

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI

NOTICE OF CLASS ACTION SETTLEMENT

The case is *Latta, et al. v. Hannibal Board of Public Works, et al.*
Case No. 16SL-CC01881

A Court authorized this notice. This is not a solicitation from a lawyer.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT
These rights and options and the deadlines to exercise them are explained below.

SUBMIT A CLAIM Deadline: October 23, 2018	By submitting a valid claim, you will be entitled to receive your portion of reimbursement from the Settlement Fund. You will give up the right to sue the Hannibal defendants in a separate lawsuit about the claims this Settlement resolves.
DO NOTHING	By doing nothing, you will give up the right to sue the Hannibal defendants in a separate lawsuit about the claims this Settlement resolves and you will not receive reimbursement from the Settlement Fund.
EXCLUDE YOURSELF Deadline: August 10, 2018	You will receive no benefits, but you will not be giving up your legal claims against the Hannibal defendants.
OBJECT TO THE SETTLEMENT Deadline: August 10, 2018	If you do not exclude yourself from the Settlement, you may write to the Court about why you do not like the settlement. You may also appear at the fairness hearing to ask to be heard by the Court.
ATTEND A HEARING On August 24, 2018 at 1:30 p.m.	Ask to speak in Court about the fairness of the settlement.

1. Why did I get this notice?

You received this notice because you have been identified as a current or former customer of Hannibal Board of Public Works that paid for or used water between September 2011 and February 2016.

A court authorized this Notice because you have a right to know about the proposed settlement of this class action lawsuit and about all of your options before the Court decides whether to grant final approval to the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, and who can get them.

2. What is this lawsuit about?

Plaintiffs Oliver Latta, Vickie Brooks, Crystal Stephens, and Christine Stolte (“Plaintiffs”), filed a class action case against the City of Hannibal, Hannibal Board of Public Works and the Missouri Department of Natural Resources regarding the quality of water between September 2011 and February 2016. This notice relates to a settlement between the City of

Hannibal and Hannibal Board of Public Works (the “Hannibal Defendants”). The Hannibal Defendants deny all of the allegations in the case.

3. Why is this a class action and why is there a settlement?

In a class action, one or more people called a Class Representative (in this case, the Plaintiffs), sue on behalf of a group (or a “Class”) of people who have similar claims. The people included in the class action are called a Class or Class Members. One court resolves the issues for all Class Members, except for those who exclude themselves from the Classes. The Court did not decide in favor of the Plaintiffs or Defendants. Instead, in order to avoid the cost, risk, and delay of litigation, the parties agreed to settle the case.

4. How do I know if I am a part of the settlement?

The Court has decided that everyone falling under the following definitions are Class Members:

RATE-PAYER CLASS:

All current residents of the State of Missouri who, at any time between September 1, 2011 and February 28, 2016, were billed and paid for water provided by the City of Hannibal, Missouri public water supply system.

MEDICAL-MONITORING CLASS:

All current residents of the State of Missouri who, for a minimum period of three years, between the dates of September 2011 and February 2016, resided in the City of Hannibal, and drank and/or bathed in water provided by the City of Hannibal, Missouri public water supply system.

You have been identified as an individual who may be a member of one or both of the above-mentioned classes.

The settlement does not include: (A) the Hannibal Defendants; (B) any person, firm, trust, corporation, officer, member, director or other individual or entity in which the Hannibal Defendants have a controlling interest; (C) counsel for the Parties; (D) the key representatives associated with this matter on behalf of the Escrow Agent identified below; (E) the judge, the judge’s immediate staff and judge’s immediate family; and (F) the legal representatives, agents, successors-in-interest or assigns of any such excluded party.

YOUR BENEFITS UNDER THE SETTLEMENT

5. What can I get from the settlement?

Under the terms of the settlement, the Court will enter a consent judgment in favor of the Rate Payer Class, which the Hannibal Defendants shall not oppose, requiring the Hannibal Defendants jointly to commit a minimum of \$5,000,000 to investigate and implement water quality improvements. The improvements will include a focus on reducing or replacing chloramination as a primary water disinfection methodology.

