

The Flint Water Class Action Legal Team



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OCTOBER 2017 UPDATE FOR CLASS MEMBERS

Dear Class Members:

Please find below a summary of the Legal Team's most recent and upcoming efforts.

I. EPA Discovery

We are excited to report that we have begun discovery in your case against the EPA. During this process the Flint Water Class Action Legal Team will be conducting depositions (sworn testimony) that will aid in proving the federal and state government's role in the Flint Water Crisis and pave the way to getting you justice in the courts. We have already conducted depositions of the following important EPA officials:

- Miguel Del Toral, Regulations Manager of the EPA Region 5
- Rita Bair, Supervisor of the EPA Region 5 Groundwater and Drinking Water Branch
- Tinka Hyde, former Director of the EPA Region 5 Water Division
- Debbie Baltazar, Chief of the EPA Region 5 Water Division's State and Tribal Programs Branch

The depositions of Thomas Poy- Chief of the EPA Region 5 Ground Water Drinking Water Branch, Jennifer Crooks-Program Manager of the EPA Region 5 , and Robert Kaplan-Acting Regional Administrator of the EPA Region 5, are scheduled for the week of November 13th .

II. Interim Lead Counsel and Consolidation of Complaints

On July 26, 2017, federal district court Judge Judith Levy, who is presiding over all the Flint Water Class Actions and individual cases that have been filed in federal court, appointed our legal team, led by Michael Pitt of The Flint Water Class Action Legal Team and Ted Leopold of the New York law firm Cohen Milstein, as interim co-lead counsel for all class action cases filed by any other attorneys pending in the federal court. This means that your legal team will be leading the efforts and making decisions to obtain justice for you and other citizens of Flint harmed by the water crisis. Michael Pitt is an original member of your Legal Team which was first to file suit in federal court, in state court and against the EPA and who have been advocating for the Flint community since the news first broke of the crisis. We are pleased that the federal judge in charge of these cases has

recognized that your team's skill, knowledge, and commitment warrants a leadership position in these class actions.

As interim co-lead counsel, we have joined efforts with Ted Leopold and his team. We will be working to efficiently and effectively present your claims, and those of the residents of Flint, to the court. To that end, we submitted a Consolidated Amended Class Complaint to Judge Levy on September 29, 2017 entitled "*In re Flint Water Cases*," which can be found here. This complaint consolidates those claims presented in the Legal Team's earlier complaints, such as *Mays* and *Village Shores*, with those of other complaints brought by other attorneys who have not been appointed as interim lead counsel. In presenting one unified, consolidated complaint to the court, we will be better able to present your claims to the court, able to better advocate on your behalf, and more likely to reach a coherent and consistent decision from the judge and jury as to all of the relief that you are entitled to. If you have any questions or concerns regarding the consolidation, please call us at 248-658-0020.

III. Status Conference

On October 25, 2017, your legal team along with defense counsel met with Judge Judith Levy for a Status Conference on the class action lawsuit filed in federal court. Judge Levy discussed the scope of the release of documents and other discovery matters taking into consideration the 5th amendment rights that protect against self-incrimination for those 15 defendants in the case who have also been charged with crimes in relation to their conduct during the Flint water crisis. Judge Levy opened the conference with a comment that during a recent trip internationally, she was asked by people about the Flint water crisis, and- that this experience reinforced her appreciation that this case "is being watched not just by Flint...but people around the globe". Our legal team is confident that Judge Levy fully appreciates the importance of your case and will be fair and compassionate in the administration of justice for the people of Flint. Another Status Conference is scheduled in your case on November 15, 2017.

IV. Collecting records for children who have been exposed to the Flint water

If you have children under the age of 10 you should have received an email or letter from our team regarding collecting information about their medical providers and blood tests. You may also be receiving a call from someone on our team about collecting these documents. This information is vital for moving the case forward and we appreciate your help as we continue our efforts to gather the evidence necessary for your cases.

These documents can be accessed by clicking the following link.

[Medical Authorizations and Questionnaire](#)

Please bring completed forms to the Flint office or send them via email, mail, or fax to the following:

Email: flintwaterclassaction@pittlawpc.com

Fax: (248) 398-9804

Address: 1176 Robert T. Longway Boulevard, Flint, MI 48503

V. Fall Volunteers

The Legal Team has recently gained new fall volunteers. They will be reaching out to class members to conduct interviews throughout the upcoming months. These interviews are critical for us to assess your situation and the claims of the class.

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

Peace and Solidarity,

The Flint Water Class Action Legal Team