

RESOLUTION NO. 2026-20

RESOLUTION AUTHORIZING THE RAINBOW WATER DISTRICT TO PARTICIPATE IN THE PROPOSED CLASS ACTION SETTLEMENTS WITH AMEREX CORPORATION, ARCHROMA U.S., INC., CARRIER GLOBAL CORPORATION, AND NATION FORD CHEMICAL COMPANY IN THE PUBLIC WATER SYSTEMS' PORTION OF THE MULTI-DISTRICT LITIGATION MATTER, IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCT LIABILITY LITIGATION, MDL 2:18-MN-2873-RMG, RELATING TO PFAS CONTAMINATION OF DRINKING WATER; AUTHORIZING THE RAINBOW WATER DISTRICT SUPERINTENDENT TO COMPLETE ALL DOCUMENTATION AND EXECUTE ALL RELEASES AND AGREEMENTS NECESSARY TO PARTICIPATE IN THE SETTLEMENTS WITH AMEREX CORPORATION, ARCHROMA U.S., INC., CARRIER GLOBAL CORPORATION, AND NATION FORD CHEMICAL COMPANY IN THE PUBLIC WATER SYSTEMS' PORTION OF THE MDL; AND AUTHORIZING OUTSIDE COUNSEL TO CONTINUE TO PURSUE CLAIMS RELATED TO PFAS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 7, 2018, litigation involving the contamination of water and soil by Per- and Polyfluoroalkyl Substances (PFAS) manufactured by various entities was consolidated in the United States District Court of South Carolina as the *In Re: Aqueous Film-Forming Foams Product Liability Litigation*, MDL 2:18-mn-2873-RMG, before the Honorable Richard M. Gergel; and

WHEREAS, settlements have been filed on behalf of manufacturers Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company to compensate public water systems, including Rainbow Water and Fire District, doing business as Rainbow Water District, for the contamination and remediation of PFAS; and

NOW, THEREFORE, BE IT RESOLVED BY THE RAINBOW WATER DISTRICT BOARD OF COMMISSIONERS, that this Board:

Section 1. Approves and incorporates the foregoing recital as if fully set forth herein.

Section 2. Authorizes the Rainbow Water District to participate in the proposed Class Action Settlements with Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company in the Public Water Systems' portion of the multidistrict litigation matter, *In Re: Aqueous Film-Forming Foams Product Liability Litigation*, MDL 2:18-mn-2873-RMG, relating to PFAS contamination of public drinking water (hereinafter, the "MDL").

Section 3. Authorizes Outside Counsel to complete all documentation required to participate in the Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company Settlements for the Public Water Systems' portion of the MDL, such as Claims Forms, and designates Superintendent Porter to verify claims on behalf of Rainbow Water District.

Section 4. Authorizes Superintendent Porter to: (a) verify and approve documentation required to participate in the Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company Settlements for the Public Water Systems' portion of the MDL, such as Claims Forms, that is completed as authorized in Section 3; and (b) execute all releases and agreements necessary to finalize settlements of the Public Water Systems' portion of the MDL with Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company on behalf of the Rainbow Water District.

Section 5. Authorizes Outside Counsel to: (a) continue pursuing the Rainbow Water District's claims against the defendants remaining in the Public Water Systems' portion of the MDL; and (b) continue pursuing claims against any and all defendants, including Amerex Corporation, Archroma U.S., Inc., Carrier Global Corporation, and Nation Ford Chemical Company, that may be liable for damages to the Rainbow Water District that extend beyond the Rainbow Water District's public drinking water.

This resolution shall become effective on October 14, 2026.

ADOPTED by a vote of _____ Yes votes and _____ No votes this 14th day of October, 2026.

President, Board of Commissioners

Attest:

Secretary-Treasurer, Board of Commissioners