

**A settlement has been reached in a class action involving the residential properties around 880-900 Garfield Avenue on the east side of Jersey City, New Jersey.**

**NOTICE OF PROPOSED CLASS ACTION SETTLEMENT AND YOUR RIGHTS**

*A federal court authorized this notice. This is not a solicitation from a lawyer.*

- J Your legal rights are affected whether you act or don't act. Read this notice carefully.
- J A settlement has been reached in a class action involving the residential properties around 880-900 Garfield Avenue on the east side of Jersey City, New Jersey. These residential properties are located in neighborhoods in the vicinity of certain historical "chromium sites." The "chromium sites" are properties located around 880-900 Garfield Avenue (the "Garfield Avenue Facility") where chromium chemical products were manufactured and on which chromium ore processing residue ("COPR") was disposed of between approximately 1905 and 1963. These sites are in various stages of remediation being performed or having been completed by PPG Industries, Inc. ("PPG"). The sites are designated as Hudson County Chromium Sites 114, 121, 132, 133, 135, 137, 143, 186, and 207, as well as properties 33 Pacific Avenue, 800 Garfield Avenue, 816 Garfield Avenue, 78-104 Halladay Street; 84, 86-90, 98-100 and 108 Forrest Street, 457 Communipaw Avenue, Pacific Avenue/Caven Point Avenue, North and South Halladay Street, Carteret Avenue, Forrest Street, and Garfield Avenue.
- J **The settlement will pay eligible owners of Class 2 Residential Property identified in the areas indicated on the attached map to settle claims related to alleged loss of use and enjoyment, and other property damages, of surrounding properties caused by the presence of these chromium sites and related hexavalent chromium contamination that plaintiffs allege was released from these sites.** The payments will be made in exchange for agreement to a release of claims against PPG as more fully set forth in this notice.

**In accordance with the settlement agreement, PPG must place Five Million Dollars (\$5,000,000.00) in a court-administered fund to settle this matter.** The settlement provides for a monetary payment to the owners of each eligible Class 2 Residential Property. The exact amount of any final payment to the property owners will depend on the Court's award of attorneys' fees and expenses, costs or administration, and the number of eligible members participating, and it will be calculated by the Claims Administrator based on the location of the property within one of three zones and the duration of ownership during the period May 17, 2010 through June 5, 2019. However, if all eligible properties participate, it is estimated that each eligible property in Zone 1 would receive \$2,500.00, in Zone 2 would receive \$2,000.00, and in Zone 3 would receive \$1,000.00 in payment.

**Questions? Call 1-866-977-0858 or Visit [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com).**

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## Your Legal Rights and Options in the Settlement

<b>Submit a Claim and Release Form Along with Proof of Property Ownership</b>	<b>This is the only way you can get a payment. A Claim and Release Form is enclosed and must be returned with proof of property ownership within 60 days of the date of this letter.</b> The deadline to submit your Claim and Release form is <b>December 15, 2020.</b>
<b>Exclude Yourself or “Opt-Out” from the Settlement</b>	<b>If you exclude yourself or “opt out,” you get no money from the settlement.</b> Excluding yourself or “opting out” is the only option that allows you to ever be part of any other lawsuit against PPG about the legal claims in this case. If you wish to exclude yourself from the Settlement, you must mail your exclusion request, postmarked no later than <b>December 15, 2020.</b>
<b>Object</b>	If you do not exclude yourself, you may write to the Court about why you don't like the Settlement. Your objection must be mailed to the Court, postmarked no later than <b>December 15, 2020.</b>
<b>Go to a Hearing</b>	If you object, you may also ask to speak in Court about the fairness of the Settlement. The Court will hold a Fairness Hearing at <b>2:00 p.m. on January 13, 2021.</b>
<b>Do Nothing</b>	If you do nothing, you will get no payment. You will also give up your rights to ever sue PPG about the legal claims in this case.

- J These rights and options — **and the deadlines to exercise them** — are explained in this notice.
- J The Court in charge of this case still has to decide whether to approve the Settlement. Payments will be made if the Court approves the Settlement. Please be patient.

## BASIC INFORMATION

### 1. WHY IS THERE A NOTICE?

You have a right to know about a proposed Settlement of a class action lawsuit, and about your options, before the Court decides whether to approve the Settlement. The Court in charge of the case is the United States District Court for the District of New Jersey, and the case is called *Mattie Halley, et al. v. PPG Industries, Inc.*, Civil Action No. 2:10-cv-3345. In this notice, the people who sued are called the Plaintiffs, and one of the companies they sued, PPG Industries, Inc. is called PPG.

