

Class Definition – “John Johnson”

The Flight 1 Plaintiffs, in whose favor this Judgment for damages is entered, are members of a certified Class that was defined by this Court on September 15, 1999, as follows:

All persons who are a member of at least one of the following 4 groups, and who, as a direct result and consequence of living or working on, and/or owning property on the Site, have at least one of the following claims: loss of value to their property and/or to their businesses, mental and emotional distress, fear of contraction of cancer and other diseases, medical monitoring for early detection of certain diseases or illnesses, relocation, and/or any other economic loss.¹

1. Current and former residents who have lived on the site of the former landfill, as defined as the area bounded on the north by Higgins Blvd., on the east by Louisa Street, on the south by Florida Avenue and on the west by Almonaster Avenue and the Peoples Avenue Canal, for at least twelve months prior to February 1, 1994.
2. Current and former business owners and their employees who have operated a business on the former landfill site, as described above, for at least twelve months prior to February 1, 1994.
3. Current residents who are the owners of record of their homes, or who are buying their homes but have not yet completed their payments.
4. Former students and employees of Moton Elementary School who attended or worked at the school on the site of the former landfill for at least twelve months or one full school year prior to February 1, 1994.

¹ The Court notes that on November 10, 2004, the Court granted, in part, the Defendants’ motions for summary judgment on the issue of the Plaintiffs’ claims for medical monitoring. Those claims, therefore, were dismissed in the Judgment signed on November 24, 2004. There was no appeal from this ruling; the Judgment is final.