

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

AARON KNOTT, MICHAEL
CARRUTH, KAREN CARRUTH,
CHRISTINA SONNIER, AND
CHRISTINE OLIVIER
INDIVIDUALLY, AND ON BEHALF
OF ALL OTHERS SIMILARLY
SITUATED
Plaintiffs

* CIVIL ACTION NO.:
* JUDGE:
* MAG. JUDGE:
*
*

VERSUS

UNITED WATER SYSTEM, INC. AND
AMERICAN ALTERNATIVE
INSURANCE COMPANY
Defendants

* * * * *

NOTICE OF REMOVAL

TO: Clerk of Court
United States District Court
Western District of Louisiana
Lafayette Division

Defendant, United Water System, Inc. (“UWS”), respectfully submits this Notice of Removal pursuant to 28 U.S.C. § 1446(a), and as cause therefore shows as follows:

BACKGROUND

1.

This action was commenced by plaintiffs, Aaron Knott, Michael Carruth, Karen Carruth, Christina Sonnier, and Christine Olivier individually, and on behalf of all others similarly situated (“Plaintiffs”), on February 16, 2023 through their filing of a Petition for Damages in the 16th Judicial District Court for the Parish of St. Martin, State of Louisiana, Docket Number 92514. *See*

generally Exhibit A, Copies of All Process, Pleadings, Orders and Safe Drinking Water Act Notice Letter Served Upon United Water System.

2.

In their Class Action Petition for Damages, Plaintiffs name UWS and American Alternative Insurance Company (“AAIC”) as defendants. *See id.* at Plaintiffs’ Petition for Damages ¶ 1.

3.

UWS was served through its registered agent for service of process, Barbara Hebert at 1064 Lynn Hardy Road, Arnaudville, Louisiana, with Citation and a copy of Plaintiffs’ Class Action Petition for Damages on March 1, 2023, which is the date UWS first received, through service or otherwise, a copy of the initial pleading setting forth the claim for relief upon which this action is based. *See* Exhibit B, Notice of Service Dated 3/1/2023.

4.

The only other named defendant in this case, AAIC, was served through its registered agent for service of process, Louisiana Secretary of State at 8585 Archives Avenue, Baton Rouge, Louisiana 70809 as of the filing of this Notice of Removal. AAIC has provided consent to removal of this action.

5.

This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b), as it was filed within thirty (30) days after UWS was first served with a copy of the initial pleading setting forth the claim for relief upon which this action is based and within one (1) year after the commencement of this action.

6.

This case is removable because:

- a. A significant and substantial component of Plaintiffs' state law claims requires the interpretation of federal law regarding federal Safe Drinking Water Act regulations, and Plaintiffs' right to relief under one or more causes of action asserted depends upon resolution of a substantial question of federal law, and therefore, federal question jurisdiction applies;
- b. Plaintiffs assert a general federal drinking water claim, which is sustained by the Notice of Intent to File Safe Drinking Water Act Suit against United Water System, Inc., dated January 23, 2023 sent to Defendant pursuant to 42 USCA §300j-8; ultimately distinguishing such claims as removable.
- c. Pursuant to 28 U.S.C. § 1367, this court has supplemental jurisdiction over the Louisiana state law claims, which are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy under Article III of the United States Constitution.
- d. To the extent the Plaintiff has any right to proceed with this lawsuit, the action is subject to the Class Action Fairness Act ("CAFA").

Each of these reasons, independently and together, supports removal and this Court's jurisdiction.

GROUND FOR REMOVAL – DIVERSITY OF CITIZENSHIP JURISDICTION

I. Removal is Proper Under 28 U.S.C §§ 1331 and 1441(a) Because the Petition Alleges Claims that “Arise Under” Federal Laws and Regulations.

7.

A district court may exercise original federal jurisdiction over any civil action “arising under the Constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331. Under Section 1331, federal jurisdiction is present when a plaintiff’s well-pleaded complaint demonstrates that (a) “federal law creates [one or more] cause[s] of action” alleged by plaintiff or (b) “plaintiff’s right to relief [under one or more causes of action] necessarily depends on resolution of a substantial question of federal law.” *Singh v. Duane Morris LLP*, 538 F.3d 334, 337-38 (5th Cir. 2008). “A single claim over which federal-question jurisdiction exists is sufficient to allow removal.” *Broder v. Cablevision Systems Corp.*, 418 F.3d 187, 194 (2d Cir. 2005). In this case, federal jurisdiction is present under both of the foregoing grounds.

8.

Plaintiffs allege that the claims asserted are “pursuant to the laws of the State of Louisiana and federal drinking regulations”. Pet., 3. In order to establish federal jurisdiction, however, this Court may not simply accept Plaintiff’s allegations at face value, and must instead carefully examine the facts and legal theories giving rise to the claims asserted. *See, e.g., Frank v. Bear Stearns & Co.*, 128 F.3d 919, 922 (5th Cir. 1997) (“A federal court may find that a plaintiff’s claims arise under federal law even though the plaintiff has not characterized them as federal claims.”); *Hawkins v. Nat’l Ass’n of Sec. Dealers Inc.*, 149 F.3d 330,332 (5th Cir. 1998) (finding federal question jurisdiction where “[plaintiffs] claims ... , though carefully articulated in terms of state law, [were] actions at law seeking to enforce liabilities or duties created by federal securities laws”).

9.

Plaintiffs' claims are created by, or necessarily require the resolution of disputed issues of, federal laws and regulations. Following its factual allegations purporting to describe "continually violated state and federal drinking water quality standards" flowing from Defendant's activities, the Petition identifies actions at law seeking to enforce liabilities or duties created by the following federal laws and regulations:

- a. The Safe Drinking Water Act (SDWA). Under this Act, the United States Environmental Protection Agency ("EPA") sets the standards for drinking water quality as well as monitors states, local authorities, and water suppliers who enforce those standards. While the Safe Drinking Water Act (SDWA) gives individual states the opportunity to set and enforce their own drinking water standards, those standards must be at a minimum as stringent as EPA's national standards. Plaintiff alleges violation of federal regulations, such as the Lead and Copper Rule, Consumer Confidence Rule- CCR Report and Consumer Confidence Rule- CCR Adequacy/ Availability/ Content, Ground Water Rule.

11.

Plaintiffs' cause of action for negligence alleged in the Petition incorporates specific allegations asserting that Defendant's activities violate state laws based on federal regulations.

A. Plaintiffs' Claims Are "Created By" Federal Law.

12.

Federal jurisdiction exists, and removal is proper, when a plaintiff's petition alleges a claim for which federal law is the "law that creates the cause of action." *Franchise Tax Bd. v. Const. Laborers Vac. Trust*, 463 U.S. 1, 9, 14 (1983); see *Grable & Sons Metal Products, Inc. v. Darue*

Eng'g & Mfg., 545 U.S. 308, 312 (2005) (removal proper when plaintiff pleads a "cause of action created by federal law"). Plaintiffs' Petition here asserts such claims.

13.

In Paragraph 5, the Petition refers explicitly to violations of the Lead and Copper Rules, Consumer Confidence Rule- CCR Report, Lead and Copper Rule- Lead Consumer Notice and Consumer Confidence Rule- CCR Adequacy/ Availability/ Content, and Ground Water Rule, all of which are established by the EPA through the SDWA. A fair reading of the Petition thus confirms that the violations that Plaintiffs seek to enforce against the Defendant pursuant to 42 USCA § 300j-8 includes the federal drinking water regulations established by the EPA through the SDWA.

14.

Furthermore, less than a month before filing their Petition, Plaintiffs, through present attorney Gordon J. Schoeffler, transmitted a Notice of Intent to File Safe Drinking Water Act Suit against United Water System, Inc. on January 23, 2023 ("SDWA Notice") attached as Exhibit C. In the SDWA Notice, Plaintiffs acknowledge that "pursuant to 42 USCA § 300j-8," their intention to file suit against UWS for "ongoing violations of the Safe Drinking Water Act, 42 USCA § 300f, et seq, and the various provisions of federal regulations enacted thereunder, including but not limited to 40 CFR Part 141, et seq . . .". Additionally, Plaintiffs declare their intent "to file suit before the Federal Western District of Louisiana . . . unless the violations of drinking water standards, regulations, and limitations referenced herein are addressed and/or remedied pursuant to law within that time."

15.

Further in the SDWA Notice, Plaintiffs asserted UWS's obligation to them "under federal and state law", as well as included over 50 notices for review proclaiming violations of Maximum Contaminants Levels for Inorganic Contaminants under 40 CFR §§141.11, *et seq.*, 141.50, *et seq.*, 141.62 *et seq.* from 2016 through present; violations of Maximum Residual Disinfectant Levels under 40 CFR §§141.65, *et seq.* from 2016 through present; violations of Lead and Copper Rules under 40 CFR §§141.65, *et seq.* from 2016 through present; violations of Monitoring, Inspection, Maintenance, Documentation, Record Keeping, Consumer Notice Requirements under 40 CFR §§141.21, *et seq.*, 141.31, *et seq.*, 141.151, *et seq.*, 141.201, *et seq.*, 141.403, *et seq.*, 141.723, *et seq.* from 2016 through present; Exceedances of Secondary Maximum Contaminant Levels under 141.1, *et seq.* from 2016 through present.

B. Plaintiffs' Claims Necessarily Depend on Disputed Issues of Federal Law.

16.

In *Grable*, the Supreme Court established the prevailing test to determine whether federal issues "embedded in" what is otherwise a state law cause of action authorize removal. There is a legitimate federal question establishing federal jurisdiction, and removal to federal court is proper, when "a state-law claim necessarily raise[s] a stated federal issue, actually disputed and substantial, which a federal forum may entertain without disturbing any congressionally approved balance of federal and state judicial responsibilities." 545 U.S. 308, 314 (2005). In *Singh v. Duane Morris LLP*, the Fifth Circuit formulated the following four-part test:

federal question jurisdiction exists where (1) resolving a federal issue is necessary to resolution of the state-law claim; (2) the federal issue is actually disputed; (3) the federal issue is substantial; and (4) federal jurisdiction will not disturb the balance of federal and state judicial responsibilities.

538 F.3d at 338. Under this test, federal jurisdiction exists here.

17.

The Petition predicates its claims of negligence, breach of contract, product liability, negligent chemical assault and trespass, and detrimental reliance on an alleged statutory duty found in the federal regulation under the SDWA. As spelled out in Paragraph 5, Plaintiffs seek to draw this alleged duty out of the federal regulations established by the EPA under the SDWA statutory language, which determine what levels are considered a violation of federal drinking water standards.

18.

Each element of the *Grable* test is satisfied here.