### 2. WHAT IS THIS LAWSUIT ABOUT?

On May 17, 2010, three plaintiffs filed this lawsuit on behalf of themselves and as the representative of a class of similarly situated persons, asserting nuisance and other claims, alleging their properties have been adversely impacted by a chrome ore processing plant and the generation, disposal and alleged historical failure to properly remediate hexavalent chromium contamination and COPR within the Settlement Class boundaries, at several locations around 880-900 Garfield Avenue on the east side

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of Jersey City, New Jersey, and in other areas of Jersey City. The COPR and alleged related hexavalent chromium and other chemical contamination came from a chromium manufacturing facility formerly operated at 880-900 Garfield Avenue, Jersey City, New Jersey from 1905 until 1963. These three plaintiffs alleged that the generation, disposal and historical failure to properly remediate these chromium sites and associated contamination adversely impacted their use and enjoyment of and caused other property damage to their properties.

### 3. WHY IS THIS A CLASS ACTION?

In a class action, one or more people, called class representatives, sue on behalf of people who have similar claims. A judge can determine that people who have similar claims are members of a class, except for those who exclude themselves from the class. U.S. District Judge Esther Salas in the United States District Court for the District of New Jersey is in charge of this class action.

### 4. WHY IS THERE A SETTLEMENT?

There has been no trial in this matter. Instead, the Plaintiffs and PPG agreed to settle this case to avoid the costs and risks of trial. The Settlement provides the opportunity for payment to eligible Class members. In exchange, under the Settlement, Class Members each give a release, which releases PPG for certain claims related to the claimed release, migration or impacts or effects of COPR, hexavalent chromium, or other chemical contamination present on, originating from or released, emanating, or migrating at or from: (a) the Garfield Avenue Facility; (b) Hudson County Chromium Sites 114, 121, 132, 133, 135, 137, 143, 186, and 207; or (c) the following properties: 33 Pacific Avenue, 800 Garfield Avenue, 816 Garfield Avenue, 78-104 Halladay Street; 84, 86-90, 98-100 and 108 Forrest Street, 457 Communipaw Avenue, Pacific Avenue/Caven Point Avenue, North and South Halladay Street, Carteret Avenue, Forrest Street, or Garfield Avenue.

## WHO IS IN THE SETTLEMENT

To see if you can get money from the Settlement, you first have to determine if you are a Class Member.

### 5. HOW DO I DETERMINE IF I'M IN THE CLASS?

If you received this notice in the mail without requesting it, land records show you may be a current or former owner of Class 2 Residential Property covered by this case. That would make you a class member. A map showing the area covered by this case is attached.

The Settlement Class is called "Class B". Land records show that you may be a member of "Class B".

The area of the properties covered in **Class B** is generally bounded by Ocean Avenue between Bayview Avenue and Grand Street; Grand Street between Ocean Avenue and Communipaw Avenue; Communipaw Avenue between Grand Street and before Communipaw turns northeast; Suydam Avenue, Pine Street, and Whiton Street southwest of Communipaw Avenue; Distillery Drive; Pacific Avenue from Communipaw Avenue to Caven Point Avenue; Caven Point Avenue between Pacific Avenue and Garfield Avenue; Garfield Avenue between Caven Point Avenue and Bayview Avenue; and Bayview Avenue between Garfield Avenue and Ocean Avenue. Class B includes properties located on both sides of the boundary streets contained in the class definition. Class B is depicted in Exhibit A, attached hereto.

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“Class B” is divided into three Zones, “Zone 1”, “Zone 2”, and “Zone 3”. The properties in Zones 1, 2, and 3 are depicted on the maps attached hereto as Exhibits B, C, and D.

If you are still not sure if you are in the Class, or what Zone you are in, you can call 1-866-977-0858 to see if your property is included in the Settlement.

#### 6. WHAT SHOULD I DO IF I MOVE?

If you move after receiving this notice and before the Settlement is finalized, in order to receive additional important notices including your payment if you are eligible for one, you must call the Claims Administrator at 1-866-977-0858 and give your new address.

## THE SETTLEMENT

#### 7. WHAT DOES THE SETTLEMENT PROVIDE?

The Settlement Agreement, available at the website, [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com), describes the details about the Settlement.

In general, the settlement requires PPG to place \$5,000,000.00 into a settlement fund to be distributed (after payment of certain expenses) to eligible class members. Thus, the settlement provides for a monetary payment to the owners of each eligible property in Class B.

