



February 9, 2022

To Our Valued Neighbors

Re: Alternative Water Under the First Amended Consent Decree Entered in *State of Delaware Department of Natural Resources & Environmental Control v. Mountaire Farms of Delaware, Inc.*, Case No. 18-00838-MN-JLH (D. Del.)

As you may know, Mountaire Farms of Delaware, Inc. (“Mountaire”) was a party in a federal lawsuit:

State of Delaware Department of Natural Resources & Environmental Control v. Mountaire Farms of Delaware, Inc., Case No. 18-00838-MN-JLH (D. Del.) (the Federal Action”)

as well as a in a private class action lawsuit:

Cuppels et al., v. Montaire Corporation, et al., C.A. No. S18C-06-009 CAK (the “Class Action”).

Both Mountaire and the Claims Administrator under the settlement resolving the Class Action (the “Class Action Settlement”) have received numerous questions regarding alternative water options that are available to some of our neighbors under the Federal Action. The Claims Administrator was kind enough to allow us to post this letter on the Class Action Settlement website in an effort to address these issues.

A First Amended Consent Decree (the “Consent Decree”) was entered in the Federal Action to resolve all claims brought by the State of Delaware. This case is different from the Class Action, and the Consent Decree is unrelated to the Class Action Settlement. If you live in the Consent Decree “residential area” described in the Consent Decree in the Federal Action, you are eligible for certain benefits directly from Mountaire relating to alternative water supply. **Please note that the Consent Decree “residential area” is much smaller than the groundwater class area under the Class Action Settlement.**

PLEASE ALSO NOTE THAT MOUNTAIRE HAS NO ROLE IN ALLOCATING SETTLEMENT CLAIM FUNDS, AND THE CLASS ACTION SETTLEMENT ADMINISTRATOR HAS NO ROLE IN ADMINISTERING ALTERNATIVE WATER OPTIONS UNDER THE FEDERAL CONSENT DECREE.

Except as noted below, for those property owners in the Consent Decree “residential area” your remedy for claims specific to your ongoing water supply comes from the Consent Decree, not from the Class Action Settlement. This is because you are eligible to receive alternative water supply directly through the Consent Decree. However, your remedy for *any other claims*



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available to you under the Class Action Settlement (including claims for personal injuries, property damage, or unreimbursed medical expenses) are unaffected by the Consent Decree and, we are advised, will be handled just the same as all other claimants.

If you own property in the Consent Decree “residential area” you should have received a notice from Tidewater Utilities regarding a potential public water supply. If you did not receive this letter, please contact Kirsten Higgins – 302.747.1325. This notice is provided because those in the Consent Decree “residential area” may be eligible for a central water supply, if regulatory approvals are obtained. The notice from Tidewater Utilities is a part of that regulatory process. If regulatory approvals are not obtained, then persons in the Consent Decree “residential area” may be eligible for a deeper well that will tap into a deep potable source of groundwater. Again, regulatory approvals will be needed. Both of these pathways are expected to take a number of years.

In the alternative, property owners in the Consent Decree “residential area” are immediately eligible to have an ion-exchange water filtration device installed at their property. If you own property within the Consent Decree “residential area” and have questions about your alternative water supply rights, you should contact Mountaire’s community relations office at (302)934-3050 or (302)934-3077.

The Claims Administrator has advised us that in certain limited circumstances, parties in the Consent Decree “residential area” who do not qualify for either a deep well or a water filtration device may be able to pursue a water claim under the *Cuppels* Class Action Settlement. To have their water claim evaluated, any property owners in the Consent Decree “residential area” who learns they are not eligible for alternative water under the federal Consent Decree should advise RG/2 by calling (844) 951-2344 or by e-mail to info@rg2claims.com

Very truly yours,

A handwritten signature in black ink that reads "Catherine M. Bassett".

Catherine M. Bassett
Director of Community Relations



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