- a. First, a plaintiff's claim "necessarily raises" a federal law issue when a plaintiff cannot prove the claim it has alleged without prevailing on the embedded federal law issue. *Singh*, 538 F.3d at 338. Here, Plaintiffs cannot establish the duty element of the claims alleged in negligence and negligent chemical assault and trespass of its Petition without prevailing on its view of Defendant's alleged statutory duty under the federal SDWA. Furthermore, Plaintiffs must rely on the violation of federal regulations in defining the "breach" in its breach of contract claim, the alleged "defect" in its product liability claim and the "promise" in its detrimental reliance claim.
- b. Second, the determination whether a federal issue is "actually disputed" rests on whether the parties genuinely disagree on the meaning or requirements imposed by the federal law at issue. *See Boyle*, 2012 WL 289881, at *3. There is no question that Plaintiffs interpretation of the federal SDWA giving rise to its claims is genuinely disputed.

- c. Third, federal question jurisdiction requires that a federal issue is "a substantial one, indicating a serious federal interest in claiming the advantages thought to be inherent in a federal forum." *Grable*, 545 U.S. at 314. In making this determination, courts frequently consider the materiality of the disputed federal law issue in resolving plaintiff's claim for relief. *Bobo v. Christus Health*, 359 F. Supp. 2d 552,557 (E.D. Tex. 2005) (citing *Howery v. Allstate Ins. Co.*, 243 F.3d 912, 917 (5th Cir. 2001)); *see also Clauer v. Heritage Lakes Homeowners Ass'n, Inc.*, No. 4:09---cv-560, 2010 WL 446545, at *3 (E.D. Tex. 2010) (federal issues were substantial where plaintiffs' asserted rights were created by federal law and required the court to interpret federal law, and claims turned on answers to federal statutory questions).
- d. Fourth, there is no prospect that allowing removal of Plaintiffs' lawsuit will affect in any way, much less significantly, the caseload with which federal courts must deal. Although Plaintiffs' lawsuit, viewed as a single case, is no doubt a significant one, there can be few other subsequent cases likely to be affected by this Court's resolution of the removal issue presented here.

II. Removal Is Proper Under the Class Action Fairness Act.

19.

CAFA gives federal courts jurisdiction over not just "class actions" but also "mass actions," which are defined as "any civil action . . . in which monetary relief claims of 100 or more persons are proposed to be tried jointly on the ground that the plaintiffs' claims involve common questions of law or fact." 28 U.S.C. § 1332(d)(1)(B)(i). Here, all of those requirements of 28 U.S.C. § 1332(d)(1)(A) are satisfied and removal is proper.

20.

Each of the causes of action in the Class Action Petition requests monetary damages. *See, e.g.,* Pet., ¶¶ 1, 19, and 29. Plaintiff also purports to seek attorney's fees. This relief satisfies the monetary requirement of CAFA.

21.

UWA denies that Plaintiffs have any authority to bring this action. To the extent that any such authority exists, the lawsuit on its face purports to seek damages and other relief on behalf of the residents of certain areas in and around town of Arnaudville, Louisiana, for Plaintiffs' purported injuries and damages due to alleged water violations. *See* Pet., ¶¶ 2, 19.

22.

Because, as Plaintiffs acknowledge in Paragraph 26 of their Class Action Petition, there are more than 100 residents in the Arnaudville, Louisiana area that rely on the UWS water system, the numerosity requirement of a CAFA mass action removal is satisfied. 28 U.S.C. § 1332(d)(11)(B)(i); *see also Louisiana ex rel. Caldwell v. Allstate Ins. Co.*, 536 F.3d 418, 429 (5th Cir. 2008) (holding that when there is a single plaintiff, but damages relate to numerous individuals, CAFA's numerosity requirement is satisfied); *Mississippi ex rel. Hood v. AU Optronics Corp.*, 701 F.3d 796, 801 (5th Cir. 2012).

23.

Plaintiffs propose that this single lawsuit force Defendant to pay money to all of the residents and businesses in the area in and around Arnaudville, Louisiana. Thus, CAFA's commonality requirement is also satisfied. 28 U.S.C. §1332(d)(11)(B)(i).

24.

CAFA provides that federal courts have original jurisdiction over civil actions in which the matter in controversy exceeds the sum or value of \$5 million, exclusive of interest and costs, and is a class action in which any member of a class of plaintiffs is a citizen of a State different from any defendant. 28 U.S.C. 1332(d)(2). In this lawsuit, Plaintiffs assert that “approximately 4,350 people rely on the UWS system . . . as their sole source of water.” *See Pet.*, ¶ 26. Here, in order to meet this threshold, Plaintiffs’ claim for injuries and “substantial damages” associated with Defendant’s alleged “sale of deleterious and contaminated water” as Plaintiff’s sole water supply for the last seven years would only need to be worth at least \$1,150 per plaintiff for mental anguish, emotional distress, property damages, loss of use, inconvenience, nuisance, and trespass. *See Pet.*, ¶ 14. Moreover, the amount in controversy can be determined based upon the value of the right that a plaintiff seeks to protect, which is also more than \$75,000 in this lawsuit. *Hunt v. Washington State Apple Adver. Comm’n*, 432 U.S. 333, 347 (1977). Therefore, there is no question that the Plaintiff seeks to have Defendants pay over \$5 million.

25.

The Plaintiffs are domiciled in Louisiana and the residents and businesses who are the real parties in interest are also citizens of Louisiana. *See Pet.*, ¶ 1. At least one defendant, AAIC is incorporated in the State of Delaware, with its principal place of business in New Jersey. The minimal diversity requirement is satisfied. 28 U.S.C. §§1332(d)(2), 1332(d)(JJ)(A).

26.

Furthermore, none of the exceptions to CAFA removal apply because (1) the claims did not arise out of a single event; (2) the claims were not "joined upon motion of a defendant;" (3) it cannot be said that all of the claims "are asserted on behalf of the general public ... pursuant to a

State statute specifically authorizing such action;" and (4) this is not a case in which claims were consolidated "solely for pretrial proceedings."

UWA reserves the right to amend or supplement this Notice of Removal.

WHEREFORE, United Water System, Inc. prays that further proceedings in the 16th Judicial District Court for the Parish of St. Martin, be discontinued and that this action be recognized as removed to and pending on the docket of the United States District Court for the Western District of Louisiana, as the law in such cases provides.

Respectfully submitted,

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Counsel for United Water System, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2023, a copy of the foregoing was filed electronically with the Clerk of Court of the United States District Court for the Western District of Louisiana using the CM/ECF system. A copy of the above and foregoing Notice of Removal was also sent by U.S. Mail and electronic transmission to all counsel of record for Plaintiff.

/s/ John E. W. Baay II

JOHN E. W. BAAY II

**EXHIBIT
A**

**IN THE 16th JUDICIAL DISTRICT COURT
FOR THE PARISH OF ST. MARTIN
STATE OF LOUISIANA**

**AARON KNOTT, MICHAEL CARRUTH,
KAREN CARRUTH, CHRISTINA SONNIER,
and CHRISTINE OLIVIER *individually,*
*and on behalf of all others similarly situated***

VERSUS

DOCKET NO. 02514

**UNITED WATER SYSTEM, INC.
AND AMERICAN ALTERNATIVE
INSURANCE COMPANY**

CLASS ACTION PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, come Plaintiffs, AARON KNOTT, MICHAEL CARRUTH, KAREN CARRUTH, CHRISTINA SONNIER, and CHRISTINE OLIVIER (referred to hereinafter as "Plaintiffs" or "Petitioners") who submit this Petition, individually and on behalf of all others similarly situated, pursuant to La. C.C.P. art. 591, et seq., and respectfully represent:

Parties

1.

Made Defendants herein are the following persons and/or entities who are justly and truly indebted unto your Petitioners and the class of persons described herein, jointly and *in solido*, for their damages and losses as set forth herein, and these claimants are entitled to judgment in their favor and against the defendants, for a sum which will reasonably compensate each for their respective damages and losses, and all costs and expenses of these proceedings, together with legal interest thereon from date of judicial demand until paid, and for all other just and equitable relief to which these claimants may be entitled:

- (a) UNITED WATER SYSTEM, INC., hereinafter "UWS," a Louisiana non-profit corporation, domiciled in St. Martin Parish, La, authorized to do and doing business in the State of Louisiana, and who may be served through its designated agent for service of process, Barbara Hebert, 1064 Lynn Hardy Rd. Arnaudville, LA 70512; *and*
- (b) AMERICAN ALTERNATIVE INSURANCE CORPORATION, hereinafter "AAIC," a foreign insurer domiciled in Delaware, authorized to do and doing business in and a licensed insurer in the State of Louisiana who may be served

through its agent for service of process, Louisiana Secretary of State, at 8585 Archives Ave., Baton Rouge, LA 70809.

2.

UWS is a supplier of drinking water for certain areas in and around the town of Arnaudville, La. The plaintiffs and the putative class members herein are all water customers/consumers of the defendant UWS, and they purchase their purportedly potable water from UWS. UWS has been the sole source of drinking water for these residents for a number of years. UWS as the owner and operator of the water supply system complained of herein was insured under a policy of insurance issued to it by AMERICAN ALTERNATIVE INSURANCE CORPORATION which was in full force and effect at all times pertinent providing liability coverage for all claims asserted by Plaintiffs. Plaintiffs bring their claims against AMERICAN ALTERNATIVE INSURANCE CORPORATION under the Louisiana Direct Action Statutes.

Factual Allegations

3.

Pursuant to the laws of the State of Louisiana and federal drinking water regulations, the defendants herein are obligated to provide safe and clean drinking water in adequate quantities to the customers of UWS for their usage, including but not limited to such uses as drinking, cooking, washing, bathing, sewerage, gardening, sanitation, pets, livestock, etc.

4.

Plaintiffs would show that for many years, the drinking water that they and the class members have received in their homes has been periodically brown, yellow, and discolored, and often has suspended particulate matter of unknown origin in the water. Plaintiffs and other putative class members regularly receive written, published, and other notices of drinking water standards violations from UWS warning of health risks associated with the water, and on several occasions in recent times been placed on boil advisories. Plaintiffs and putative class members have also regularly suffered with drops in and fluctuating water pressures as

well as total loss of water pressure/supply, sometimes for days at a time, causing massive inconvenience. These problems continue through the present.

5.