## BENEFITS

#### 8. WHAT CAN I GET FROM THE SETTLEMENT?

The Settlement will provide cash payments to those who qualify. The exact amount of any final payment to the property owners will depend on the Court’s award of attorneys’ fees and expenses, the costs of administration, and the number of eligible members participating in each zone. However, if all eligible properties in each zone participate, it is estimated that each eligible property in Subclass Zone 1 will receive approximately Two Thousand Five Hundred Dollars (\$2,500.00); each Settlement Class Property in Subclass Zone 2 will receive approximately Two Thousand Dollars (\$2,000.00); and each Settlement Class Property in Subclass Zone 3 will receive approximately One Thousand Dollars (\$1,000.00).

The amount any individual property owner receives will be calculated by the Claims Administrator and will be based on the duration of ownership during the period May 17, 2010 through June 5, 2019. If you were the sole property owner during this time period, you will receive the entire amount allocated to your property. If you owned the property during this period, but someone else owned the property either before or after you and also during this time period, payments for your property will be divided among you and the other owner.

#### 9. WHAT IF I DID NOT OWN MY PROPERTY FOR THE ENTIRE TIME?

In order to be included in the settlement, you must have owned your property at any time during the period **May 17, 2010** through **June 5, 2019**.

If you owned property during this period, but someone else owned the property either **BEFORE OR AFTER YOU AND ALSO DURING THIS TIME PERIOD**, payments for your property will be divided among you and the other owner based on how long you each owned the property.

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#### 10. WHAT IF I INHERITED MY PROPERTY?

If you can demonstrate that you owned the property during the period **May 17, 2010** through **June 5, 2019** then you will be eligible to receive a payment.

#### 11. WHAT IF THERE ARE MULTIPLE OWNERS OF MY PROPERTY AT THE SAME TIME?

If you file a valid claim, the Claims Administrator will write a single check payable to all co-owners of the property. The check will be mailed in care of the person to whom this notice was mailed.

#### 12. WHAT AM I GIVING UP TO STAY IN THE CLASS?

Unless you exclude yourself from the Settlement (see Question 16), you can't sue, continue to sue, or be part of any other lawsuit against PPG to obtain any recovery for injury to property as a result of the claimed release, migration or impacts or effects of COPR, hexavalent chromium, or other chemical contamination present on, originating from or released, emanating, or migrating at or from: (a) the Garfield Avenue Facility; (b) Hudson County Chromium Sites 114, 121, 132, 133, 135, 137, 143, 186, and 207; or (c) the following properties: 33 Pacific Avenue, 800 Garfield Avenue, 816 Garfield Avenue, 78-104 Halladay Street; 84, 86-90, 98-100 and 108 Forrest Street, 457 Communipaw Avenue, Pacific Avenue/Caven Point Avenue, North and South Halladay Street, Carteret Avenue, Forrest Street, or Garfield Avenue.

It also means that all of the Court's decisions will bind you.

### THE CLAIMS PROCESS

#### 13. HOW CAN I GET A PAYMENT?

You must complete and return the enclosed Claim and Release Form along with proof that you owned the property at any time during the period May 17, 2010 through June 5, 2019. The Claim and Release Form explains the types of documents that you can submit to show proof of ownership. You can also submit the Claim and Release Form at the website [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com). Please carefully read the Claim and Release Form. If you still have questions about it or the documentation it requests, you can call 1-866-977-0858. If you submit an incomplete Claim and Release Form or provide incomplete documentation, someone may reach out to you to get additional information.

#### 14. WHEN WILL I GET MY PAYMENT?

The Court will hold a hearing on **January 13, 2021** at **2:00 p.m.** to decide whether to give final approval to the Settlement (*see* Question 23). If the Court approves the Settlement, and the Claims Administrator has determined that you have a valid claim, you should expect to receive your payment within 15 days of when the Settlement becomes final and the time for any appeal or review has expired..

#### 15. WHAT IF I DISAGREE WITH THE AMOUNT OF MY PAYMENT?

You have the right to ask the Claims Administrator or the Court to reconsider the decision on your claim if you believe that the Claims Administrator has incorrectly calculated the amount of any payment. Please review the letter carefully when you receive it because there are specific time

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limitations regarding the reconsideration process. More details are available in the Settlement Agreement, which is available at [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com).

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don't want a payment from the Settlement, and you want to keep the right to sue PPG on your own about the issues in this case, then you must take steps to exclude yourself or "opt out". This is the only way to avoid giving PPG a Release.