In addition, a \$205,000 settlement fund has been established by the Hannibal Defendants under the terms of the settlement. The settlement fund is to be distributed to reimburse, on a pro rata basis as available from the fund, all class members who submit a valid claim as part of the Medical-Monitoring Class for their out-of-pocket costs for a voluntary urinalysis for blood and urine cytology administered **by October 23, 2018**, minus any amounts covered by insurance or other payee source.

The Hannibal Defendants will also agree to pay each Class Representative up to \$4,000 for serving as a Class Representative. The Hannibal Defendants will agree to pay Class Counsel \$309,000 in attorney’s fees and costs, as well as any amount remaining in the Medical-Monitoring settlement fund after claims are processed. The amount of the Class Representatives’ service award and attorneys’ fees and costs awarded by the Court will not reduce the amounts to which each class member may receive, and are subject to court approval.

6. I want to be a part of the settlement and receive these benefits. What do I do?

You will need to submit a valid and completed claim form. The claim form is available online at www.hannibalwaterlawsuitsettlement.com, and can be mailed to: Latta et al. v Hannibal Board of Public Works, et al. Settlement, c/o Analytics Consulting, P.O. Box 2005, Chanhassen MN 55317-2005, or completed and submitted online. The claim form provides additional information for what must be submitted for reimbursement. Claim forms are also available by calling 866-260-5869. Your claim must be submitted online no later than, or via U.S. Mail with a postmark on or before, **October 23, 2018**.

7. What am I giving up to receive these benefits?

By staying in a class, all of the Court's orders will apply to you, and you will give the Hannibal Defendants a "release" from all valid claims you may have had against them pertaining to the claims in the Lawsuit and the water quality between September 2011 and February 2016. A release means you cannot sue or be part of any other lawsuit or proceeding against the Hannibal Defendants asserting claims based upon the claims or issues in this proceeding.

8. What are the released claims?

If and when the Settlement becomes final, members of the Settlement Classes will permanently release the City of Hannibal and Hannibal Board of Public Works, and their respective past and present officers, directors, board or council members, agents, employees, contractors, insurers, legal representatives, trustees, parents, associates, affiliates, joint ventures, subsidiaries, divisions, partners, heirs, executors, administrators, purchasers, predecessors, successors, legal representatives, contractors and assigns from any and all manner of claims, demands, judgments, actions, suits, obligations, promises and causes of action, whether individual, class, or otherwise in nature, for damages whenever incurred, and for liabilities of any nature whatsoever, including for penalties, fines, charges, costs, expenses, injunctive relief, declaratory relief, attorneys' fees, claims for contribution or indemnification, or the like, whether known or unknown, suspected or unsuspected, in law or equity, that any class member ever had or now has arising out of or relating in any way to: (i) any and all claims, demands, obligations, actions, or causes of action asserted in the Lawsuit; and/or (ii) any and all claims, demands, obligations, actions, or causes of action (including but not limited to, negligence, negligence per se, strict liability, abnormally dangerous activity, willful and wanton misconduct, intentional infliction of emotional distress, negligent infliction of emotional distress, civil conspiracy, declaratory relief, punitive and other damages, injunctive relief of any kind, attorney fees, costs and expenses, or obligations or other matters of whatever nature, whether based on contract, tort, statute, regulation, common law, equity, or other law) arising out of the factual allegations that gave rise to the basis for the claims made for damages asserted in this Lawsuit. All past, current or future personal injury claims, property damage claims, and loss of use or enjoyment claims are excluded from the released claims.

9. What if I do nothing?

If you are a member of one of the Settlement Classes and you do nothing, you will give up the rights explained in Question 7, including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Hannibal Defendants about the legal issues in this case. In addition, you will not receive a payment as explained in Question 5.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want to receive the benefits of the settlement but you want to keep all of your legal claims against the Hannibal Defendants, then you must take steps to get out of the settlement. This is called excluding yourself.