Plaintiffs would show that for many years, the drinking water that they and the class members receive in their homes has continually violated state and federal drinking water quality standards. Among many particular violations are the following, non-exclusive instances:

- a. Exceeding maximum contamination level for arsenic, in both source and treated water;
- b. Exceeding maximum residual disinfectant levels for chlorine and/or chloramine;
- c. Violation of minimal residual level for Total Chlorine;
- d. Failure to meet minimum monitoring requirements for residual disinfectant levels for chlorine and/or chloramine;
- e. Exceeding action levels for lead and copper in violation of the Lead and Copper Rules;
- f. Violation of Consumer Confidence Rule- CCR Report;
- g. Violations of the Lead & Copper Rule- Lead Consumer Notice;
- h. Violation of Consumer Confidence Rule- CCR Adequacy/ Availability/ Content;
- i. Failure to routinely inspect and maintain Finished Water Ground Storage Tank after previous site visit by La. Dept. of Health;
- j. Failure to routinely inspect a second Finished Water Ground Storage Tank after previous site visit by La. Dept. of Health;
- k. Failure to have proper screen on overflow pipe of Finished Water Ground Storage Tank;
- l. Damaged fencing around well site;
- m. Leaking service pump with heavy rust;
- n. Failure to prepare and maintain all appropriate records of customer listing, residential and commercial customer compliance, appropriate notice to all customers, and protection against contamination through properly administered Cross Connection Control Program;
- o. Failure to maintain and correct known problems with well discharge piping that showed rust, corrosion, and flaking paint on both wells for the system;

- p. Failure to properly label chemical feed tank for caustic soda;
- q. Splash plate for #2 ground storage tank's overflow not effective and does not allow for appropriate discharge of the tower's overflow with proper drainage away from the tower's foundation;
- r. Violation of record keeping responsibilities in failing to keep complaints documented;
- s. Violation of Ground Water Rule;
- t. Operators of the UWS system were not properly certified in Class 2 Water Production, Treatment, and Distribution;
- u. Exceeding secondary maximum contaminant levels for various contaminants, including iron, manganese, and aluminum.

Many of these violations continue through the present. Further, the foregoing is not an all-inclusive list- there are other violations and acts of negligence and professional negligence which have caused the damages complained of herein.

6.

Plaintiffs would show that exposure to arsenic, copper, lead, and inadequate/excessive disinfectant levels (resulting in threat of organic contaminants and disease) in amounts that exceed or fall below the statutory requirements and standards pose gravely serious health risks. Due to these known and reported risks, Plaintiffs and others similarly situated cannot and have not consumed the water.

7.

Plaintiffs and others, have consistently, over time, complained to the defendant UWS about the quality and appearance of the water, to no avail.

8.

On or about February 16, 2022, the Louisiana Department of Health (LDH) issued a notice of multiple violations to defendant UWS chronicling immediate and ongoing problems with the quality of the water that UWS has been providing to its customers, and ordering that certain corrective measures be undertaken immediately; said notice is attached hereto by reference and made a part hereof, as though reproduced here *in extenso*.

9.

The UWS water has fouled household filtration systems and stained appliances, clothing, and other household items, either damaging or totally destroying same, resulting in the need for replacement or repair in minimal periods of time, well short of their normal useful life.

10.

The UWS water cannot safely be consumed or used to cook, and customers have had to continually purchase bottled water and ice for consumption and cooking, on top of the water bill that they pay to UWS each month for purportedly potable water. Further, Plaintiffs have had to utilize the water supplied by UWS for bathing/showering on a regular basis, further exposing themselves through dermal contact and uptake. The use of the water for bathing has contributed to increased health risks and plaintiffs have sustained fear of bodily injury as a result.

Claims & Damages

11.

Plaintiffs bring this action on behalf of themselves and all putative class members pursuant to the provisions of La. C.C.P. art. 591, et seq. and La. C. C. art. 2520 in that the water which is supplied to the plaintiffs and putative class members is so defective that plaintiffs and putative class members would not purchase this water from the defendants but for the fact that defendants have a monopoly over the sale of water in the customer's area of residence. Alternatively, if the water is not totally useless, the usefulness of the water is such that its value is greatly diminished.

12.

Plaintiffs allege that the water sold and delivered to the customers of UWS is not reasonably fit for its ordinary and intended use by the purchasers.

13.

Petitioners and the putative class members are entitled to all remedies allowed by law, including but not limited to a reduction in or return of purchase price, and reasonable attorney's fees.

14.

Defendant UWS has been careless, negligent, reckless, and wanton in the processing, filtering, treatment, storage, distribution, delivery, and sale of deleterious and contaminated water to Plaintiff customers herein, and in the maintenance, upkeep, and management of its water distribution system, which constitutes a breach of both their contractual and delictual obligations (La. C.C. art 2315) to the Plaintiffs and the putative class members. The aforesaid breaches have caused the Plaintiffs and putative class members herein substantial damages, including but not limited to mental anguish, emotional distress, property damage, loss of use, inconvenience, nuisance, and trespass.

15.

In addition to redhibition and general tort/negligence, the acts and/or omissions of UWS, which have caused the damages sustained by the Plaintiffs and putative class members herein, give rise to claims for: (1) breach of contract, (2) product liability, (3) negligent chemical assault and trespass, and (4) detrimental reliance; amongst others, all as set forth more particularly below.

16.

All of the damages set forth herein, which have been sustained by Plaintiffs and putative class members, have been caused by acts, errors, or omissions in the water and/or wastewater professional activities of defendant UWS. All damages complained of herein continue through the present and into the unforeseeable future.

17.

All of the damages set forth herein, which have been sustained by Plaintiffs and putative class members, have arisen from defendant UWS's bad faith breach of contract with Plaintiffs and

putative class members, and Plaintiffs are entitled to recover for all said damages, including but not limited to attorney's fees, expert witness fees, and costs.

18.

For all periods during which the Plaintiffs received defective, contaminated, and deleterious water, or otherwise compromised, unusable, or diminished-quality water from the defendant UWS; and for all periods wherein Plaintiffs' uninhibited use of water was obstructed by boil order directives or other directives by UWS, Plaintiffs and putative class members are entitled to a reduction in the purchase price and/or return of the purchase price of the defective water, as well as incidental damages caused by the defective water, attorney's fees, expert witness fees, and costs, all in accordance with Louisiana's laws of redhibition.

19.

Plaintiffs and putative class members have sustained tortious damages, compensable under La. C.C. art. 2315, including but not limited to the following:

- (1) Mental anguish and emotional distress, fear of contracting disease, increased risk of contracting disease;
- (2) Property loss, conversion, damage, diminution in value, stigmatized property, out of pocket expenses, including but not limited to expenses for purchasing bottled water, expenses of installing water filtration systems or necessitating the need for same in the future; replacement costs of property damaged by deleterious water, all of which comprise diminishment/destruction of the Plaintiffs' and class members' patrimony and personal property;
- (3) Loss of use and enjoyment of Plaintiffs' and putative class members' real property and homes.

20.

Plaintiffs have sustained negligent chemical assault and trespass damages, after having consumed and bathed in defective contaminated water, and having fed it to their families and infants, all of which was caused specifically by the reckless, wanton, and careless actions or omissions of defendant UWS in its professional water treatment, production, distribution, and/or wastewater activities; Plaintiffs and putative class members are therefore entitled to recover for all damages associated with the consumption of such defective water against their respective wills, including but not limited to those damages complained of herein which inherently result from consumption of contaminated water, and all associated mental anguish and emotional distress.

21.

The contaminated water that defendant UWS has continually sold to Plaintiffs and members of the putative class is unreasonably dangerous within the meaning of the Louisiana Product Liability Act, and said unreasonably dangerous water: (1) suffered from a manufacturing defect, resulting from the water being improperly filtered, monitored, processed, treated, contained, stored, managed, maintained, and distributed; and/or from the water system, piping, and equipment housing and distributing the water being improperly monitored, treated, managed, cleaned, maintained, and upgraded, before the defective water was delivered to Plaintiffs for consumption; and (2) was defective in that it constituted a breach of an express or implied warranty of usability and fitness for consumption, within the meaning of the Louisiana Product Liability Act. Thus Plaintiffs are entitled to recover all damages for all bodily injuries, and other incidental damages such as pain, suffering, mental, and emotional distress, that have been resulted from their use of the defective water, including but not limited to expert witness fees and costs.

22.

In addition to all of the foregoing damages, Plaintiffs are entitled to compensation sufficient for each of them to be able to purchase and install their own filtering and/or treating systems in their own homes, to prevent future contamination of their drinking water in violation of state and federal drinking water standards; Defendant UWS has proven consistently unreliable and/or unwilling to comply with said standards, and in light of these repetitive breaches each of the Plaintiffs are entitled to said compensation as a remedy to the ongoing breaches by defendant UWS.

23.

Plaintiffs and putative class members are entitled to compensation from Defendant UWS for all of the damages set forth herein and above, special and/or general, as well as any and all other damages that they may otherwise be entitled to under law.

Class Allegations

24.

Plaintiffs bring this matter as a class action on behalf of themselves individually, and on behalf of all persons who utilize water provided by the defendant UWS, in and around Arnaudville,

Louisiana, including but not limited to customers, spouses, children, and/or members of the household/ family/ occupants.

25.

Plaintiffs represent that their claims are typical of the claims of the putative class members and that they have no claims which are otherwise antagonistic to the claims of the putative class members. Concentrating this litigation in one forum will aid judicial economy and efficiency and promote parity among the claims of individual class members as well as judicial consistency.

26.

The number of individuals comprising the proposed class is so numerous as to make joinder of all of them impractical, in that there are, upon information and belief, approximately 1,450 customer connections to the UWS water system, as reported by UWS, with a derived population of approximately 4,350 people who rely on the UWS system as reported by UWS, as their sole water source.

27.

This matter presents common questions of law and fact arising out of the allegations represented herein by the plaintiffs on their behalf, individually, and on behalf of the putative class members.

28.

Plaintiffs show that a class action is a superior procedural vehicle with which to prosecute this matter so as to prevent the rendition of incompatible judgments and certification of this matter as a class action will promote judicial economy and efficiency in the adjudication of these claims.

29.

Plaintiffs will fairly and adequately represent and protect the interest of all members of the class sought to be represented herein. They understand their fiduciary duty to the absent class members. Additionally, plaintiffs show that most of the claims which are asserted herein are relatively small from a monetary standpoint in comparison to the cost of litigation, and that

few, if any of the putative class members are able to afford the expense of prosecution of individual claims against the defendants.

30.

The class sought to be certified herein is defined as:

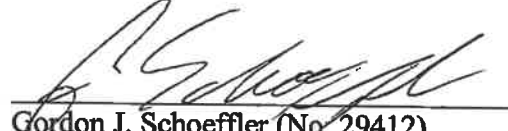
"All persons who receive their water from United Water System, Inc. and/or who have received their water from United Water System, Inc. within the last ten years, who have sustained damages as a result of the water provided by United Water System, Inc."

WHEREFORE, PETITIONERS, on behalf of themselves, individually, and all those similarly situated, pray that the defendants be cited to appear herein and answer this Petition, and that after due proceedings are had, there be judgment herein as follows:

- (1) Certifying this action for class action treatment; *and*
- (2) Casting the defendants in judgment unto the plaintiffs and the putative class members for all of their damages, costs, expenses, legal interest from date of judicial demand and reasonable attorney fees

WHEREFORE PETITIONERS PRAY FURTHER, that this matter be tried before a civil jury, and that Plaintiffs and all putative class members be awarded any other relief that the Court finds equitable and just under the circumstances.

