

If you owned residential property located near the former USMR Smelter Site in the Southeast corner of Carteret, New Jersey at any time during the period January 30, 2017 through March 27, 2023, you may be eligible for a payment from a class action settlement.

Notice Of Proposed Class Action Settlement And Your Rights

A federal court authorized this notice.

This is not a solicitation from a lawyer.

- Your legal rights are affected whether you act or don't act. Read this notice carefully.
- The settlement will create a cash settlement fund that equals approximately \$42,000,000, which will be used to pay (i) cash payments to eligible property owners; (ii) Class Counsel's attorneys' fees and expenses; (iii) the Class Representative incentive awards; and (iv) settlement administration costs in excess of \$250,000 (if any).
- The settlement will pay eligible owners of residential real property identified in the area indicated on the attached map (the "Class Area") to settle claims related to alleged property damages allegedly caused by the historical operation of USMR Smelter Site in Carteret, New Jersey and/or the alleged failure to properly test and remediate any contaminants from that operation. The payments will be made in exchange for a release of claims against USMR and the other Defendants as more fully described at www.CarteretSmelterSettlement.com.
- If you own or owned residential property in the Class Area between January 30, 2017 and March 27, 2023, you are a class member. **Please see the map shown here or visit the website to determine if your property is covered by the settlement.**
- The settlement provides for a monetary payment to the owners of each eligible property. The exact amount of any final payment to the property owners will depend on the Court's award of attorneys' fees and expenses, the Court's award of class representative incentive awards, the costs of settlement administration, and the remaining amount (if any) from the Settling Individual Homeowners payments. The eligible property payment amount will be calculated by the

Settlement Administrator once all of these other costs are known. Individual class member payments will be time-weighted based on the duration of ownership during the period January 30, 2017 through March 27, 2023 (the Class Period). However, based on reasonable estimates of the above costs, the Settlement Class Counsel and Defendants estimate that each eligible property will entitle its owner(s) during the entire Class Period to payment(s) that when added together equal a total of approximately \$17,500 per eligible property.

- TO RECEIVE A PAYMENT, YOU MUST FILL OUT A CLAIM AND RELEASE FORM and demonstrate that you own or owned property covered by the settlement. The claim form is available online at www.CarteretSmelterSettlement.com, or you can call 1-844-798-0743 to request that a form be sent to you. You must return the claim and release form by **June 26, 2023**.
- If you do not wish to participate in or be bound by the settlement, you must exclude yourself by filing an "opt-out" or "exclusion" notice by **June 26, 2023**, or you will be barred from bringing any legal action that this settlement resolves. Details regarding how to opt-out or exclude yourself are available at www.CarteretSmelterSettlement.com. If you exclude yourself, you will not receive any payment under the settlement.
- The Court will hold a hearing in this case, *Juan Duarte, et al. v. United States Metals Refining Company, et al.*; Civil Action No. 2:17-cv-01624, on July 26, 2023 at 2 p.m. eastern time to consider whether to approve the settlement and class counsel's request for fees, costs, and expenses. You have the right to appear at this hearing personally or through counsel at your own expense, although you do not have to. For more information, or to request a more detailed notice, go to www.CarteretSmelterSettlement.com or call 1-844-798-0743.