### 16. HOW DO I GET OUT OF THE SETTLEMENT?

To exclude yourself or "opt out" from the Settlement, you must send a letter to the Claims Administrator that includes the following:

- Your name and address.
- The names and current addresses of any co-owners of land you own or owned identified as being in the Settlement Class.
- A statement saying that you want to be excluded from the Class,
- The address of the property at issue.
- Your signature.
- You must mail your exclusion request, postmarked no later than **December 15, 2020**, to:

PPG Jersey City Settlement  
c/o Epiq  
PO Box 10669  
Dublin, OH 43017-9369

### 17. IF I DON'T EXCLUDE MYSELF, CAN I SUE PPG FOR THE SAME THING LATER?

No. Unless you exclude yourself, you give up the right to sue PPG for the claims that the Settlement resolves.

### 18. IF I EXCLUDE MYSELF FROM THE SETTLEMENT, CAN I STILL GET A PAYMENT?

No. You will not get any money if you exclude yourself from the Settlement.

## THE LAWYERS REPRESENTING YOU

### 19. DO I HAVE A LAWYER IN THE CASE?

Yes. The Court has appointed the lawyers and firms listed below as "Class Counsel," meaning that they were appointed to represent you and all Class Members:

Steven J. German, Joel Rubenstein  
GERMAN RUBENSTEIN LLP

You will not be charged for these lawyers. Their fees will be paid out of the settlement fund, as explained below. If you want to be represented by your own lawyer, you may hire one at your own expense.

Questions? Call 1-866-977-0858 or Visit [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com).

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## 20. HOW WILL THE LAWYERS BE PAID?

The Court will decide how much Class Counsel will be paid. Class Counsel will ask the Court for an award to cover costs and expenses, as well as for a fee award of \$1,250,000.00 or 25% of the total amount recovered for the Class. Class Counsel will also request that \$10,000 be paid to each of the two Class Representatives who helped the lawyers on behalf of the whole Class, for a total of \$20,000. To review the attorneys' request for fees in this case, go to [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com).

## OBJECTING TO THE SETTLEMENT

### 21. HOW DO I TELL THE COURT THAT I DON'T LIKE THE SETTLEMENT?

If you are a Class Member, you can object to the Settlement or to requests for fees and expenses by Class Counsel. To object, you must send a letter to the Court that includes the following:

- Your name and address,
- The title of the case, *Mattie Halley, et al. v. PPG Industries, Inc.*
- A statement saying that you object to the Settlement in *Mattie Halley, et al. v. PPG Industries, Inc.*
- The reasons you object, and
- Your signature.

Your objection, along with any supporting material you wish to submit, must be mailed and postmarked no later than **December 15, 2020**, to the Court at the following address:

**Hon. Esther Salas, United States District Judge  
Martin Luther King Building  
& U.S. Courthouse  
50 Walnut Street Room 4015  
Newark, NJ 07101**

### 22. WHAT'S THE DIFFERENCE BETWEEN OBJECTING AND ASKING TO BE EXCLUDED?

Objecting is simply telling the Court that you don't like something about the Settlement. You can object to the Settlement only if you do not exclude yourself from the Settlement. Excluding yourself from the Settlement is telling the Court that you don't want to be part of the Settlement. If you exclude yourself from the Settlement, you have no basis to object to the Settlement because it no longer affects you.

## THE COURT'S FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Settlement and any requests for fees and expenses. You may attend and, if you submit a written objection and a Notice of Intention to Appear, you may ask to speak, but you do not have to speak.

### 23. WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT?

The Court will hold a Fairness Hearing at **2:00 p.m.** on **January 13, 2021**, at the United States District Court for the District of New Jersey in Courtroom No. 5A, before United States District Judge Esther Salas. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com). At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will

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consider them at this time. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

#### 24. DO I HAVE TO COME TO THE HEARING?

No. Class Counsel will answer questions Judge Salas may have. But, you may come at your own expense. If you send an objection, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, to the proper address, the Court will consider it.

You may also pay your own lawyer to attend, but it's not necessary.

#### 25. MAY I SPEAK AT THE HEARING?

If you submitted a written objection, you may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter saying that you intend to appear and wish to be heard. Your Notice of Intention to Appear must include the following:

- Your name and address,
- The title of the case,
- A statement that this is your "Notice of Intention to Appear," and
- Your signature.
- You must mail your Notice of Intention to Appear, postmarked no later than **December 15, 2020**, to the Claims Administrator.