Respectfully submitted:




Gordon J. Schoeffler (No. 29412)
ATTORNEY AT LAW
730 JEFFERSON ST. (70501)
P.O. Box 4829
Lafayette, LA 70502
Phone 337-234-5505
Fax: 337-261-0799
gordon@gjlawoffice.com

RECEIVED AND FILED

2023 FEB 16 PM 12:56

Kaitlyn Hebert
DEPUTY CLERK OF COURT
ST. MARTIN PARISH

LAW OFFICES OF KENNETH W. DEJEAN


Kenneth W. DeJean (No. 4817)
Adam R. Credeur (No. 35095)
Natalie M. DeJean (No. 32423)
417 West University Avenue (70506)
Post Office Box 4325
Lafayette, Louisiana 70502
(337) 235-5294 - Telephone
(337) 235-1095 - Fax
kwdejean@kwdejean.com
adam@kwdejean.com
natalie@kwdejean.com

-AND-

Jacques Pierre Soileau (No. 29677)
SOILEAU & CO.
405 W. Main St., Ste. 200
Lafayette, LA 70501
Phone 337.769.3312
Fax 337.680.4853
jacquotsoileau@gmail.com

Counsel for Plaintiffs and Putative Class


PLEASE SERVE:

UNITED WATER SYSTEM, INC.,
through its agent for service of process,
Barbara Hebert
1064 Lynn Hardy Rd.
Arnaudville, LA 70512

AMERICAN ALTERNATIVE INSURANCE CORPORATION
through its agent for service of process,
Louisiana Secretary of State
8585 Archives Ave.
Baton Rouge, LA 70809

RECEIVED AND FILED

2023 FEB 16 PM 12:56


DEPUTY CLERK OF COURT
ST. MARTIN PARISH

NOTICE OF FIXING JURY BOND

ARRON KNOTT, ET AL

STATE OF LOUISIANA

Vs. NO. 92514-E

16th JUDICIAL DISTRICT COURT

UNITED WATER SYSTEM, INC. AND
AMERICAN ALTERNATIVE INS. CO.

PARISH OF ST. MARTIN

MR. GORDON J. SCHOEFFLER
ATTORNEY AT LAW
P. O. BOX 4829
LAFAYETTE, LA 70502

MR. KENNETH DEJEAN
ADAM CREDEUR
NATALIE DEJEAN
ATTORNEYS AT LAW
P. O. BOX 4325
LAFAYETTE, LA 70502

MR. JACQUES PIERRE SOILEAU
ATTORNEY AT LAW
405 W. MAIN ST., STE. 200
LAFAYETTE, LA 70501

Pursuant to your motion, the Court has entered an order, a copy of which is enclosed, granting a jury trial in the above captioned matter, conditioned upon your client posting the bond referred to therein within the time specified, and payment of all other sums when and as required by law.

Also enclosed is a copy of Rule 10.5 of this Court. You are cautioned that immediately upon the conclusion of the trial, regardless of the outcome, the presiding judge, pursuant to Rule 10.5, will enter an order, a copy of which is also enclosed, requiring your client to advance an amount sufficient to cover all costs related to the trial by jury within ten (10) days thereafter. You and your client should be prepared to comply with that order and this is to give you sufficient advance notice beforehand.

Of course, as provided by Rule 10.5 and the order, your client's right to recover the amount advanced from the party or parties cast for costs when the judgment eventually entered herein becomes executory, will be reserved to you.

St, Martinville, Louisiana, this 17TH day of FEBRUARY, 2023.

BECKY B. PATIN
CLERK OF COURT
ST. MARTIN PARISH

BY: Keithen Helbert
DEPUTY CLERK OF COURT

AARON KNOTT, MICHAEL CARRUTH,
KAREN CARRUTH, CHRISTINA SONNIER,
AND CHRISTINE OLIVIER, INDIVIDUALLY
AND ON BEHALF OF ALL OTHERS
SIMILARY SITUATED

16th JUDICIAL DISTRICT COURT

VS. 92514-E

PARISH OF ST. MARTIN

UNITED WATER SYSTEM, INC.
AND AMERICAN ALTERNATIVE
INSURANCE COMPANY

STATE OF LOUISIANA

JURY ORDER

Considering the request for trial by jury, IT IS ORDERED that this matter be tried before a jury, and the mover, AARON KNOTT, MICHAEL CARRUTH, KAREN CARRUTH, CHRISTIANA SONNIER AND CHRISTINE OLIVIER pursuant to CCP Article 1734.1, is hereby ordered, in lieu of the bond required in CCP Article 1734, to deposit the Amount of Five Thousand and No/100 (\$5,000.00) dollars. Said cash bond to be filed no later than sixty (60) days prior to the trial date. This amount to be deposited in the escrow account of this proceeding and used to pay jury costs.

In addition, pursuant to R.S. 13:3049 (B) (2) (a) at the time of this jury cost deposit, mover shall pay to the Clerk of Court the sum of One Hundred Fifty and No/100 (\$150.00) dollars as jury filing fee.


St. Martinville, Louisiana this 7th day of February, 2023.



JUDGE

Curtis Sigur

RECEIVED AND FILED

FEB 17 2023

DEPUTY CLERK OF COURT
ST. MARTIN PARISH

IN THE 16th JUDICIAL DISTRICT COURT
FOR THE PARISH OF ST. MARTIN
STATE OF LOUISIANA

AARON KNOTT, MICHAEL CARRUTH,
KAREN CARRUTH, CHRISTINA SONNIER,
and CHRISTINE OLIVIER *individually,*
and on behalf of all others similarly situated

VERSUS

DOCKET NO. 92514

UNITED WATER SYSTEM, INC.
AND AMERICAN ALTERNATIVE
INSURANCE COMPANY

REQUEST FOR NOTICE

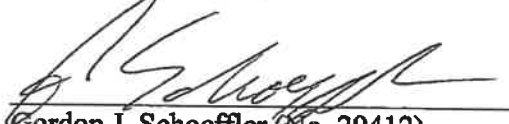
To: Honorable Becky P. Patin
St. Martin Parish Clerk of Court
415 St. Martin St.
St. Martinville, LA 70582

NOW INTO COURT, through undersigned counsel, come plaintiffs, Aaron Knott, Michael Carruth, Karen Carruth, Christina Sonnier and Christine Olivier, individually and on behalf of all others similarly situated, who respectfully request written notice of any trial, motion, or other proceeding scheduled to come before this Honorable Court or any other section of court in the above entitled and numbered lawsuit at least ten (10) days thereto in accordance with Article 1572 of the Louisiana Code of Civil Procedure.

Furthermore, written formal request is hereby made for notice of the rendition of all interlocutory orders or judgments that may be filed with your office pursuant to the provisions of Louisiana Code of Civil Procedure, Article 1914.

Lafayette, Louisiana, on this 16th day of February, 2023.

Respectfully submitted:



Gordon J. Schoeffler (No. 29412)
ATTORNEY AT LAW
730 JEFFERSON ST. (70501)
P.O. Box 4829
Lafayette, LA 70502
Phone 337-234-5505
Fax: 337-261-0799
gordon@gislawoffice.com

RECEIVED AND FILED
2023 FEB 16 PM 12:56
Heather Hebert
DEPUTY CLERK OF COURT
ST. MARTIN PARISH

LAW OFFICES OF KENNETH W. DEJEAN

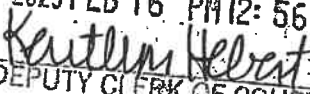


Kenneth W. DeJean (No. 4817)
Adam R. Credeur (No. 35095)
Natalie M. DeJean (No. 32423)
417 West University Avenue (70506)
Post Office Box 4325
Lafayette, Louisiana 70502
(337) 235-5294 - Telephone
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kwdejean@kwdejean.com
adam@kwdejean.com
natalie@kwdejean.com

-AND-

Jacques Pierre Soileau (No. 29677)
SOILEAU & CO.
405 W. Main St., Ste. 200
Lafayette, LA 70501
Phone 337.769.3312
Fax 337.680.4853
jacquotsoileau@gmail.com

Counsel for Plaintiffs and Putative Class

RECEIVED AND FILED
2023 FEB 16 PM 12:56

DEPUTY CLERK OF COURT
ST. MARTIN PARISH

CITATION FOR PETITION

KNOTT, AARON - ET AL

Versus

UNITED WATER SYSTEM INC - ET AL



Case: 092514

Division: E

16th Judicial District Court

Parish of St. Martin

State of Louisiana

To: AMERICAN ALTERNATIVE INSURANCE COMPANY
through its agent for service of process
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVE.
BATON ROUGE, LA 70809

You are named as a defendant in the above captioned matter. Attached to this citation is a:

- Checked box: Certified Copy of Original Petition
Unchecked box: Certified Copy of Amended Petition
Unchecked box: Discovery Request

You must either comply with the demand contained in the petition or make an appearance either by filing an answer or other pleading in the 16th Judicial District Court located at 415 Saint Martin St, Saint Martinville, LA 70582 within the delay provided in Article 1001 of the Louisiana Code of Civil Procedure under penalty of default.

Article 1151 of the Louisiana Code of Civil Procedure provides in pertinent part:

A defendant shall plead in response to an Amended Petition within the time remaining for pleading to the Original Pleading or with ten (10) days after service of the Amended Petition, whichever period is longer, unless the time is extended under Article 1001.

Article 1001 of the Louisiana Code of Civil Procedure states:

- A. A defendant shall file his answer within twenty-one (21) days after service of Citation upon him, except as otherwise provided by law. If the plaintiff files and serves a Discovery Request with his Petition, the defendant shall file his answer to the petition within thirty (30) days after service of the amended petition.
B. When an Exception is filed prior to Answer and is overruled or referred to the merits, or is sustained and an Amendment of the Petition ordered, the Answer shall be filed within fifteen (15) days after the exception is overruled or referred to the merits, or fifteen (15) days after service of the Amended Petition.
C. The Court may grant additional time for answering.

THE CLERK OF COURT'S STAFF CANNOT PROVIDE LEGAL ADVICE.

This Citation was issued by the Clerk for the Court for the 16th Judicial District Court, Parish of St. Martin, on the 17TH day of FEBRUARY, 2023.

Handwritten signature: Kaitlyn Hebert

Deputy Clerk of Court

Requested by Attorney:

KENNETH W. DEJEAN ATTORNEY FOR AARON KNOTT-ET.AL.

Service Information

Received on the ___ day of ___, 20___ and on the ___ day of ___, 20___ served the above-named party as follows:

Personal Service on the party herein named ___
Domiciliary Service or Departmental Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of ___, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.

Returned: Parish of ___ this ___ day of ___, 20___

Service \$ ___

Milcage \$ ___

Total \$ ___

By: ___ Deputy Sheriff

[FILE]

TO: Sheriff FROM: **Becky P. Patin**

P. O. Box 3277

Clerk of Court, St. Martin Parish

Baton Rouge, LA 70821-3277

P. O. Box 308, St. Martinville, LA 70582

Phone: 337-394-2210 Fax: 337-394-7772

RE: SUIT NO. 92514-E

PROBATE NO.

