

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

AARON KNOTT, ET AL

CIVIL ACTION NO.: 6:23-cv-00401

VERSUS

JUDGE DAVID C. JOSEPH

UNITED WATER SYSTEM, INC., ET AL

MAG. JUDGE DAVID J. AYO

ORDER

WHEREAS, this Court has reviewed and considered the parties Joint Motion for Certification of the Class for Settlement Purposes Only, Preliminary Approval of Settlement, Appointment of Claims Administrator, Approval of the Form and Manner of the Combined Class Certification Opt-Out and Settlement Notice, and Approval of Proof of Claim Form and Submission Deadline (referred to herein as “Joint Motion for Preliminary Approval”) and all documents submitted as exhibits thereto.

WHEREAS, the Joint Motion for Approval and documents submitted as exhibits thereto establish that the January 8, 2025 Settlement Agreement and Release (“the Settlement”) was the result of extensive arms-length negotiations between Class Counsel for Plaintiffs, on the one hand, and counsel for Defendants, on the other hand. Counsel for the Parties are experienced in this type of litigation, with full knowledge of the risks inherent in this Action. The extent of legal research as to the sufficiency of the Claims and Class Certification, independent investigations by counsel for the Parties, and the factual record compiled, suffices to enable the Parties to make an informed decision as to the fairness and adequacy of the terms of the Settlement.

WHEREAS, the Court has determined that the proposed Settlement of the Claims of the Class Members against Defendants, as well as the release of Defendants and the Released Parties

(as that term is defined in the Settlement), the significant relief provided to the Class Members in the form of monetary payments to Class Members as described in the Settlement, are fair, reasonable and adequate.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1.

The following Class is certified for settlement purposes only pursuant to FRCP 23(a) and FRCP 23(b)(3):

“All natural persons who are residential property owners (including members of their household) and lessees of residential property (including members of their household) who at any time between February 16, 2013 and the present are/were United Water System account holders and received their water supply from United Water System, Inc. and, as a result of receiving water from United Water System, Inc. between February 16, 2013 and the present, have any of the following claims: mental and emotional distress; non-reimbursed personal expenses; nuisance, annoyance, discomfort, and inconvenience; civil trespass; fear of bodily injury, fear of contracting disease, fear of increased risk of contracting disease; personal property damage/loss as it relates to clothes and/or linens, diminution in value of clothes and/or linens, out of pocket expenses, including but not limited to expenses for purchasing bottled water/ice, purchase of water/ice dispensers, expenses of installing water filtration systems and related maintenance and filter replacement costs or need for same in the future; loss of use and enjoyment of real property, homes and leased property(ies).”

2.

The Settlement between the Parties as reflected in a Settlement Agreement dated January 8, 2025 attached to the Joint Motion for Preliminary Approval as **Exhibit A** is hereby preliminarily approved as fair, reasonable and adequate, entered into in good faith and without collusion, and within the range for possible judicial approval and the Agreement and the Settlement set forth therein shall be submitted to the Class for consideration at a fairness hearing upon the Parties' filing of a Joint Motion for Final Approval of Settlement.

3.

The proposed distribution of Settlement Proceeds at a uniform amount per connection, with an allowance for an equivalent payment to any and all Class Members who are no longer United Water account holders who timely and properly submit a Proof of Claim form, is fair and reasonable.

4.

GARY RUSSO is hereby appointed to serve as Claims Administrator to be assisted by EisnerAmper and Eisner Advisory Group, LLC with the authority to (i) administer the notice plan approved herein; (ii) devise a plan for establishing appropriate reserves to be deducted from the Settlement Payment in order to establish the amount available from the Settlement Payment for distribution to Class Members; (iii) establish appropriate criteria for evaluation of Claims of Class Members; review and evaluating the Claims of Class Members in accordance with the criteria so established; (iv) establish proposed allocations for each Class Member in accordance with these criteria and evaluations; (v) prepare a proposed plan for distribution of the proposed allocations; (vi) submit to the Court a report on the above, along with recommendations for the Court's consideration in proceeding with the allocation and distribution process following the Effective Date; (vii) engage such staff, deputies, and experts as reasonably necessary and conducting such hearings as may be necessary and appropriate to carry out this assignment, the Class Member disbursements, and the individual allocation or distribution of Class Counsel fees; (viii) engage in ex parte communications with the Court and parties as as may be necessary and appropriate to carry out this assignment, the Class Member disbursements, and the individual allocation or distribution of Class Counsel fee; and (ix) perform such other acts and functions as may be

necessary or appropriate to fulfill the duties and responsibilities as set forth herein and in the Agreement, or as the Court may direct.

5.

GARY RUSSO, as Claims Administrator to be assisted by EisnerAmper and Eisner Advisory Group, LLC shall be responsible for accepting and maintaining documents sent from Class Members, including Opt-Out Notices, objections to the Settlement and Proof of Claim forms and other documents relating to claims administration and that the Claims Administrator may seek Court approval for reimbursement from the Settlement Fund for all fees and expenses incurred in connection with claims administration and the dissemination/publication of the Settlement Notice.

6.

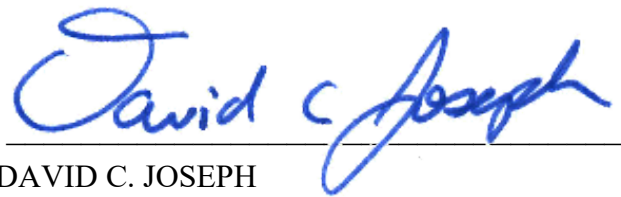
The form and manner of the Combined Class Certification Opt-Out and Settlement Notice attached in Long Form as **Exhibit C** and in Short Form as **Exhibit D** to the Joint Motion for Preliminary Approval, the plan for dissemination of the notice via direct mailing to customers, publication in the TECHE NEWS and THE DAILY WORLD, and publication of a website to include all reasonable notices and forms, is hereby approved. Further, any and all Opt-Outs and/or Objections to the Settlement shall be sent to the Claims Administrator no later than thirty (30) days from the later of the date that said notices are mailed to account holder Class Members or the date of publication of the notice in the TECHE NEWS and THE DAILY WORLD, and that the Claims Administrator shall file a report on Opt-Outs and Objections with the Court no later than fourteen (14) days following the deadline for Opt-Outs and Objections.

7.

Both the content and plan for dissemination of the Proof of Claim Form for all Class Members who are no longer account holders of United Water, attached as **Exhibit E** to the Joint

Motion for Preliminary Approval, which shall be made available on a website dedicated to the Settlement and referenced in the approved notices, is hereby approved. Proof of Claim Forms shall be sent to the Claims Administrator no later than thirty (30) days from the later of the date that said notices are mailed to account holder Class Members or the date of publication of the notice in the TECHE NEWS and THE DAILY WORLD.

LAFAYETTE, LOUISIANA this 27th day of January, 2025.



DAVID C. JOSEPH
UNITED STATES DISTRICT JUDGE