### IF YOU DO NOTHING

#### 26. WHAT HAPPENS IF I DO NOTHING AT ALL?

If you do nothing you will be bound by what the court decides and you will give up your right to sue PPG for any of the claims in this lawsuit. **You will also not get any money from the Settlement.**

### GETTING MORE INFORMATION

#### 27. HOW DO I GET MORE INFORMATION?

You can visit the website at [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com), where you will find answers to common questions about the Settlement and other information to help you determine whether you are a Class Member and whether you are eligible for a payment. If you still have questions, you can call 1-866-977-0858 toll-free or write to Epiq

PPG Jersey City Settlement  
c/o Epiq  
PO Box 10669  
Dublin, OH 43017-9369

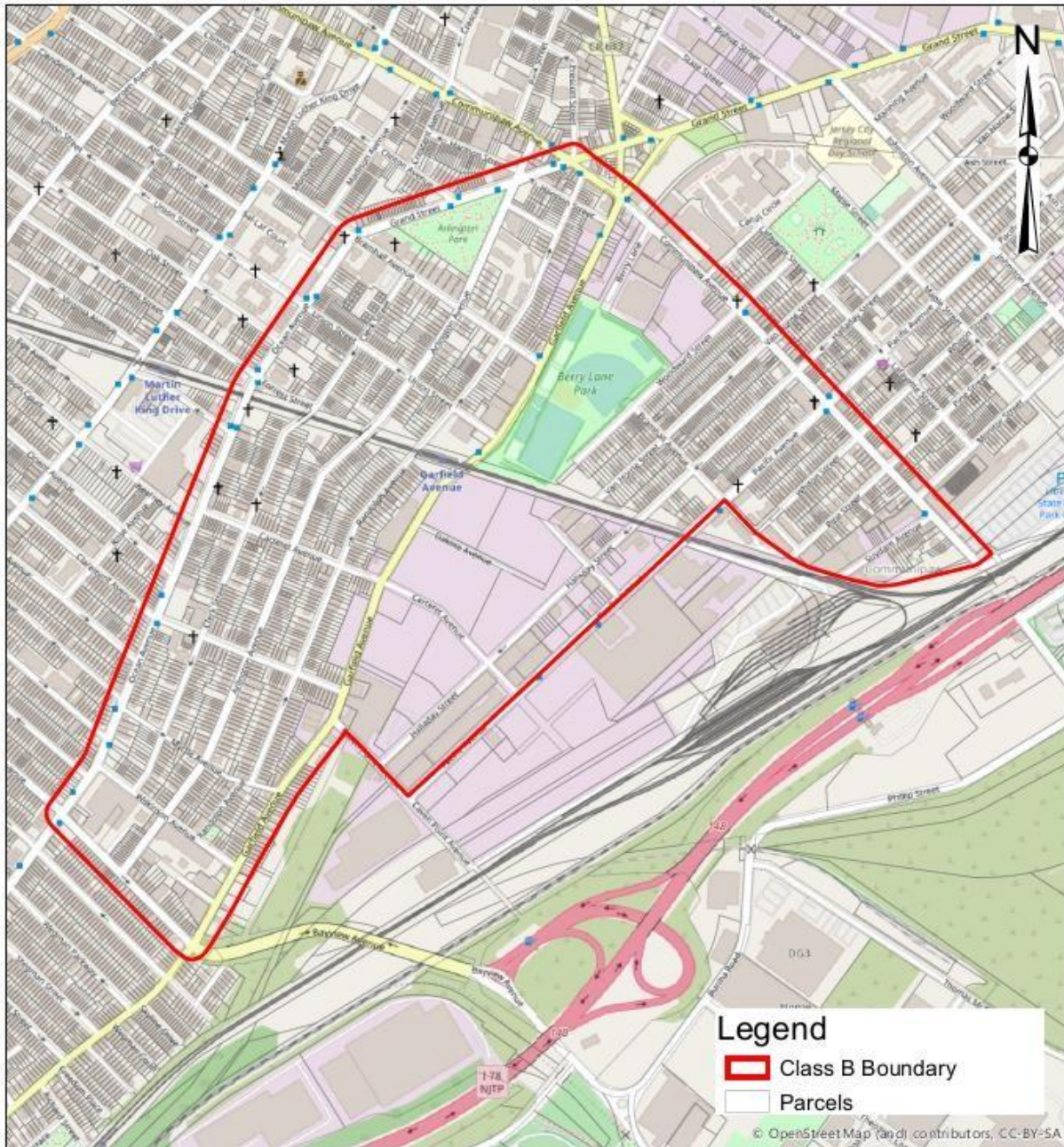
**Please do not contact the Court for further information.**