AARON KNOTT-ET.AL.

VS.

UNITED WATER SYSTEM, INC.-ET.AL.

I AM ENCLOSING ONE CITATION ALONG WITH A TRUE COPY OF THE PETITION FOR DAMAGES FOR SERVICE ON AMERICAN ALTERNATIVE INS. CO. THROUGH ITS AGENT FOR SERVICE LOUISIANA SECRETARY OF STATE. ALSO ENCLOSED IS A CHECK TO YOU IN THE AMOUNT OF \$40.44 AND A CHECK TO THE SECRETARY OF STATE IN THE AMOUNT OF \$50.00.

Date of Notice February 17, 2023

Kaitlyn Hebert
Deputy Clerk of Court

CITATION FOR PETITION

KNOTT, AARON - ET AL

Versus

UNITED WATER SYSTEM INC - ET AL



Case: 092514
Division: E
16th Judicial District Court
Parish of St. Martin
State of Louisiana

To: UNITED WATER SYSTEM INC
through its agent for service of process
BARBARA HEBERT
1064 LYNN HARDY RD.
ARNAUDVILLE, LA 70512

You are named as a defendant in the above captioned matter. Attached to this citation is a:

- [X] Certified Copy of Original Petition
[] Certified Copy of Amended Petition
[] Discovery Request

You must either comply with the demand contained in the petition or make an appearance either by filing an answer or other pleading in the 16th Judicial District Court located at 415 Saint Martin St, Saint Martinville, LA 70582 within the delay provided in Article 1001 of the Louisiana Code of Civil Procedure under penalty of default.

Article 1151 of the Louisiana Code of Civil Procedure provides in pertinent part:

A defendant shall plead in response to an Amended Petition within the time remaining for pleading to the Original Pleading or with ten (10) days after service of the Amended Petition, whichever period is longer, unless the time is extended under Article 1001.

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B. When an Exception is filed prior to Answer and is overruled or referred to the merits, or is sustained and an Amendment of the Petition ordered, the Answer shall be filed within fifteen (15) days after the exception is overruled or referred to the merits, or fifteen (15) days after service of the Amended Petition.
C. The Court may grant additional time for answering.

THE CLERK OF COURT'S STAFF CANNOT PROVIDE LEGAL ADVICE.

This Citation was issued by the Clerk for the Court for the 16th Judicial District Court, Parish of St. Martin, on the 17TH day of FEBRUARY, 2023.

Kaitlyn Hebert

Deputy Clerk of Court

Requested by Attorney:
KENNETH W. DEJEAN ATTORNEY FOR AARON KNOTT-ET.AL.

Service Information

Received on the ___ day of ___, 20___ and on the ___ day of ___, 20___
served the above-named party as follows:

Personal Service on the party herein named ___
Domiciliary Service or Departmental Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of ___, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.

Returned:
Parish of ___ this ___ day of ___, 20___.

Service \$ ___
Milage \$ ___
Total \$ ___

By: ___
Deputy Sheriff

[FILE]

TO: Sheriff

P. O. Box 1029

Opelousas, LA 70571-1029

FROM: Becky P. Patin

Clerk of Court, St. Martin Parish

P. O. Box 308, St. Martinville, LA 70582

Phone: 337-394-2210 Fax: 337-394-7772

RE: SUIT NO. 92514-E

PROBATE NO. _____

AARON KNOTT-ET.AL.

VS.

UNITED WATER SYSTEM, INC.-ET.AL.

I AM ENCLOSING ONE CITATION ALONG WITH A TRUE COPY OF THE PETITION FOR DAMAGES FOR SERVICE ON UNITED WATER SYSTEM, INC THROUGH ITS AGENT FOR SERVICE BARBARA HEBERT. UPON RECEIPT SHOWING SERVICE THEREOF, TOGETHER WITH YOUR BILL, WE SHALL REMIT.

Date of Notice February 17, 2023

Kaitlyn Hebert
Deputy Clerk of Court

Becky P. Patin
Clerk of Court
P.O. Box 308
St. Martinville, La. 70582

Ph. #337/394-2210 * 337/332-4136
Fax. #337/394-7772

NEW CIVIL SUIT FILING CERTIFICATION

STATE OF LOUISIANA
PARISH OF ST. MARTIN

TO:
MR. GORDON SCHOENFELD
ATTORNEY AT LAW
P.O. BOX 4829
LAFAYETTE, LA 70502

MR. KENNETH DEJEAN
ADAM CREDEUR
NATALIE DEJEAN
ATTORNEYS AT LAW
P.O. BOX 4325
LAFAYETTE, LA 70502

MR. JACQUES PIERRE SOILEAU
ATTORNEY AT LAW
405 W. MAIN ST., STE. 200
LAFAYETTE, LA 70501

THIS CERTIFIES THAT ON THE 17TH DAY OF FEBRUARY 2023, THE BELOW
ENTITLED CASE HAS BEEN FILED FOR RECORD IN THIS OFFICE.

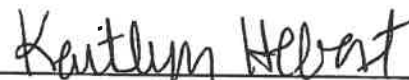
AARON KNOTT-ET.AL.

VS. # 92514

UNITED WATER SYSTEM, INC.-ET.AL.

DIVISION E

KEITH R. J. COMEAUX
JUDGE



DEPUTY CLERK OF COURT
ST. MARTIN PARISH

THE LAW OFFICES OF
KENNETH W. DEJEAN

417 W. UNIVERSITY AVENUE • P.O. BOX 4325
LAFAYETTE, LOUISIANA 70502
PHONE 337-235-5294 • FAX 337-235-1095

KENNETH W. DEJEAN
KWDEJEAN@KWDEJEAN.COM

ADAM R. CREDEUR
ADAM@KWDEJEAN.COM

NATALIE M. DEJEAN
NATALIE@KWDEJEAN.COM

February 16, 2023

Via Hand Delivery

Honorable Becky P. Patin
St. Martin Parish Clerk of Court
415 St. Martin Street
St. Martinville, LA 70582

FILE

RE: Aaron Knott, et al v. United Water System,
Inc., et al
16th Judicial District
Parish of St. Martin, Louisiana
Our File No.: D23-3152

Dear Ms. Patin:

Please find attached an original and three (3) copies of a Civil Case Reporting Form, Request for Notice and original *Class Action Petition for Damages* which I ask that you file into the civil records of your office, thereafter, returning a file-stamped copy to me.

Please serve the defendants as follows:

1. UNITED WATER SYSTEM, INC.,
through its agent for service of process,
Barbara Hebert
1064 Lynn Hardy Rd.
Arnaudville, LA 70512
2. AMERICAN ALTERNATIVE INSURANCE CORPORATION
through its agent for service of process,
Louisiana Secretary of State
8585 Archives Ave.
Baton Rouge, LA 70809


Page 22 of 22

Also enclosed please find my check in the sum of \$550.00 made payable to the St. Martin Parish Clerk of Court representing the filing and service fees herein.

Should you have any questions, please do not hesitate to contact my office.

With kindest regards, I remain

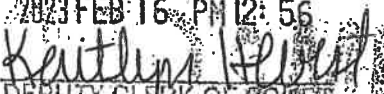
Cordially yours,


Kenneth W. DeJean
KWD/arc
Enclosures: as stated

cc: Gordon Schoeffler (via e-mail, w/ enclosures)
Jacques Soileau (via e-mail, w/ enclosures)
Aaron Knott (via U.S. Mail, w/ enclosures)
Michael and Karen Carruth (via U.S. Mail, w/ enclosures)
Christina Sonnier (via U.S. Mail, w/ enclosures)
Christine Olivier (via U.S. Mail, w/ enclosures)

RECEIVED AND FILED

2023 FEB 16 PM 12:56


DEPUTY CLERK OF COURT
ST. MARTIN PARISH

Page 2 of 2

CITATION FOR PETITION

KNOTT, AARON - ET AL

Versus

UNITED WATER SYSTEM INC - ET AL



Case: 092514
Division: E
16th Judicial District Court
Parish of St. Martin
State of Louisiana

113
9

To: UNITED WATER SYSTEM INC
through its agent for service of process
BARBARA HEBERT
1064 LYNN HARDY RD.
ARNAUVILLE, LA 70512

You are named as a defendant in the above captioned matter. Attached to this citation is a:

- [X] Certified Copy of Original Petition
[] Certified Copy of Amended Petition
[] Discovery Request

You must either comply with the demand contained in the petition or make an appearance either by filing an answer or other pleading in the 16th Judicial District Court located at 415 Saint Martin St, Saint Martinville, LA 70582 within the delay provided in Article 1001 of the Louisiana Code of Civil Procedure under penalty of default.

Article 1151 of the Louisiana Code of Civil Procedure provides in pertinent part:

A defendant shall plead in response to an Amended Petition within the time remaining for pleading to the Original Pleading or with ten (10) days after service of the Amended Petition, whichever period is longer, unless the time is extended under Article 1001.

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B. When an Exception is filed prior to Answer and is overruled or referred to the merits, or is sustained and an Amendment of the Petition ordered, the Answer shall be filed within fifteen (15) days after the exception is overruled or referred to the merits, or fifteen (15) days after service of the Amended Petition.
C. The Court may grant additional time for answering.

THE CLERK OF COURT'S STAFF CANNOT PROVIDE LEGAL ADVICE.

This Citation was issued by the Clerk for the Court for the 16th Judicial District Court, Parish of St. Martin, on the 17TH day of FEBRUARY, 2023.

Kaitlyn Hebert

Deputy Clerk of Court

Requested by Attorney:
KENNETH W. DEJEAN ATTORNEY FOR AARON KNOTT-ET.AL.

Service Information

Received on the ___ day of ___, 20___ and on the ___ day of ___, 20___
served the above-named party as follows:

Personal Service on the party herein named ___
Domiciliary Service or Departmental Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of ___, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.

Returned:
Parish of ___ this ___ day of ___, 20___.

Service \$ ___
Mileage \$ ___
Total \$ 0

By: ___
Deputy Sheriff

FEB 22 '23 AM 10:02
L ANDRY SHERIFF CIVIL

NIS

[RETURN]

Aaron Knott vs. United Water System
Suit No. 92514

- Moved _____
- Moved, address unknown _____
- No such number _____
- Not known at this address _____
- Unable to locate _____
- Hold - request of Attorney _____
- Attorney Notified _____
- Comments or other reason for not serving _____

address is in
St Martin Par.

