

6/3/22, 6:57 PM

Gmail - Re: Document Requests and Information



Donald Burdick [REDACTED]

Re: Document Requests and Information

1 message

Chase T. Brockstedt <chase@bmbde.com>

Fri, Apr 22, 2022 at 3:20 PM

To: Donald Burdick [REDACTED]

Cc: "attorney.general@delaware.gov" <attorney.general@delaware.gov>, [REDACTED], Gerald Bell [REDACTED]

Donald, please see below.

Chase T. Brockstedt
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1413 Savannah Road, Suite 1
Lewes, Delaware 19958
Tel. 302.645.2262
Fax. 302.644.0306

On Apr 22, 2022, at 1:19 PM, Donald Burdick [REDACTED] wrote:

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Chase,

1. In our Zoom meeting required by Judge Karsnitz and in multiple letters from you, class members were repeatedly told remediation would be part of the lawsuits. In which document would I find that corrective demand? Please provide me with a copy.

The Consent Decree can be found online.

2. In our previous correspondence I asked you whom you told within the government about the additional environmental crimes you discovered, and asked for a copy of that correspondence. Your reply was "DNREC" without providing me with a copy of the correspondence. That is not an adequate response. Please provide me with all correspondence regarding those crimes and the names of the individuals you alerted.

I have no additional information beyond my last response.

3. In Exhibit A of the lawsuit (as opposed to the settlement Exhibit A), parcel 234-21.00-151.03 [REDACTED] was included. That parcel is also found in an advertisement sent to prospective class members, identified as "Areas currently known to be affected by Mountaire's Pollution". That parcel was not identified in the Notice of Violation. In that discovery was not yet granted, I do not understand how you would have known that polluting took place. I would like a copy of any documents or correspondence or a summary of communications you had with anyone regarding that polluting. I would like that information to include the names of the individuals who told you and the dates the information was shared with you.

The allegations in the complaint and the map you referenced were based on our understanding and belief at the time we filed the complaint. Behind that, I have no additional information.

4. There is a map found on the settlement website that indicates a small area in which DNREC was required to provide water to citizens. That map was part of the final consent decree. The determination as to who should get water was done with assistance from the federal government. Were federal government employees made aware of the contamination in the additional areas including Inland Bays Regional Wastewater Facility and on parcel 234-21.00-151.03?

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I do not know and our team was not made privy to what, if any, information was provided to federal employees beyond the court filings.

5. I would like a copy of the final consent decree between DNREC and Mountaire Farms.

It is online.

6. In an earlier email with you I requested a copy of the four reports written by Dr. Cohen for you. You told me I could not have a copy because of a myriad of non-disclosure agreements you have with Mountaire. I do not understand why a non-disclosure agreement between you and Mountaire would preclude you from providing me those documents given he is your expert witness and the documents were provided to you by him. I would like a copy of those four reports.

We cannot produce the reports due to the confidentiality orders and NDA's.

7. In Item 6.a.vi of Dr. Cohen's affidavits he states, "While the calculated flow paths do extend westward to Cow Bridge Branch, the area of groundwater concern was not extended in that direction." Is there a reason those homes were not included? That community is also on well water.

The area of contamination was the area that could be supported by expert opinion. Our experts could not find that those properties outside of the area of contamination were impacted by Mountaire's practices. This determination came down to expert determination.

8. Finally, citizens keep asking me when we can expect compensation. Do you know how much longer we will have to wait? It has been nearly five years since Mountaire contaminated our water and citizens are still sick and dying. I myself have been putting off surgeries and have been providing whole-home water treatment systems, reverse osmosis machines, shower filters, medicine, probiotics, and water test kits to affected people because I could no longer tolerate seeing so many people in agony. I am nearly out of financial resources for even my own bills without dipping into my retirement funds and taking a huge tax liability.

I have forward this request to Irma Raker and Mike Lee.

8.

Please do not transfer this to Judge Raker and Mike. They, nor RG/2, have responded to any of my emails or phone calls.

Please reply-all to this email.

Thank you,

Don