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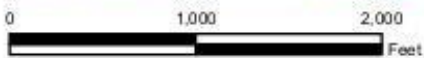
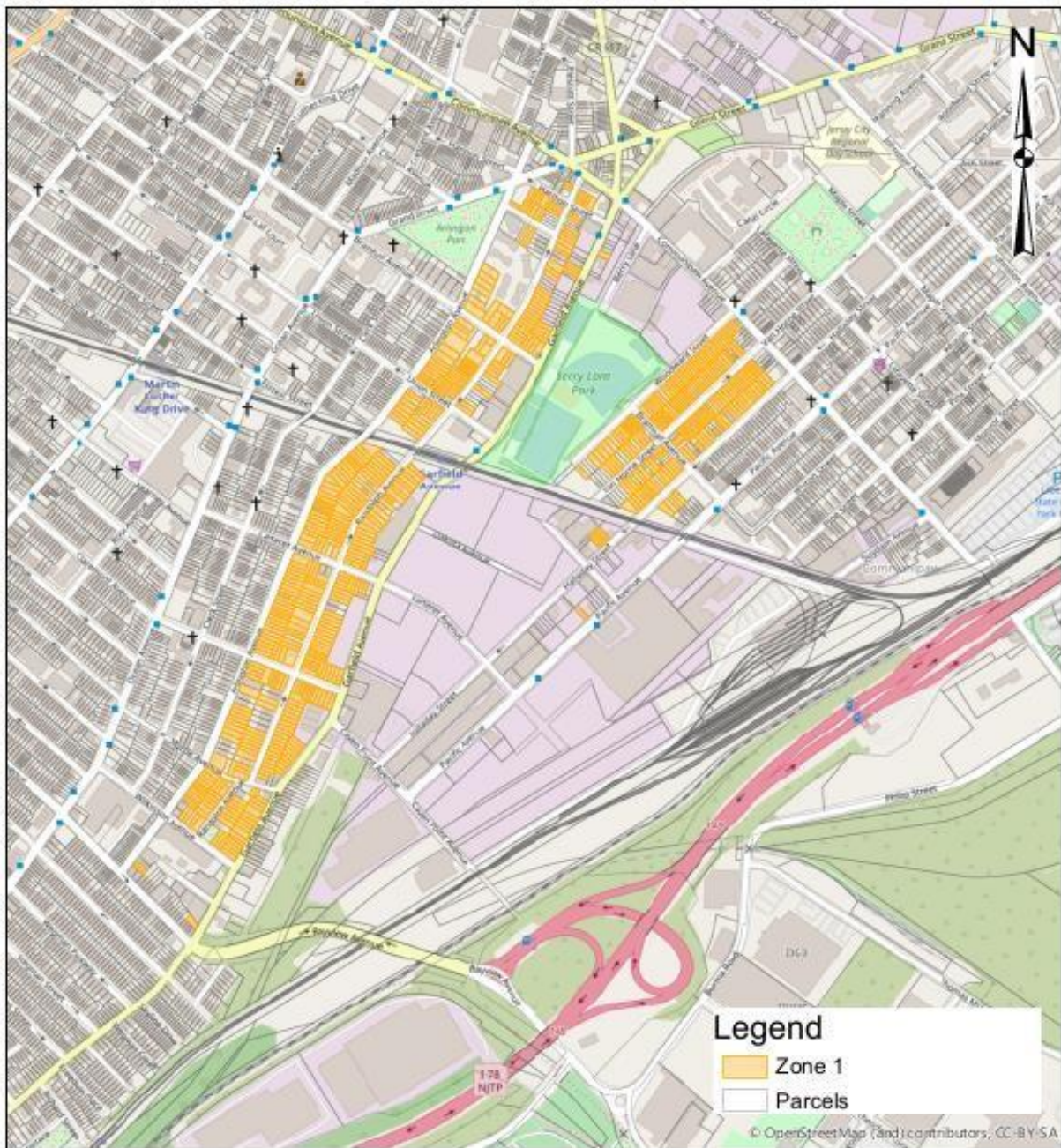
# EXHIBIT A



	LOCATION: HUDSON COUNTY, NEW JERSEY						
	TITLE: CLASS B AREA						
	DATE: AUG 2019	PROJECT #: 133365 / 12304G	SCALE: AS SHOWN	IMAGE SOURCE: OPEN STREET MAPS	DRAWN BY: JK	CHECKED BY: TB	REVISION #: 2

Questions? Call 1-866-977-0858 or Visit [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com).  
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# EXHIBIT B