2-22-23 A Schulte #329
Date Deputy Sheriff

BOBBY J. GUIDROZ
PARISH OF ST. LANDRY

Form # NS3100

NOTICE OF UNSERVED PAPERS

KNOTT, AARON - ET AL

Versus

UNITED WATER SYSTEM INC - ET AL



**Case: 092514
Division: E
16th Judicial District Court
Parish of St. Martin
State of Louisiana**

TO:

**GORDON J. SCHOEFFLER
GORDON J. SCHOEFFLER
P.O. BOX 4829
LAFAYETTE, LA 705020000**

Party not served: UNITED WATER SYSTEM, INC. THROUGH BARBARA HEBERT

Reason: ADDRESS IN ST.MARTIN PARISH; ATTORNEY NOTIFIED

Issued by the Clerk of Court on the 24TH day of FEBRUARY, 2023.

Kaitlyn Hebert

Deputy Clerk of Court

CITATION FOR PETITION

KNOTT, AARON - ET AL

Versus

UNITED WATER SYSTEM INC - ET AL



Case: 092514
Division: E
16th Judicial District Court
Parish of St. Martin
State of Louisiana

To: UNITED WATER SYSTEM INC
through its agent for service of process
BARBARA HEBERT
1064 LYNN HARDY RD.
ARNAUDVILLE, LA 70512

You are named as a defendant in the above captioned matter. Attached to this citation is a:

- [X] Certified Copy of Original Petition
[] Certified Copy of Amended Petition
[] Discovery Request

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C. The Court may grant additional time for answering.

THE CLERK OF COURT'S STAFF CANNOT PROVIDE LEGAL ADVICE.

This Citation was issued by the Clerk for the Court for the 16th Judicial District Court, Parish of St. Martin, on the 28TH day of FEBRUARY, 2023.

Handwritten signature: Kaitlyn Hebert

Deputy Clerk of Court

Requested by Attorney:
KENNETH W. DEJEAN ATTORNEY FOR AARON KNOTT-ET.AL.

Service Information

Received on the ___ day of ___, 20___ and on the ___ day of ___, 20___
served the above-named party as follows:

Personal Service on the party herein named ___
Domiciliary Service or Departmental Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of ___, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.

Returned:
Parish of ___ this ___ day of ___, 20___.

Service \$ ___
Mileage \$ ___
Total \$ ___

By: ___
Deputy Sheriff

[FILE]

CITATION FOR PETITION

KNOTT, AARON - ET AL

Versus

UNITED WATER SYSTEM INC - ET AL



Case: 092514
Division: E
16th Judicial District Court
Parish of St. Martin
State of Louisiana

To: AMERICAN ALTERNATIVE INSURANCE COMPANY
through its agent for service of process
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVE.
BATON ROUGE, LA 70809

Made service on the named party through the
Office of the Secretary of State on

FEB. 24 2023

You are named as a defendant in the above captioned matter. Attached to this citation is a
copy of this document by tendering a copy of this document to:

- [X] Certified Copy of Original Petition
[] Certified Copy of Amended Petition
[] Discovery Request

JULIE MESSITT

DAVE M. LOCHMANN, APR 03
Deputy Sheriff, Parish of St. Martin and Baton Rouge, LA

You must either comply with the demand contained in the petition or make an appearance either by filing an
answer or other pleading in the 16th Judicial District Court located at 415 Saint Martin St, Saint Martinville, LA
70582 within the delay provided in Article 1001 of the Louisiana Code of Civil Procedure under penalty of
default.

Article 1151 of the Louisiana Code of Civil Procedure provides in pertinent part:

A defendant shall plead in response to an Amended Petition within the time remaining for pleading to the Original
Pleading or with ten (10) days after service of the Amended Petition, whichever period is longer, unless the time is
extended under Article 1001.

Article 1001 of the Louisiana Code of Civil Procedure states:

- A. A defendant shall file his answer within twenty-one (21) days after service of Citation upon him, except as otherwise
provided by law. If the plaintiff files and serves a Discovery Request with his Petition, the defendant shall file his answer
to the petition within thirty (30) days after service of the amended petition.
B. When an Exception is filed prior to Answer and is overruled or referred to the merits, or is sustained and an
Amendment of the Petition ordered, the Answer shall be filed within fifteen (15) days after the exception is overruled or
referred to the merits, or fifteen (15) days after service of the Amended Petition.
C. The Court may grant additional time for answering.

THE CLERK OF COURT'S STAFF CANNOT PROVIDE LEGAL ADVICE.

This Citation was issued by the Clerk for the Court for the 16th Judicial District Court, Parish of St. Martin, on
the 17TH day of FEBRUARY, 2023.

Kathlyn Hebert

Deputy Clerk of Court

Requested by Attorney:
KENNETH W. DEJEAN ATTORNEY FOR AARON KNOTT-ET.AL.

Service Information

Received on the ___ day of ___, 20___ and on the ___ day of ___, 20___
served the above-named party as follows:

Personal Service on the party herein named ___
Domiciliary Service or Departmental Service on the party herein named by leaving the same at his/her domicile in the parish in the
hands of ___ a person apparently over the age of seventeen years, living and residing
in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party
herein being absent from his/her residence at the time of said service.

Returned:
Parish of ___ this ___ day of ___, 20___.

Service \$ ___

Milcage \$ ___

Total \$ 0

By: ___ Deputy Sheriff

[RETURN]

NOTICE OF SERVICE

KNOTT, AARON - ET AL

Versus

UNITED WATER SYSTEM INC - ET AL



**Case: 092514
Division: E
16th Judicial District Court
Parish of St. Martin
State of Louisiana**

TO:

**GORDON J. SCHOEFFLER
GORDON J. SCHOEFFLER
P.O. BOX 4829
LAFAYETTE, LA 705020000**

Date of Service: Friday, February 24, 2023

Number of Service: 1

**Personal/Domiciliary: Personal ON AMERICAN ALTERNATIVE INS. CO. THROUGH LOUISIANA
SECRETARY OF STATE**

Issued by the Clerk of Court on the 3RD day of MARCH, 2023.

Kaitlyn Hebert

Deputy Clerk of Court

**Pleading Served
CITATION FOR PETITION**

CITATION FOR PETITION

2064

KNOTT, AARON - ET AL

Versus

UNITED WATER SYSTEM INC - ET AL



Case: 092514

Division: E

16th Judicial District Court

Parish of St. Martin

State of Louisiana

To: UNITED WATER SYSTEM INC
through its agent for service of process
BARBARA HEBERT
1064 LYNN HARDY RD.
ARNAUDVILLE, LA 70512

3/4

You are named as a defendant in the above captioned matter. Attached to this citation is a:

- [X] Certified Copy of Original Petition
[] Certified Copy of Amended Petition
[] Discovery Request

You must either comply with the demand contained in the petition or make an appearance either by filing an answer or other pleading in the 16th Judicial District Court located at 415 Saint Martin St, Saint Martinville, LA 70582 within the delay provided in Article 1001 of the Louisiana Code of Civil Procedure under penalty of default.

Article 1151 of the Louisiana Code of Civil Procedure provides in pertinent part:

A defendant shall plead in response to an Amended Petition within the time remaining for pleading to the Original Pleading or with ten (10) days after service of the Amended Petition, whichever period is longer, unless the time is extended under Article 1001.

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- A. A defendant shall file his answer within twenty-one (21) days after service of Citation upon him, except as otherwise provided by law. If the plaintiff files and serves a Discovery Request with his Petition, the defendant shall file his answer to the petition within thirty (30) days after service of the amended petition.
B. When an Exception is filed prior to Answer and is overruled or referred to the merits, or is sustained and an Amendment of the Petition ordered, the Answer shall be filed within fifteen (15) days after the exception is overruled or referred to the merits, or fifteen (15) days after service of the Amended Petition.
C. The Court may grant additional time for answering.

THE CLERK OF COURT'S STAFF CANNOT PROVIDE LEGAL ADVICE.

This Citation was issued by the Clerk for the Court for the 16th Judicial District Court, Parish of St. Martin, on the 28TH day of FEBRUARY, 2023.

Keithlyn Hebert

Deputy Clerk of Court

Requested by Attorney:
KENNETH W. DEJEAN ATTORNEY FOR AARON KNOTT-ET.AL.

Service Information

Received on the 28 day of Feb, 2023 and on the 1 day of March, 2023
served the above-named party as follows: 14:10

Personal Service on the party herein named
Domiciliary Service or Departmental Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.

Returned:
Parish of this day of, 20.

FE 3:12P

Service \$
Mileage \$
Total \$ 69.00

By: Toby Tasebian
Deputy Sheriff

[RETURN]

NOTICE OF SERVICE

KNOTT, AARON - ET AL

Versus

UNITED WATER SYSTEM INC - ET AL



**Case: 092514
Division: E
16th Judicial District Court
Parish of St. Martin
State of Louisiana**

TO:

**GORDON J. SCHOEFFLER
GORDON J. SCHOEFFLER
P.O. BOX 4829
LAFAYETTE, LA 705020000**

Date of Service: Wednesday, March 01, 2023

Number of Service: 1

Personal/Domiciliary: Personal ON UNITED WATER SYSTEM INC. THROUGH AGENT BARBARA HEBERT

Issued by the Clerk of Court on the 6TH day of MARCH, 2023.

Kaitlyn Hebert

Deputy Clerk of Court

**Pleading Served
CITATION FOR PETITON**

CITATION FOR PETITION

2064

KNOTT, AARON - ET AL

Versus

UNITED WATER SYSTEM INC - ET AL



Case: 092514
Division: E
16th Judicial District Court
Parish of St. Martin
State of Louisiana

To: UNITED WATER SYSTEM INC
through its agent for service of process
BARBARA HEBERT
1064 LYNN HARDY RD.
ARNAUVILLE, LA 70512

3/4

EXHIBIT B

You are named as a defendant in the above captioned matter. Attached to this citation is a:

- [X] Certified Copy of Original Petition
[] Certified Copy of Amended Petition
[] Discovery Request

You must either comply with the demand contained in the petition or make an appearance either by filing an answer or other pleading in the 16th Judicial District Court located at 415 Saint Martin St, Saint Martinville, LA 70582 within the delay provided in Article 1001 of the Louisiana Code of Civil Procedure under penalty of default.

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A defendant shall plead in response to an Amended Petition within the time remaining for pleading to the Original Pleading or with ten (10) days after service of the Amended Petition, whichever period is longer, unless the time is extended under Article 1001.

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- A. A defendant shall file his answer within twenty-one (21) days after service of Citation upon him, except as otherwise provided by law. If the plaintiff files and serves a Discovery Request with his Petition, the defendant shall file his answer to the petition within thirty (30) days after service of the amended petition.
B. When an Exception is filed prior to Answer and is overruled or referred to the merits, or is sustained and an Amendment of the Petition ordered, the Answer shall be filed within fifteen (15) days after the exception is overruled or referred to the merits, or fifteen (15) days after service of the Amended Petition.
C. The Court may grant additional time for answering.

THE CLERK OF COURT'S STAFF CANNOT PROVIDE LEGAL ADVICE.

This Citation was issued by the Clerk for the Court for the 16th Judicial District Court, Parish of St. Martin, on the 28TH day of FEBRUARY, 2023.

