

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 MAIN-LINGENER; 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
KATHLEEN MAIN-LINGENER
IN SUPPORT OF
PLAINTIFFS' MOTION FOR
CLASS CERTIFICATION**

I, Kathleen Main-Lingener, declare as follows pursuant to 28 U.S.C. § 1746:

1. I am 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 declaration based on my own personal knowledge.
2. I resided at [REDACTED] LOCAL RULE 8.1 in Hoosick Falls from 1997 through 2006 and then at [REDACTED] LOCAL RULE 8.1 in Hoosick Falls from 2007 through 2017. Both of these residences obtained their drinking water from the Hoosick Falls municipal water system.
3. From 2007 through 2017 I was the owner of the property located at [REDACTED] LOCAL RULE 8.1 in Hoosick Falls.

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

5. While residing at the residences listed above, 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 my homes.

6. 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 and being warned by public health officials, I drank and cooked with bottled water beginning in late 2015. Although I am aware a permanent treatment system was installed on the municipal water wells in December 2016, we remained concerned about the safety of the water and were reluctant to drink the tap water up through the time we left [REDACTED] LOCAL RULE 8.1. My blood was tested by the NYSDOH in 2016 and a PFOA level of 95.4 ug/L was reported.

7. Due to the contamination of the municipal wells that provide water to my home with PFOA and contamination from the air that was deposited on my former property [REDACTED] LOCAL RULE 8.1, I believe that value of that property was decreased and caused me to lose that property to foreclosure because I could not sell it at market value.

8. Due to the contamination of the municipal wells that provided water to my former home at [REDACTED] LOCAL RULE 8.1, with PFOA and contamination from the air that was deposited on my property, I was unable to use and enjoy my property in the same way I did before the contamination was discovered.

9. I understand that I am being proposed 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 property damage and devaluation and medical monitoring on a classwide basis.

10. 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 in 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.

11. I brought this lawsuit on behalf of myself and all other similarly situated individuals whose drinking water and properties were contaminated by Defendants with PFOA.

12. 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.

13. As a Class Representative, I will always consider the interests of Class Members just as I would consider my interests, and in some cases I understand I must put the interests of Class Members before my interests.

14. I have participated in and will continue to actively participate in the lawsuit as necessary, and help in any way I can.

15. 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.

16. 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 21, 2020


Kathleen Main-Lingener