

FILED

AUG 24 2018

JOAN M. GILMER
CIRCUIT CLERK, ST LOUIS COUNTY

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

OLIVER LATTA, *et al.*,

Plaintiffs,

v.

HANNIBAL BOARD OF PUBLIC
WORKS *et al.*

Defendants.

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Cause No. 16SL-CC01881

Division: 10

**ORDER AND JUDGMENT GRANTING FINAL
APPROVAL OF A CLASS ACTION SETTLEMENT**

UPON CONSIDERATION OF *Plaintiffs' Unopposed Motion for Final Approval of Class
Action Settlement*, and the final approval hearing on August 24, 2018, it is hereby

Ordered and Judgment entered as follows:

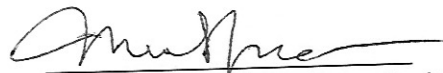
- (a) The Settlement Agreement is finally approved as fair, reasonable and adequate.
- (b) Defendants City of Hannibal and Hannibal Board of Public Works ("Defendants") shall invest a minimum of \$5,000,000.00 into investigating and implementing water quality improvements, which improvement will include a focus on reducing or replacing chloramination as a primary disinfection method.
- (c) Christopher Nidel, Jonathan Nace, Daniel Ryan, Steven German, and Joel Rubenstein are appointed as Class Counsel.
- (d) Notice and exclusion rights have been provided to members of the Settlement Classes in adequate fashion and consistent with due process concerns.
- (e) Notice that was provided to the Settlement Classes complies with the requirements of Missouri Rule of Civil Procedure 52.08.

- (f) The Settlement Class as described in the Settlement Agreement are approved for settlement purposes only. In the event of termination of the Settlement Agreement, certification of the Settlement Classes shall automatically be vacated and the Hannibal Defendants may fully contest certification of any class as if no Settlement Class had been certified.
- (g) The Medical Monitoring Fund as described in the Settlement Agreement shall be established as required therein.
- (h) The procedures for members of the Settlement Classes to submit claims for payment from the Medical Monitoring Settlement Amount are finally approved.
- (i) Those individuals who have opted out of the Settlement Agreement, as identified on Exhibit 2 to *Plaintiffs' Motion for Final Approval of Class Action Settlement Agreement*, are excluded from the Classes, and have not released any claims.
- (j) All Class Members who have not opted out of the Settlement Agreement hereby release all claims against Defendants City of Hannibal and Hannibal Board of Public Works as provided for in the Settlement Agreement.
- (k) The Court has considered the interests of the Center for Medicare and Medicaid Services and has determined that Medicare's conditional payments are under the reporting threshold.
- (l) Any reimbursement owed to the Missouri Department of Social Services is reduced to zero dollars (\$0) pursuant to RSMo § 208.215.11.
- (m) Attorneys' fees as agreed upon in the Settlement Agreement are hereby approved and shall be paid consistent with the terms of the Settlement Agreement;

(n) An incentive award to each of the Class Representatives, O.C. Latta, Crystal Stephens, Christine Stolte, and Vickie Brooks, in an amount of \$4,000.00 each is hereby finally approved and shall be paid to each of the aforementioned Class Representatives consistent with the terms of the Settlement Agreement.

(o) The Court hereby orders and adjudges that this case is dismissed with prejudice, with each side to bear their respective attorneys' fees and costs except as otherwise set forth in this Order, and Defendants are discharged with prejudice from all further liability as set forth in the Settlement Agreement.

(p) The Court retains jurisdiction over the Settlement Classes and the Defendants to implement, administer, consummate and enforce the Settlement Agreement and this Order.


Hon. Michael T. Jamison DIVIV
8-24-18