



Town of Milton

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RESOLUTION 2024-016

TO AUTHORIZE THE TOWN OF MILTON TO PARTICIPATE IN THE PROPOSED CLASS ACTION SETTLEMENTS WITH THE TYCO FIRE PRODUCTS DEFENDANTS AND BASF CORPORATION IN THE PUBLIC WATER SYSTEMS' PORTION OF THE MULTI-DISTRICT LITIGATION MATTER, IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCT LIABILITY LITIGATION, MDL 2:18-MN-2873-RMG, RELATING TO PFAS CONTAMINATION OF DRINKING WATER

WHEREAS, on December 7, 2018, litigation involving the contamination of water and soil by Per- and Polyfluoroalkyl Substances manufactured by various entities was consolidated in the United States District Court of South Carolina as In Re: Aqueous Film-Forming Foams Product Liability Litigation, MDL 2:18-mn-2873-RMG, before the Honorable Richard M. Gergel; and

WHEREAS, settlements have been filed on behalf of manufacturers Tyco Defendants and BASF Corporation to compensate public water systems, including Town of Milton, for the contamination and remediation of PFAS; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Milton that the Council authorizes the Town to participate in the proposed Class Action Settlements with Tyco Defendants and BASF Corporation, in the Public Water Systems' portion of the Multidistrict litigation matter, In Re: Aqueous Film-Forming Foams Product Liability Litigation, MDL 2:18-mn-2873-RMG, relating to PFAS contamination of drinking water (hereinafter, the "MDL").

BE IT FURTHER RESOLVED that the Town authorizes outside counsel to complete all documentation required to participate in the Tyco Defendants and BASF Corporation Settlements for the Public Water Systems' portion of the MDL, such as Claims Forms, and designates the Town Manager or designee to verify claims on behalf of Town, and authorizes the Town Manager or designee to: (a) verify and approve documentation required to participate in the Tyco Defendants and BASF Corporation Settlements for the Public Water Systems' portion of the MDL,

such as Claims Forms, that is completed as authorized in Section 3; and (b) execute all releases and agreements necessary to finalize settlements of the Public Water Systems' portion of the MDL with Tyco Defendants and BASF Corporation on behalf of the Town.

BE IT FURTHER RESOLVED that the Town authorizes outside counsel to: (a) continue litigating the Town's claims against the defendants remaining in the Public Water Systems' portion of the MDL; and (b) continue pursuing litigation against any and all defendants, including Tyco Defendants and BASF Corporation, that may be liable for damages to the Town that extend beyond the Town's drinking water supply.

I, SCOTTY LE EDLER, Secretary of the Town Council of the Town of Milton do hereby certify that the above resolution was passed at the meeting of the Town Council, duly called and convened, held on the 5th day of August 2024, at which a quorum was present and voting throughout and that same is still in full force and effect.

TOWN OF MILTON

BY:


SECRETARY OF TOWN COUNCIL