### Legend

Zone 1

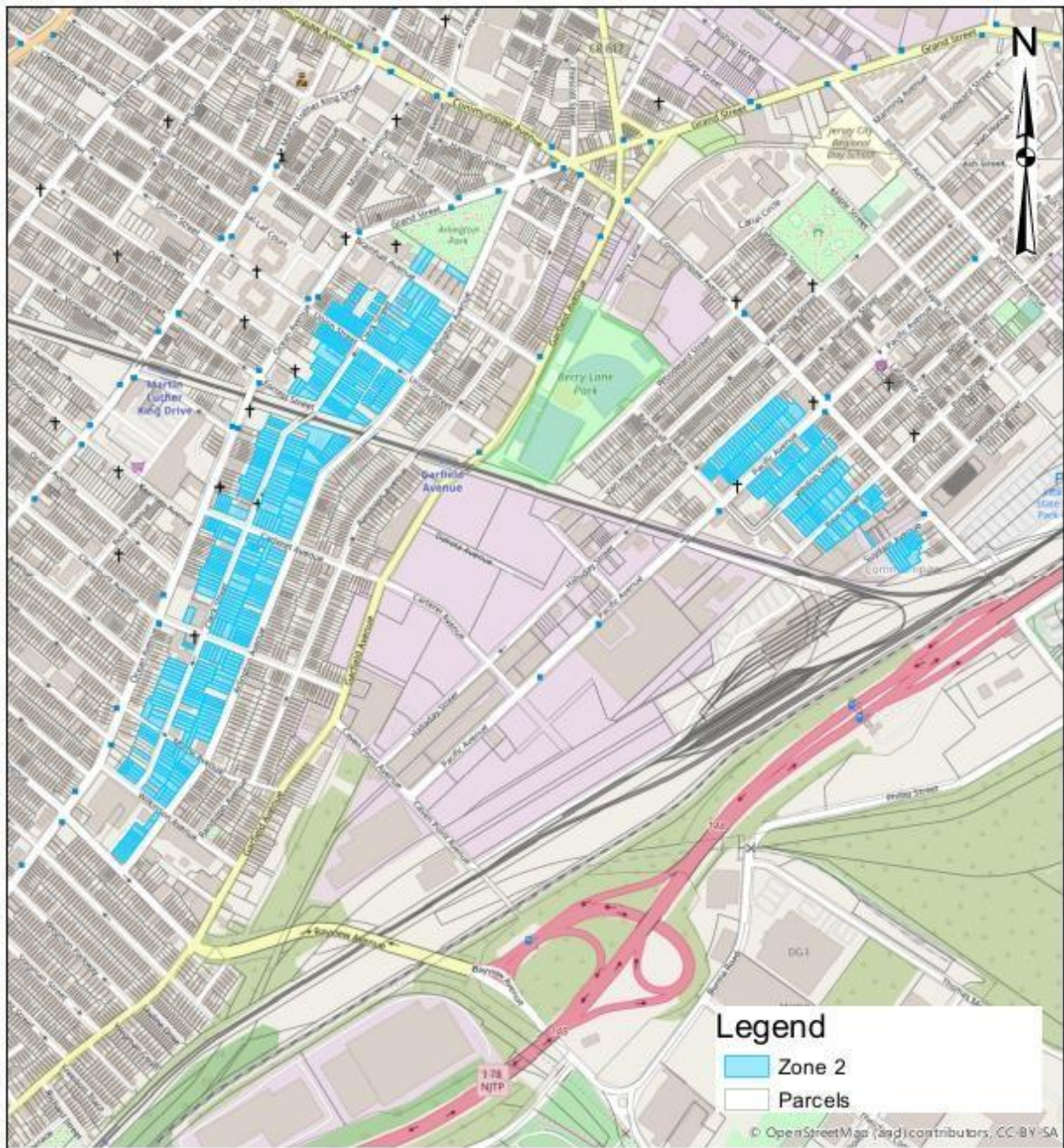
Parcels


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	LOCATION: HUDSON COUNTY, NEW JERSEY						
	TITLE: CLASS B SUBCLASS ZONE 1 PARCELS						
	DATE: AUG 2019	PROJECT # 133385 / 123040	SCALE: AS SHOWN	IMAGE SOURCE: OPEN STREET MAPS	DRAWN BY: JK	CHECKED BY: TB	REVISION #: 2

Questions? Call 1-866-977-0858 or Visit [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com).  
PLEASE DO NOT CONTACT THE COURT

