

September 23, 2014

In a court filing yesterday, Whirlpool outlined clear arguments why Mr. Ledbetter's 'objections' to the proposed class resolution are factually baseless, legally premature, and designed only to benefit Mr. Ledbetter himself. As we stated previously, Mr. Ledbetter's 'objections' are a self-serving attempt to prevent affected property owners in Fort Smith from having the opportunity to decide for themselves if they want to accept Whirlpool's substantial financial offer through the class resolution.

The proposed class settlement that Mr. Ledbetter seeks to derail includes the following key elements:

- Payment of the full amount of the property devaluations determined by the Sebastian Count Tax Assessor, OR
- If a resident disagrees with the Tax Assessor devaluation of their property, they can rely on an independent property value appraiser to determine the effect of the contamination on their property values.
- Class members outside this area to receive \$5,000, and possibly more in the future, if TCE is detected above threshold levels in groundwater beneath their property.
- Payment of court-approved attorneys' fees over and above compensation to the class, so that class members will not have to deduct attorneys' fees and costs from the compensation they receive.
- Whirlpool would receive a release of property damage claims as well as a deed restriction prohibiting wells and agreements allowing reasonable access to properties for purposes of remediation and monitoring efforts.
- Whirlpool would not require release of health claims.

Our full statement regarding Mr. Ledbetter's 'objections' and our full legal filing are available at [www.WhirlpoolFortSmith.com](http://www.WhirlpoolFortSmith.com).