

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

MICHELE BAKER; CHARLES CARR; ANGELA CORBETT; PAMELA FORREST; MICHAEL HICKEY, individually and as parent and natural guardian of O.H., infant; KATHLEEN MAINLINGENER; KRISTIN MILLER, as parent and natural guardian of K.M., infant; JENNIFER PLOUFFE; SILVIA POTTER, individually and as parent and natural guardian of C.P, infant; and DANIEL SCHUTTIG, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

SAINT-GOBAIN PERFORMANCE PLASTICS CORP., HONEYWELL INTERNATIONAL INC. f/k/a ALLIED-SIGNAL INC. and/or ALLIEDSIGNAL LAMINATE SYSTEMS, INC., E.I. DUPONT DE NEMOURS AND COMPANY and 3M CO.,

Civ. No. 1:16-CV-917 (LEK/DJS)

**DECLARATION OF  
MICHAEL HICKEY IN  
SUPPORT OF  
PLAINTIFFS' MOTION FOR  
CLASS CERTIFICATION**

I, Michael Hickey, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am parent and natural guardian of O.H, an infant and a plaintiff in this lawsuit. I make this affidavit in support of the Plaintiffs' request for this case to proceed as a class action. I make the statements in this affidavit based on my own personal knowledge.

2. I have resided in the Village of Hoosick Falls for my entire life and obtained my drinking water from the Village municipal water supply. Since the time of his birth, my son O.H. has lived at residences that obtained their drinking water from the Village of Hoosick Falls municipal water supply, initially at [REDACTED] LOCAL RULE 8.1, Hoosick Falls and since approximately June of 2011 at [REDACTED] LOCAL RULE 8.1 Hoosick Falls.

3. Tests of the three Village of Hoosick Falls municipal water wells tested for PFOA at ranges between 150 ppt to 662 ppt.

4. For our entire lives, O.H. and I regularly drank water from the tap, ate food cooked with tap water and drank other beverages mixed with tap water, bathed and showered in the water, and was otherwise exposed to water from the municipal wells used for other purposes at our homes.

5. Due to the contamination of our drinking water supply, we were instructed by public health officials not to drink from our tap or use water from our tap for cooking until a filtration system could be installed to remove or reduce the amount of PFOA in our drinking water. After I learned of the contamination of our water and even before being warned by public health officials, my family including O.H. drank and cooked with bottled water beginning sometime in 2015. Although I am aware a permanent treatment system was installed on the municipal water wells in December 2016, we remain concerned about the safety of the water and are reluctant to drink the tap water. My blood was tested by the NYSDOH on March 31, 2016 and found to have 42.1 ug/L of PFOA. O.H. had his blood tested on July 12, 2016 and found to have 27.7 ug/L of PFOA.

6. I understand that I am being proposed, individually, and in my representative capacity for my son, as a representative for a class of individuals suing the Defendants in this case under state law for which we have a claim, and that we are seeking damages for medical monitoring on a classwide basis.

7. I understand the responsibilities of being a Class Representative, including that I am seeking to represent all members of the classes for which I am proposed. To date, I have performed a number of tasks as a Class Representative, including:

- a. I reviewed notices my counsel sent me regarding documents requested by Defendant I had to collect and provide to my counsel and searched for and provided those documents;
  - b. With the assistance of my counsel, I reviewed and responded to written questions asked by Defendant
  - c. I prepared for and testified at a deposition that took place on October 1, 2018; and
  - d. I have met with my lawyers multiple times and have been in regular telephone and email contact with them regarding this lawsuit.
  - e. I have discussed the claims alleged in this suit, I understand those claims and why they are being raised, and I believe those claims have merit.
8. I brought this lawsuit on individually and on behalf of infant son and all other similarly situated individuals whose drinking water and properties were contaminated by Defendants with PFOA.
9. I do not believe I have interests that are inconsistent with the interests of the Class Members I seek to represent, and believe that I will adequately represent those class members.
10. As a Class Representative, I will always consider the interests of Class Members just as I would consider my own and my son's interests, and in some cases I understand I must put the interests of Class Members before my son's interests.
11. I have participated in and will continue to actively participate in the lawsuit as necessary, and help in any way I can.
12. I recognize and accept that any resolution of this lawsuit is subject to court approval and must be designed in the best interest of the Class as a whole.

13. I understand that the Class Representatives are not required to pay of the costs of the lawsuit upfront, but that if the case is resolved favorably for the Class, the costs and attorneys' fees with by paid out of the recovery.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 23, 2020

  
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Michael Hickey