Kaitlyn Hebert

Deputy Clerk of Court

Requested by Attorney:
KENNETH W. DEJEAN ATTORNEY FOR AARON KNOTT-ET.AL.

Service Information

Received on the 28 day of Feb, 2023 and on the 1 day of March, 2023
served the above-named party as follows: 14:10

Personal Service on the party herein named
Domiciliary Service or Departmental Service on the party herein named by leaving the same at his/her domicile in the parish in the hands of, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his/her residence at the time of said service.

Returned:
Parish of this day of, 20.

FE 3:12P

Service \$
Mileage \$
Total \$ 69.00

By: Toby Tasebian
Deputy Sheriff

[RETURN]

NOTICE OF SERVICE

KNOTT, AARON - ET AL

Versus

UNITED WATER SYSTEM INC - ET AL



**Case: 092514
Division: E
16th Judicial District Court
Parish of St. Martin
State of Louisiana**

TO:

**GORDON J. SCHOEFFLER
GORDON J. SCHOEFFLER
P.O. BOX 4829
LAFAYETTE, LA 705020000**

Date of Service: Wednesday, March 01, 2023

Number of Service: 1

Personal/Domiciliary: Personal ON UNITED WATER SYSTEM INC. THROUGH AGENT BARBARA HEBERT

Issued by the Clerk of Court on the 6TH day of MARCH, 2023.

Kaitlyn Hebert

Deputy Clerk of Court

**Pleading Served
CITATION FOR PETITON**

**EXHIBIT
C**

GORDON J. SCHOEFFLER
ATTORNEY AT LAW

E-mail: gordon@gjislawoffice.com

January 23, 2023

730 Jefferson St. (70501)
P.O. Box 4829
Lafayette, LA 70502
337-234-5505
Fax 337-261-0799

United Water System, Inc.
Through its President and registered agent:
Barbara Hebert
1064 Lynn Hardy Rd
Arnaudville, LA 70512
Via Certified Mail Return Receipt
7019 2280 0000 8636 0741

Louisiana Department of Health
through Secretary, Dr. Courtney N. Phillips
P. O. Box 629
Baton Rouge, LA 70821-0629
Via Certified Mail Return Receipt
7019 2280 0000 8636 0758

U. S. Environmental Protection Agency
Through Administrator Michael Regan
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-1101A
Via Certified Mail Return Receipt
7019 2280 0000 8636 0765

LDH Safe Drinking Water Program
LDH/OPH Engineering Services
Attn: Sean Nolan, SDWP Compliance Engineer
P.O. Box 4489
Baton Rouge, LA 70821-4489
Via Certified Mail Return Receipt
7019 2280 0000 8636 0772

U.S. Environmental Protection Agency
Region 6
1201 Elm Street, Suite 500
Dallas, TX 75270
Via Certified Mail Return Receipt
7019 2280 0000 8636 0789

The Honorable Merrick B. Garland
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Via Certified Mail Return Receipt
7019 2280 0000 8636 0796

Re: Notice of Intent to File Safe Drinking Water Act Suit against United Water System, Inc.
System: United Water Works, Inc.
FRS ID No.: 110070054474
EPA Region: 6
Facility Loc.: Arnaudville, St. Martin Parish, LA, Lat. 30.385813; Long. -91.90774
LDH PWS ID: LA1099009

Total Number of Service Connections: 1,450 (as reported by UWS, unconfirmed)
Derived Population Served: 4,350 (as reported by UWS, unconfirmed)

To whom it may concern,

Please be advised, the undersigned, and the law office of Soileau & Co., represents the interests of Paul Boudreaux, Angell Duplechain, and other United Water System customers similarly

situated (hereinafter, "Complainants") in connection with the above referenced matter. Pursuant to 42 USCA § 300j-8, please allow this correspondence to serve as notice of intent to file suit against United Water System, Inc. ("UWS"), the US Environmental Protection Agency, and/or the Louisiana Department of Health for ongoing violations of the Safe Drinking Water Act, 42 USCA § 300f, et seq, and the various provisions of federal regulations enacted thereunder, including but not limited to 40 CFR Part 141, et seq, as well as violations of La. R.S. 40: 4 and 5, et seq, and the various provisions of state regulations enacted thereunder, including but not limited to LAC 51:XII.100, et seq which have occurred and continue to occur at UWS's drinking water system located in Arnaudville, LA. Pursuant to the Safe Drinking Water Act's citizen's civil action provisions, my clients intend to file suit before the Federal Western District of Louisiana after sixty (60) days have passed from your receipt of this correspondence unless the violations of drinking water standards, regulations, and limitations referenced herein are addressed and/or remedied pursuant to law within that time.

This correspondence is in regards to UWS's drinking water system which is presently in operation and required to provide potable drinking water to its customers/membership under federal and state law. My clients, and others similarly situated are customer/members of the system and have suffered direct harm and otherwise have property and health interests which are and have been adversely affected as a result of UWS's ongoing failure to adhere to drinking water laws, rules, standards, and regulations as well as the EPA and the La. Department of Health's failure to address or remedy these ongoing problems.

Documents Submitted for Review

Attached for your review are the following:

- (1) UWS Consumer Confidence Reports from 2016 through 2021 (latest available);
- (2) Copy of UWS Notice to Customers of MCL Violation for Arsenic Content dated December 21, 2022;
- (3) Copy of UWS Notice to Customers of MCL Violation for Arsenic Content dated April 24, 2020;
- (4) Local Media reports of Boil Advisories for UWS in past year;
- (5) Copy of LDH notice to UWS dated February 16, 2022 referencing its recent onsite sanitary survey on February 1, 2022, findings, observations, notices of violations and deficiencies, and corrective actions ordered;
- (6) Copy of LDH notice to UWS dated May 25, 2022 referencing its failure to correct significant deficiencies observed during a February 1, 2022 on site sanitary survey;
- (7) Copy of LDH notice to UWS dated July 8, 2022 referencing Notice of Violation of Minimum Disinfectant Residual;

- (8) Copy of LDH notice to UWS dated July 13, 2022 referencing its continued failure to correct significant deficiencies observed during a February 1, 2022 on site sanitary survey;
- (9) Copy of LDH notice to UWS dated September 7, 2022 referencing UWS' violation of drinking water standards for failing to have its plant operators properly certified; and
- (10) LDH Preliminary 2022 Grade for UWS issued in January 2023.

Please be advised, these are documents which my clients either received or were able to obtain through publicly available records. The foregoing documents are by no means all inclusive as it is highly likely that there is much further documentation available reflecting the ongoing problems with UWS's system.

Violation of Standards or Requirements

My clients have suffered with ongoing issues with their water supply for many years now. They are faced with regularly discolored, foul smelling/tasting water from the tap, iron bacteria, fizzy water, milky water, and other indicators of high turbidity, which apparently is not even monitored by UWS. The water stains clothing and appliances alike, regularly has strong smells of chlorine, causes bleaching of clothing in the wash and the system regularly has massive fluctuations in pressure. On several occasions, total shut down of water supply, sometimes for days at a time, has occurred. Boil advisories are common on the system as well. Failure to notify residents of a boil advisory in a timely manner has repeatedly occurred. Member/customers have received positive tests for *Providencia rettgeri*, *klebsiella pneumoniae*, and *Escherichia coli* (e-coli) from bathing in UWS water. Complaints of eyes burning, problems with septic tanks, damage to appliances, discoloration of pool water, and strong chlorine odor are common, but apparently not recorded by UWS. The inconsistency and improper administering of chemical has caused problems with the overall water quality of the system.

In addition to what my clients see and experience firsthand, they also regularly receive notices in the mail reflecting violations of drinking water standards and warnings of harmful contaminants in the water, including but not limited to arsenic, copper, and lead. These notices continue to trickle in, the most recent arriving just prior to Christmas of 2022 (a few weeks prior to the penning of this correspondence). As a result, my clients, and virtually every customer/member on the system simply do not drink the water, and are forced to purchase bottled water for daily consumption needs.

All attempts by my clients and others to get involved in the operation of the UWS system through its board or through board action have been summarily thwarted. This letter is a desperate attempt to obtain some relief and protection as is mandated by federal and state drinking water standards.

Based on our review of the documentation submitted, as well as my clients' experiences and

ongoing discussion in the community regarding the problems exhibited by the UWS system, we are aware of the following violations:

- A. Violations of Maximum Contaminant Levels for Inorganic Contaminants under 40 CFR §§ 141.11, et seq; 141.50, et seq; 141.62 et seq (2016 through present)**
1. February 12, 2016- Exceeded MCL for Arsenic- responsible parties were UWS Staff and Board- See 2016 CCR
 2. April- June, 2017- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2017 CCR
 3. July- September, 2017- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2017 CCR
 4. October- December, 2017- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2017 CCR
 5. May 1, 2017- Exceeded MCL for Arsenic- responsible parties were UWS Staff and Board- See 2017 CCR
 6. January- March, 2018- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2018 CCR
 7. July- September, 2018- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2018 CCR
 8. October- December, 2018- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2018 CCR
 9. November 2, 2018- Exceeded MCL for Arsenic- responsible parties were UWS Staff and Board- See 2018 CCR
 10. January- March, 2019- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2019 CCR
 11. April- June, 2019- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2019 CCR
 12. July- September, 2019- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2019 CCR
 13. October- December, 2019- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2019 CCR

14. August 15, 2019- Exceeded MCL for Arsenic in Source Water- responsible parties were UWS Staff and Board- See 2019 CCR
15. November 18, 2019- Exceeded MCL for Arsenic in Treated Water- responsible parties were UWS Staff and Board- See 2019 CCR
16. January- March, 2020- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2020 CCR; see also consumer notice dated April 4, 2020
17. April- June, 2020- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See 2020 CCR
18. March 30, 2020- Exceeded MCL for Arsenic in Source Water- responsible parties were UWS Staff and Board- See 2020 CCR
19. October- December, 2022- Exceeded MCL, Average for arsenic- responsible parties were UWS Staff and Board- See consumer notice dated December 21, 2022

B. Violations of Maximum Residual Disinfectant Levels under 40 CFR § 141.65, et seq (2016 through present)

1. 2019- Exceeded MRDL for Chloramine residual- responsible parties were UWS Staff and Board- See 2019 CCR
2. 2020- Exceeded MRDL for Chloramine residual- responsible parties were UWS Staff and Board- See 2020 CCR
3. 2020- Exceeded MRDL for Chloramine residual- responsible parties were UWS Staff and Board- See 2021 CCR
4. February 16, 2022- multiple violations of chlorine residual requirements were observed throughout the entire year of 2021 as well as failure to meet minimum monitoring requirements for same- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023
5. July 8, 2022- Violation of minimal residual level for Total Chlorine- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS

C. Violations of Lead and Copper Rules under 40 CFR § 141.80, et seq (2016 through present)

1. 2017- Exceeded AL for Free Copper at 10 sites tested- responsible parties were UWS

