

**PERRINE DUPONT SETTLEMENT CLAIMS OFFICE
ATTN: EDGAR C. GENTLE, CLAIMS ADMINISTRATOR
C/O SPELTER VOLUNTEER FIRE DEPARTMENT OFFICE**

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June 13, 2018

VIA HAND DELIVERY

The Honorable Thomas A. Bedell
Circuit Judge of Harrison County
301 West Main Street, Room 321
Clarksburg, West Virginia 26301

Re: Perrine, et al. v. DuPont, et al.; Civil Action No. 04-C-296-2 (Circuit Court of Harrison County, West Virginia) - Report Respecting Use of Remediation Program Final Surplus; Our File Nos. 4609-1 {DD-89}

Dear Judge Bedell:

I hope this letter finds the Court well.

The purpose of this Settlement Administrator Report is to propose, for the Court's consideration, that the Remediation Program issue a final third dividend to Remediation Program Property Class Members in the amount of approximately \$187,000.

As the Court is aware, to save additional administrative expenses for the Remediation Program, in February 28, 2018, the balance held in the Perrine-DuPont Property Remediation Qualified Settlement Fund (the "Remediation Fund") of \$340,002.07 was transferred into a Remediation Fund Sinking Fund held by the Perrine-DuPont Medical Monitoring Program Qualified Settlement Fund (the "Sinking Fund"). As of May 30, 2018, the cash balance held in the Sinking Fund was approximately \$287,000.

Please find attached in Attachment A the Remediation Program Final Surplus Dividend and Budget, showing that the estimated net amount to be distributed to the Remediation Program Property Class Members as a final third dividend equals approximately \$187,000, after deducting: (i) \$67,000 in estimated administration expenses as projected in your Settlement Administrator's Eighth Settlement Administration Budget; and (ii) \$33,000 in projected Settlement Administrator fees and expenses to compute and distribute the final third dividend, with these fees and expenses being capped at 15% of the total final third dividend amount. The estimated average final dividend

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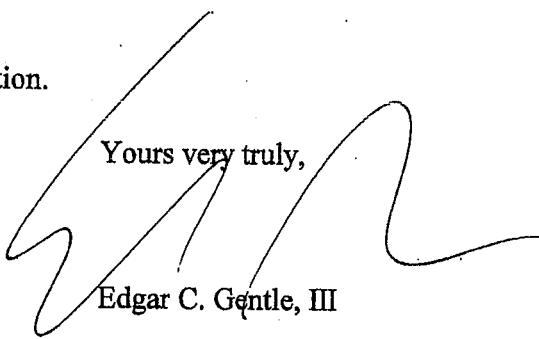
check amount to Remediation Program Property Class Members is \$188.

We have shared this proposed Remediation Program final third dividend proposal with the Finance Committee and the Guardian Ad Litem for children, with no objections being received by your Settlement Administrator.

Your Honor, we have enclosed in Attachment B a proposed Order for your consideration that would approve the proposed Remediation Program final third dividend to Remediation Program Property Class Members.

Thank you for the Court's consideration.

Yours very truly,



Edgar C. Gentle, III

ECGIII/mg
Enclosures

cc: (with enclosures)(by e-mail)(confidential)
Niall A. Paul, Esq.
Clifford F. Kinney, Jr., Esq.
DuPont Representatives on the Settlement Finance Committee

Virginia Buchanan, Esq.
Plaintiff Class Representative on the Finance Committee

Meredith McCarthy, Esq.,
Guardian Ad Litem for Children

Clerk of Court of Harrison County,
West Virginia, for filing (via hand delivery)

Terry D. Turner, Jr., Esq.
Katherine A. Harbison, Esq.
William S. ("Buddy") Cox, Esq.
J. Keith Givens, Esq.
McDavid Flowers, Esq.
Farrest Taylor, Esq.
Ned McWilliams, Esq.

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cc: (continued)

Angela Mason, Esq.

J. Christopher Smith, Esq.

Jennifer L. Blankenship, Esq.

Ms. Jennifer Newby, C.P.A.

Mr. Joe L. Roberta, C.P.A.

