link contains information about a state-sponsored program and various community organizations that can help you navigate this issue.

All future updates will also be featured on our website: www.flintwaterclassaction.com. Additional information regarding our legal actions can be accessed here, as well.

*Peace and Solidarity,
The Flint Water Class Action Legal Team*