

## LEGAL NOTICE

# **Persons who were located in or near the Dow Chemical/Blue Cube plants in Plaquemine on December 2, 2016 may be affected by a proposed class action settlement.**

A partial settlement has been reached in a class action lawsuit involving the Blue Cube Operations, LLC chemical manufacturing plant located at 21255 LA-1, Plaquemine, Louisiana 70764 (Plant). The partial settlement has been reached with Blue Cube, The Dow Chemical Company and Entergy Louisiana, LLC (Settling Parties). The lawsuit and settlement are about the chlorine release that occurred at the Plant between approximately 3:45 pm and 6:34 pm on December 2, 2016 (Incident). A settlement fund will be created to pay amounts to holders of valid claims as well as lawyers' fees and costs approved by the Court. The 18th Judicial District Court of Louisiana, Iberville Parish, will have a hearing to decide whether to give final approval to the partial settlement so that payments can be made from the settlement fund. Those included in the class action, together called a "Class," may submit a claim, or may exclude themselves from, or object to, the partial settlement, and eligible Class members may receive a payment from it. There is a detailed notice with more information about the settlement available by calling 1-504-581-9065 or going to the website listed below.

### **WHO'S INCLUDED?**

Generally, you may be included in the Class if, between approximately 3:45 pm and 6:34 pm on December 2, 2016, you: (a) were located in a specified geographic area in or near the Plant (Area), and (b) resided or were at your place of employment within the Area, and (c) claim to have experienced damages, including only emotional damages such as fear, fright, or inconvenience -- allegedly caused by the Incident. Certain persons are specifically included in the Class. Certain other persons are specifically excluded from the Class, even though they may have been located in the Area during the Incident. The exact Class "definition" and more information on the partial settlement are available at.

### **WHAT DOES THE SETTLEMENT PROVIDE?**

A \$975,000 settlement fund will be established by Settling Parties. To receive a payment, you will have to submit certain documents establishing that you resided or worked in the Area at the time of the Incident. The Settlement Agreement and the approved proof of claim form include the details on what you must submit to qualify for a payment. The Settlement Agreement is available at the website and in the official court records of these proceedings, and describes all of the details about the proposed partial settlement. The settlement does not mean that Settling Parties did anything wrong -- and the Court did not decide that Settling Parties did -- but Settling Parties agreed to resolve the case and provide benefits to the Class.

### **HOW MUCH COULD YOU GET?**

If the partial settlement receives final Court approval, an independent Claims Administrator will review claims and propose how much money each valid claim will receive based on the terms of the Settlement Agreement. The amount of each payment may be based, in part, on the total number of claims received and capped at a maximum \$150. The Court will decide in a separate hearing how much each Class member who files a valid claim receives from the settlement fund.

### **HOW DO YOU ASK FOR A PAYMENT?**

Class members can submit their claims on the approved proof of claim form by United States mail, postage prepaid, to the Plaquemine 2016 Class Settlement Claims Office, 338 Lafayette Street, New Orleans, LA 70130. All claims must be postmarked on or before **January 13, 2023**. The Settlement Agreement and the claim form set forth what you will need to provide to prove your claim and receive a payment. You must use the proof of claim form approved by Class Counsel and Settling Parties in order to file a valid claim. You may obtain the approved proof of claim form by calling 1-504-581-9065 or going to [www.plaquemine2016incident.com](http://www.plaquemine2016incident.com).

### **WHAT ARE YOUR OTHER OPTIONS?**

The Court will hold a hearing in this case, called "*Darryl Riley, Dionne B. Riley, and All Others Similarly Situated v. Blue Cube Operations, LLC, et al.*" No.: 76,483, Division "C" on \_\_\_\_\_, **2023** to consider whether to approve the partial settlement; to consider any objections to the partial settlement; and to consider whether to approve Class Counsel's request for (a) attorneys' fees and litigation costs in an amount not to exceed \$390,000, and (b) class representative incentive awards of \$2,000 each. You or your own lawyer may appear and ask to speak at the hearing, at your own cost, but you don't have to. If the partial settlement is approved, it will release Settling Parties and certain others from all liability for the claims more fully described in the Settlement Agreement.

If you don't want to be legally bound by the partial settlement, you must exclude yourself on or before **December 29, 2022**. If you don't exclude yourself, you won't be able to sue, or continue to sue, Settling Parties about the claims resolved in this partial settlement. If you exclude yourself, you can't get a payment from the settlement fund. If you do not exclude yourself, you may object to the partial settlement, if you do so on or before **December 29, 2022**. The detailed notice explains how to exclude yourself or object. To learn more or to obtain the detailed notice, call the number below, go to the website, or write to Class Counsel at Plaquemine 2016 Class Settlement Claims Office, 338 Lafayette Street, New Orleans, LA 70130. **Please do not contact the Court with any questions about the partial settlement or settlement requirements.**