10. How do I exclude myself from the settlement?

To exclude yourself from the settlement, you must send a letter by mail stating that you want to be excluded from *Latta, et al. v. Hannibal Board of Public Works, et al.*, Case No. 16SL-CC01881. Be sure to include your name, address, telephone number, and your signature. You must mail your exclusion request so that it is postmarked no later than **August 10, 2018**, and send it to: Latta et al. v Hannibal Board of Public Works, et al. Settlement, c/o Analytics Consulting, P.O. Box 2005, Chanhassen MN 55317-2005. Be sure to include the name of the case and the case number.

11. If I exclude myself, do I still receive benefits from this settlement?

No. You will not receive anything resulting from the settlement of this case, but you may retain any rights you originally had to sue the Hannibal Defendants over the claims raised in this case on your own in a different lawsuit or proceeding.

THE LAWYERS REPRESENTING YOU

12. Do I have a lawyer in this case?

The Court has named Chris Nidel, Jonathan Nace, Daniel Ryan, Steven German and Joel Rubenstein as Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense. If you choose to hire your own lawyer, he or she must file an appearance by **August 10, 2018**.

13. How will the lawyers be paid?

Class Counsel will be paid up as explained in Question 5. This amount is subject to the Court's approval. The amount of fees paid to the lawyers will not impact the amount each class member who submits a valid claim will receive.

OBJECTING TO THE SETTLEMENT

If you do not request exclusion and are a member of a Settlement Class, you can tell the Court that you do or do not agree with the settlement or some part of it.

14. How do I tell the court that I do or do not like the Settlement?

If you wish to object to the settlement, no later than **August 10, 2018**, you must file an objection with the Circuit Court of St. Louis County, Missouri at 105 S. Central Avenue, Clayton, Missouri 63105. The written objection must include: (i) your full name and address; (ii) information sufficient to confirm you as a member of one of the Classes; (iii) a statement of all grounds for the objection, with a detailed description of the facts and legal authorities underlying each objection; (iv) a statement confirming whether you intend to appear at the final Fairness Hearing at 1:30 p.m. on August 24, 2018; and (v) your signature or the signature of your duly authorized attorney or other duly authorized representative. A copy of your objection must also be sent by mail, postmarked no later than August 10, 2018, to the attorneys for the Class (Jonathan B. Nace, Nidel & Nace, PLLC, 5335 Wisconsin Ave., NW, Suite 440, Washington, DC 20015) and the attorneys for the Hannibal Defendants (Greensfelder, Hemker & Gale, P.C., Attn: Abby Risner, 10 South Broadway, Suite 2000, St. Louis, Missouri 63102), and the settlement administrator (Latta et al. v Hannibal Board of Public Works, et al. Settlement, c/o Analytics Consulting, P.O. Box 2005, Chanhassen MN 55317-2005). Any Class Member who does not request exclusion may, if the member so desires, enter an appearance through counsel, at his/her expense.

THE FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the settlement. You may attend if you wish, but you are not required to do so.

15. Where and when is the fairness hearing?

The Court will hold a fairness hearing on **August 24, 2018 at 1:30 p.m.** The purpose of the hearing will be for the Court to determine whether the proposed settlement is fair, reasonable and adequate and in the best interests of the classes and to determine the appropriate amount of compensation for the Class Counsel. At that hearing, the Court will be available to hear any objections and arguments concerning the fairness of the proposed settlement. The hearing may be postponed to a later date without notice.

YOU ARE NOT REQUIRED TO ATTEND THIS HEARING.

GETTING MORE INFORMATION

16. How do I get more information?

You can visit the settlement website at www.hannibalwaterlawsuitsettlement.com, or call toll-free at 866-260-5869, if you have any questions or would like to review more detailed information, including the settlement agreement.

17. What if I have a new address?

If this notice was sent to you at your current address, you do not have to do anything more to receive further notices concerning this case. However, if this notice was forwarded to you, or if it was otherwise sent to you at an address that is not current, you should immediately send a letter to:

Latta et al. v Hannibal Board of Public Works, et al. Settlement
c/o Analytics Consulting
P.O. Box 2005
Chanhassen MN 55317-2005