Ms. Christy Mullins

Ms. Tracy R. Collingsworth

ATTACHMENT A

**Perrine-DuPont Remediation Sinking Fund
Final Surplus Dividend and Budget**

6/1/2018

<u>Budgeted Expense</u>	<u>Estimated Cost</u>
Order checks and envelopes	\$1,000
Copies (10 pages * \$0.25 per page * 1,000 checks * 2 copies)	\$5,000
Postage (1,000 checks * \$1.50)	\$1,500
Labor (capped at 15% of \$220,000 less above expenses) ¹	\$25,500
Proposed Total Dividend Budget	<u>\$33,000</u>

¹ The last dividend was issued in October 2017. In reviewing the time spent by those employees who devoted significant time to preparation of the dividend, beginning in August and time through December to resolve various check issues, it would appear that a more likely cost of labor would be approximately \$62,000. This takes out small amounts of time by miscellaneous employees and takes out time for travel and distribution of the October dividend, as this last dividend will be mailed. This could result in an additional \$36,500 in labor, which our firm would have to absorb.

<u>Proposed Final Surplus Dividend Amount</u>	<u>Amount</u>
May 30, 2018 balance of Remediation Sinking Fund	\$287,000
April 2018 through August 2018 overhead in the Settlement Administration Budget attributable to the Property Remediation Fund (Remediation Sinking Fund)	<u>(\$67,000)</u>
Potential Funds Available for Dividend	\$220,000
Projected Costs of the Dividend - 15%	<u>(\$33,000)</u>
Estimated Net Amount to Distribute as a Final Dividend ²	<u>\$187,000</u>

² Based on the framework of the October 2017 dividend, it is anticipated that the maximum amount for one share will be \$210, with the maximum check amount being \$420 for having a house and soil property, the minimum check amount being \$0.84 for receiving a portion of a share, and the average check amount being \$188.

ATTACHMENT B

surplus funds shall be distributed to Property Class Members under the same Rules previously set by the Court for the last remediation surplus dividend payment, including those established by the "Final Order Determining the Final Surplus Payment Program Calculations" entered on November 28, 2016. The Claims Administrator shall calculate and pay out the remaining Remediation surplus funds to the same claimants identified and approved by the Court for the previous dividend payments, and the Claims Administrator shall use the same rules as for the last dividend payments to determine and distribute the share payments.

Pursuant to Rule 54(b) of the West Virginia Rules of Civil Procedure, the Court directs entry of this Order as a Final Order as to the disposition of the Remediation surplus funds and makes the express determination that there is no just reason for delay and expressly directs the entry of judgment on that issue.

The Clerk of this Court shall provide certified copies of this Order to the following:

Niall A. Paul, Esq.
Clifford F. Kinney, Jr., Esq.
Spilman, Thomas & Battle, PLLC
P. O. Box 273
Charleston, WV 25321
DuPont's Finance Committee Representatives

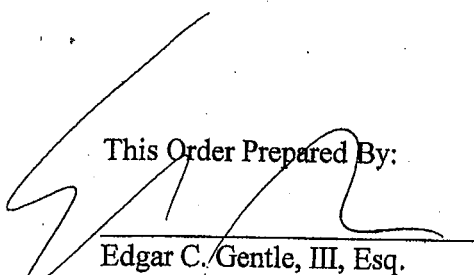
Edgar C. Gentle, III, Esq.
Settlement Claims Office
P.O. Box 257
Spelter, WV 26438
Claims Administrator

Virginia Buchanan, Esq.
Levin, Papantonio, Thomas, Mitchell,
Rafferty & Proctor, P.A.
P.O. Box 12308
Pensacola, FL 32591
Plaintiffs' Finance Committee Representative

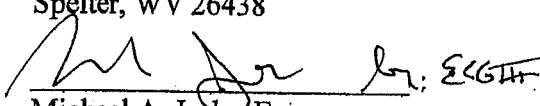
Done and Ordered this ___ day of _____, 2018.

Thomas A. Bedell
Circuit Judge of Harrison County,
West Virginia

This Order Prepared By:



Edgar C. Gentle, III, Esq.
Gentle, Turner, Sexton & Harbison, LLC
P.O. Box 257
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Michael A. Jacks, Esq.
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