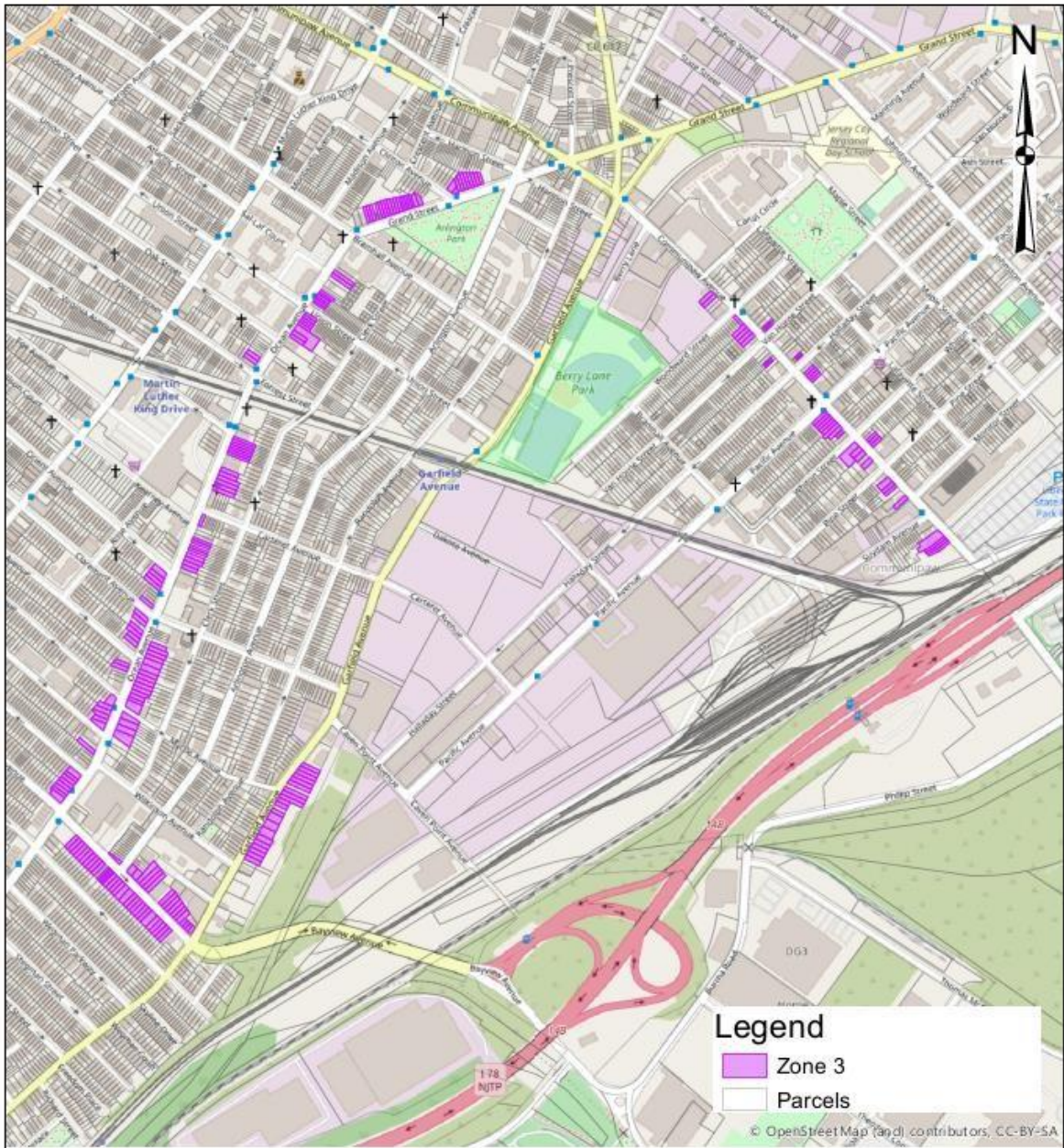
# EXHIBIT C




	LOCATION: HUDSON COUNTY, NEW JERSEY						
	TITLE: CLASS B SUBCLASS ZONE 2 PARCELS						
	DATE: AUG 2019	PROJECT #: 133365 / 12304G	SCALE: AS SHOWN	IMAGE SOURCE: OPEN STREET MAPS	DRAWN BY: JK	CHECKED BY: TB	REVISION #: 2

Questions? Call 1-866-977-0858 or Visit [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com).  
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# EXHIBIT D



	LOCATION:	HUDSON COUNTY, NEW JERSEY					
	TITLE:	CLASS B SUBCLASS ZONE 3 PARCELS					
	DATE: AUG 2019	PROJECT #: 133365 / 12304G	SCALE: AS SHOWN	IMAGE SOURCE: OPEN STREET MAPS	DRAWN BY: JK	CHECKED BY: TB	REVISION #: 3

Questions? Call 1-866-977-0858 or Visit [www.PPGJerseyCitySettlement.com](http://www.PPGJerseyCitySettlement.com).  
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