

**NOTICE OF PENDENCY OF CLASS ACTION**

**If you own or owned residential, single-family real property within the City of Fresno’s Discolored Water Investigation Area anytime between January 1, 2016 and August 2, 2021, a class action lawsuit may affect your rights.**

*Para una notificación en español, visite [www.cptgroupcaseinfo.com/DiscoloredWaterLawsuit](http://www.cptgroupcaseinfo.com/DiscoloredWaterLawsuit)*

**What is This Lawsuit About?**

The Fresno County Superior Court approved this Notice to inform potential Class Members of a consolidated class action lawsuit. The lead class action is *Micheli, et al. v. City of Fresno*, Fresno County Superior Court Case Number 16CECG02937. The Plaintiffs in the lawsuit allege that the City of Fresno’s water prematurely corroded and destroyed the galvanized iron plumbing in Northeast Fresno area residents’ homes, resulting in their receipt of discolored, “rusty” water. Plaintiffs allege the City of Fresno is responsible for certain economic losses suffered under civil claims of negligence, nuisance, breach of contracts, and breach of implied warranties, including the cost of replumbing Plaintiffs’ and Class Member homes, reimbursement of the cost of discolored, corrosive water, pre/post judgment interest, and attorney’s fees and litigation costs. The Plaintiffs in the class action do not allege personal injury claims or seek damages for personal injury claims, nor do they seek diminution in value damages.

The City denies any liability or wrongdoing of any kind associated with any of the claims alleged by Plaintiffs in the class action lawsuit, and maintains that its practices were lawful and permissible under California and Federal laws. The City maintains that the presence of iron in water is an aesthetic issue only under the Safe Drinking Water Act; that it has not violated any numeric standards under the Safe Drinking Water Act; and that the State of California and US EPA have concluded that the City’s corrosion control was optimized during all times at issue.

The class action has been heavily prosecuted and defended by the parties over the past several years. No decision has been made regarding the merits of Plaintiffs’ claims, the City’s liability or wrongdoing, or whether the Plaintiffs and Class Members are entitled to any money at this time. Those issues will be decided at a later time or at trial, which has been scheduled to begin July 25, 2022.

**Am I a Class Member?**

You may be a Class Member if you own or owned residential, single-family real property within the City of Fresno’s Discolored Water investigation area (from E. Copper Avenue to E. Sierra Avenue, and from State Route 41 to N. Willow Avenue), and, anytime between January 1, 2016 and August 2, 2021: (1) had galvanized iron plumbing; (2) received water service from the City of Fresno; (3) reported discolored, “rusty” water at that address to the City of Fresno; and (4) have not released your claims against the City. To obtain more information about the class action and whether you are a Class Member, please visit [www.cptgroupcaseinfo.com/DiscoloredWaterLawsuit](http://www.cptgroupcaseinfo.com/DiscoloredWaterLawsuit) to review a longer form of this Notice, the complaint and answer, and other key documents and information.

**What Are My Options?**

<b>YOUR LEGAL RIGHTS AND OPTIONS</b>	
<b>DO NOTHING</b>	<p><b>Stay in this lawsuit. Await the outcome. Give up your rights to sue.</b></p> <p>If you are a Class Member and you do nothing, you keep the possibility of getting money or benefits that may come from the lawsuit. But, you give up your right to sue the City of Fresno separately about the same legal claims in this lawsuit, and you will be bound by the Court’s decisions and by the final judgment, whether it is favorable or not. You will be represented by the law firms court-appointed to serve as Class Counsel representing the Class Members. However, at your option, you may also enter an appearance through your own lawyer. You may be asked to provide proof of class membership at a later time.</p>

**REQUEST TO EXCLUDE  
YOURSELF FROM THE  
CLASS BY FEBRUARY  
14, 2022.**

**Get out of this lawsuit. Get no benefits. Keep your right to sue.**

Excluding yourself means you **have decided not to participate in the lawsuit.** This is the only option that allows you to individually exercise any rights you currently may have regarding the claims or potential claims against the City that are at issue in this lawsuit. For more information and to obtain a Request for Exclusion Form, go to [www.cptgroupcaseinfo.com/DiscoloredWaterLawsuit](http://www.cptgroupcaseinfo.com/DiscoloredWaterLawsuit).

**The deadline to request exclusion is February 14, 2022.**

**How Can I Obtain More Information?**

This notice summarizes the lawsuit. You can view the Long Form Notice, Request for Exclusion Form, and certain other court documents and case information at [www.cptgroupcaseinfo.com/DiscoloredWaterLawsuit](http://www.cptgroupcaseinfo.com/DiscoloredWaterLawsuit). Please do not contact the City of Fresno or the Court about this lawsuit.