Staff and Board- See 2017 CCR

2. 2018- Exceeded AL for Free Copper at 3 sites tested- responsible parties were UWS Staff and Board- See 2018 CCR
3. 2018- Exceeded AL for Lead at 1 site tested- responsible parties were UWS Staff and Board- See 2018 CCR
4. 2019- Exceeded AL for Free Copper at 1 site tested- responsible parties were UWS Staff and Board- See 2019 CCR
5. 2019- Exceeded AL for Lead at 1 site tested- responsible parties were UWS Staff and Board- See 2019 CCR
6. 2020- Exceeded AL for Free Copper at 5 sites tested- responsible parties were UWS Staff and Board- See 2020 CCR

D. Violations of Monitoring, Inspection, Maintenance, Documentation, Record Keeping, Consumer Notice Requirements under 40 CFR §§ 141.21, et seq; 141.31, et seq; 141.151, et seq; 141.201 et seq; 141.403, et seq; 141.723, et seq (2016 through present)

1. July 2016- Violation of Consumer Confidence Rule- CCR Report- responsible parties were UWS Staff and Board- See 2016 CCR
2. July- December 2016- Violation of the Lead & Copper Rule- Lead Consumer Notice- responsible parties were UWS Staff and Board- See 2016 CCR
3. October, 2016 through January 2017- Violation of Consumer Confidence Rule- CCR Adequacy/ Availability/ Content- responsible parties were UWS Staff and Board- See 2016 CCR
4. March- April, 2021- Violation of the Lead & Copper Rule- Lead Consumer Notice- responsible parties were UWS Staff and Board- See 2021 CCR
5. February 16, 2022- Failure to routinely inspect and maintain Finished Water Ground Storage Tank after previous site visit noted the same problem on June 7, 2018- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023
6. February 16, 2022- Failure to routinely inspect a second Finished Water Ground Storage Tank after previous site visit noted the same problem on June 7, 2018- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice

to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023

7. February 16, 2022- Failure to have proper screen on overflow pipe of Finished Water Ground Storage Tank- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023
8. February 16, 2022- Damaged fencing around well site- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023
9. February 16, 2022- leaking service pump with heavy rust- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023
10. February 16, 2022- Failure to prepare and maintain all appropriate records of customer listing, residential and commercial customer compliance, appropriate notice to all customers, and protection against contamination through properly administered Cross Connection Control Program- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023
11. February 16, 2022- well discharge piping showing rust, corrosion, and flaking paint on both wells for the system- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023
12. February 16, 2022- Chemical feed tank for the caustic soda is not properly labeled- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but

publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023

13. February 16, 2022- Chlorine Feed and storage room is not equipped with an inspection window- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023
14. February 16, 2022- splash plate for #2 ground storage tank's overflow not effective and does not allow for appropriate discharge of the tower;s overflow with proper drainage away from the tower's foundation- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023
15. February 16, 2022- Violation of record keeping responsibilities in that UWS is not keeping complaints documented- responsible parties were UWS Staff and Board- See February 16, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See May 25, 2022 LDH Notice to UWS; July 13, 2022 LDH Notice to UWS; and LDH Preliminary 2022 Grade for UWS issued in January 2023
16. February 16, 2022 through present- Violation of Ground Water Rule- The treatment technique required (TTR) of the Ground Water Rule (GWR = LAC 51:XII. Chapter 12 [40 C.F.R. §141.403]). UWS has failed to correct and/or has not contacted LDH in writing concerning the correction of the significant deficiency cited during the sanitary survey (site visit) of February 1, 2022, within the ninety (90) day time limit as outlined in the survey letter dated February 16, 2022.

Pursuant to 42 U.S.C.A 300f et seq and LAC 51:XII, et seq, failure to comply with the requirement of the Ground Water Rule requires that UWS notify all customers within 14 Days. LDH representatives have confirmed that over the course of February through October of 2022, UWS was issued 3 TTR violations of the Ground Water Rule. Customer/members were not notified of these ongoing failures.

E. Violation of Plant Supervision and Control Standards under LAC 51:XII.309 and La RS 40:1141-1151 (2016 through present)

1. September 7, 2022- Operators of the UWS system were not properly certified in Class 2 Water Production, Treatment, and Distribution- responsible parties were

UWS Staff and Board- See September 7, 2022 LDH Notice to UWS. It is unknown whether these violations have been corrected at present, but publicly available records indicate these violations remain unresolved. See LDH Preliminary 2022 Grade for UWS issued in January 2023

F. Exceedences of Secondary Maximum Contaminant Levels under 40 CFR § 143.1 et seq (2016 through present)

1. April 21, 2014- Exceeded SMCL for Iron- responsible parties were UWS Staff and Board- See 2016 CCR
2. April 21, 2014- Exceeded SMCL for Manganese- responsible parties were UWS Staff and Board- See 2016 CCR
3. May 1, 2017- Exceeded SMCL for Aluminum- responsible parties were UWS Staff and Board- See 2017 CCR
4. May 1, 2017- Exceeded SMCL for Iron- responsible parties were UWS Staff and Board- See 2017 CCR
5. May 1, 2017- Exceeded SMCL for Manganese- responsible parties were UWS Staff and Board- See 2017 CCR
6. March 30, 2020- Exceeded SMCL for Aluminum- responsible parties were UWS Staff and Board- See 2020 CCR and 2021 CCR
7. March 30, 2020- Exceeded SMCL for Iron- responsible parties were UWS Staff and Board- See 2020 CCR and 2021 CCR
8. March 30, 2020- Exceeded SMCL for Manganese- responsible parties were UWS Staff and Board- See 2020 CCR and 2021 CCR

Failure to act

The Louisiana Department of Health administers the Louisiana Safe Drinking Water Program in accordance with the federal Safe Drinking Water Act. 40 CFR §§ 141-143. LDH and the State of Louisiana have primary enforcement responsibility for public water systems in the State pursuant to federal law. 40 CFR §§142.10. The above noted violations reflect ongoing significant and critical problems with UWS' system, many of which have direct and immediate threats of harm to the health of the system's customer/members, including ongoing significant issues with arsenic, copper, and lead in the drinking water.

More troubling is that in the past year, LDH has taken affirmative steps to obtain corrective action based on a sanitary survey of the system in February of 2022, and it appears that UWS has failed to comply with ordered corrective action. Two separate notices have been sent as a follow up

to the February notice, one on May 25, 2022 and another on July 13, 2022, both noting that UWS had failed to submit any evidence of its compliance with the corrective actions ordered in February of 2022. The most recently issued LDH Preliminary 2022 Grade for UWS (issued this month, in January of 2023) indicates that the deficiencies noted in February of 2022 remain uncorrected.

As such, LDH is authorized to take action to impose penalties, and take civil action in a court of law for injunctive relief, regulatory compliance, and for awards of penalties for UWS' failure to comply with LDH's orders. La. R.S. 40:5.9. No such action has been instituted by LDH. In the meantime, as noted above, the system continues to violate multiple drinking water standards designed to prevent harm to public safety, health, or welfare and otherwise protect and preserve the health of the citizens of this state. In essence, the State's failure to take action to enforce compliance is endangering the member/customers of UWS. Therefore, please allow this correspondence to serve as formal demand for LDH to take all legal action available to address all concerns listed herein.

In the event LDH does not take action to remedy the issues detailed herein, my clients request that the EPA take all appropriate action available under 40 CFR § 142.30, et seq to assure both UWS and LDH's compliance with drinking water standards for the UWS system.

Identification of counsel

The name, address and phone number of the Complainants and their counsel giving notice is:

Paul Boudreaux and Angell Duplechain
1157 Charles Marks Rd.
Arnaudville, LA 70512

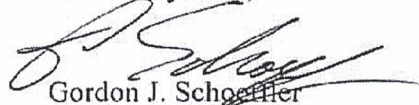
Complainants' legal counsel:

Gordon J. Schoeffler, Attorney at Law
730 Jefferson St. (70501)
Post Office Box 4829
Lafayette, Louisiana 70502
Ph. (337) 234-5505
Fax: (337) 261-0799
gordon@gjlawoffice.com

Jacques Pierre Soileau
SOILEAU & CO.
405 W. Main St., Ste. 200
Lafayette, LA 70501
Phone 337.769.3312
Fax 337.680.4853
jacquotsoileau@gmail.com

If you have any questions concerning this Notice or the aforementioned violations, or if you believe any portion to be in error, please contact the undersigned counsel, at the above address and phone number. During the notice period, the Complainants are available through counsel to discuss this matter to reach a cooperative resolution of the violations listed in this Notice. However, if you seek to institute negotiations in lieu of civil action, please contact the undersigned as soon as possible as we do not intend to delay instituting civil action upon expiration of the notice period.

Yours very truly,



Gordon J. Schoeffler

JS 44 (Rev. 04/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p>I. (a) PLAINTIFFS- Aaron Knott, Michael Carruth, Karen Carruth, Christina Sonnier, and Christine Olivier individually, and on behalf of all others similarly situated</p> <p style="text-align: center;"><i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p>(b) County of Residence of First Listed Plaintiff St. Martin Parish</p> <p>(c) Attorneys <i>(Firm Name, Address, and Telephone Number)</i> Gordon J Schoeffler -730 Jefferson St. Lafayette, LA 70502- Phone 337-234-5505- Fax 337-261-0799</p>	<p>DEFENDANTS</p> <p>United Water System, Inc. and American Alternative Insurance Company</p> <p>County of Residence of First Listed Defendant St Martin Parish</p> <p style="text-align: center;"><i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys <i>(If Known)</i> John E.W. Baay II, J. Michael Digiglia and AsheLee Singleton -701 Poydras St Ste4800 NOLA 70139 Phone 504-561-0400 Fax 504-561-1011</p>
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<p>II. BASIS OF JURISDICTION <i>(Place an "X" in One Box Only)</i></p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input checked="" type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i></p> <p><input type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES <i>(Place an "X" in One Box for Plaintiff and One Box for Defendant)</i></p> <p><i>(For Diversity Cases Only)</i></p> <table style="width:100%;"> <tr> <td style="width:33%;"></td> <td style="width:33%; text-align: center;">PTF</td> <td style="width:33%; text-align: center;">DEF</td> <td style="width:33%;"></td> <td style="width:33%; text-align: center;">PTF</td> <td style="width:33%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. NATURE OF SUIT *(Place an "X" in One Box Only)* [Click here for: Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability LABOR <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input checked="" type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN *(Place an "X" in One Box Only)*

1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from Another District *(specify)*
 6 Multidistrict Litigation - Transfer
 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity):*
 28 U.S.C. § 1446(a).

Brief description of cause:
 drinking water regulations, and the class members have received in their home has been brown, yellow and discolored

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMAND \$** _____

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY *(See instructions):*

JUDGE _____ DOCKET NUMBER _____

DATE 3/29/23 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____