



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: City Attorney's Office

CM/ DCM/ ACM: Mack Reinwand, City Attorney

AGENDA DATE: November 14, 2023

SUBJECT

Consider approval of a resolution of the City of Denton opting out of proposed class action settlement agreements for the Aqueous Film-Forming Foam (AFF) Product Liability Litigation (MDL 2872); District Court of the District of South Carolina, Master Docket No. 2:18-MN-2873-RMG

INFORMATION/BACKGROUND

The City of Denton is potentially part of a class of plaintiffs included in proposed class action settlement agreements for the Aqueous Film-Forming Foam (AFF) Product Liability Litigation (MDL 2872); District Court of the District of South Carolina, Master Docket No. 2:18-MN-2873-RMG (the "MDL Action").

Two settlement agreements with (i) 3M Company ("3M") and (ii) E.I. Du Pont de Nemours and Company (n/k/a EIDP, Inc.), DuPont de Nemours Inc., The Chemours Company, The Chemours Company FC, LLC, and Corteva, Inc. (collectively, "DuPont") have been reached and are under review in the MDL Action.

This item will be discussed in closed session with City Council pursuant to Texas Government Code Section 551.071 as a public discussion of these legal matters would conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under Texas Disciplinary Rules of Professional Conduct of State Bar of Texas, or would jeopardize the City's legal position in any administrative proceeding or potential litigation.

RECOMMENDATION

Approve the attached resolution opting out of proposed class action settlement agreements for the Aqueous Film-Forming Foam (AFF) Product Liability Litigation (MDL 2872); District Court of the District of South Carolina, Master Docket No. 2:18-MN-2873-RMG

Exhibit 1: Agenda Information Sheet

Exhibit 2: Resolution

Respectfully submitted:

/s/ Marcella Lunn
Senior Deputy City Attorney