

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

IN RE: AQUEOUS FILM-FORMING FOAMS PRODUCTS LIABILITY LITIGATION	Master Docket No.: 2:18-mn-2873-RMG
CITY OF CAMDEN, et al., <p style="text-align: center;"><i>Plaintiffs,</i></p> -vs- TYCO FIRE PRODUCTS LP, individually and as successor in interest to The Ansul Company, and CHEMGUARD, INC., <p style="text-align: center;"><i>Defendants.</i></p>	Civil Action No.: 2:24-cv-02321-RMG
CITY OF CAMDEN, et al., <p style="text-align: center;"><i>Plaintiffs,</i></p> -vs- BASF CORPORATION, individually and as successor in interest to Ciba Inc., <p style="text-align: center;"><i>Defendant.</i></p>	Civil Action No.: 2:24-cv-03174-RMG

**ORDER GRANTING JOINT MOTION TO AMEND THE PRELIMINARILY APPROVED
TYCO AND BASF SETTLEMENT AGREEMENTS AND THE PRELIMINARY APPROVAL
ORDERS**

Before the Court is the Parties’ joint motion to amend the preliminarily approved settlement agreements and the preliminary approval orders (Dkt. No. 6351). The Parties seek to both clarify the process by which an Eligible Claimant that has elected to opt out may withdraw its Request for Exclusion and extend the deadline to do so to at any time on or before December 13, 2024. The

Parties have submitted joint guidance to this effect (Dkt. No. 6351). For good cause shown, the Court

GRANTS the Parties' motion.

The Parties' joint guidance is hereby adopted, the Settlement Agreements are amended as stated therein, and Section VII of the Court's June 13, 2024 and July 3, 2024 Preliminary Approval Orders (ECF Nos. 5147, 5253) is amended as follows (amendment in italics):

VIII. Stay and Injunction

All litigation in any forum brought by or on behalf of a Releasing Person and that asserts a Released Claim, and all Claims and proceedings therein, are hereby stayed as to the Released Persons, except as to proceedings that may be necessary to implement the Settlement. All Releasing Persons are enjoined from filing or prosecuting any Claim in any forum or jurisdiction (whether federal, state, or otherwise) against any of the Released Persons, and any such filings are stayed; provided, however, that after *December 13, 2024*, the stay and injunction shall not apply to any Person who has filed (and not withdrawn) a timely and valid Request for Exclusion. This Paragraph also shall not apply to any lawsuits brought by a State or the federal government in any forum or jurisdiction. The stay and injunction provisions of this Paragraph will remain in effect until the earlier of (i) the Effective Date, in which case such provisions shall be superseded by the provisions of the Order Granting Final Approval, and (ii) the termination of the Settlement Agreement in accordance with its terms. This Order is entered pursuant to the Court's Rule 23(e) findings set forth above, in aid of its jurisdiction over the members of the proposed Settlement Class and the settlement approval process under Rule 23(e). All statutes of limitations, statutes of repose, or other limitations period imposed by any

jurisdiction in the United States are tolled to the extent permitted by law with respect to each Released Party for any Claim of a Releasing Party that is subject to the stay and injunction provisions of this Paragraph from (i) May 20, 2024 until (ii) thirty (30) calendar days after the stay and injunction provisions cease to apply to such Claim under the terms of this Paragraph, after which the running of all applicable statutes of limitations, statutes of repose, or other limitations periods shall recommence. Nothing in the foregoing sentence shall affect any arguments or defenses existing as of the entry of this Order, including but not limited to any prior defenses based on the timeliness of the Claims such as defenses based on statutes of limitation and statutes of repose.

AND IT IS SO ORDERED.

Charleston, South Carolina, this 14th day of November, 2024.

s/Richard M. Gergel
Richard M. Gergel
UNITED STATES DISTRICT JUDGE