



M&C Fwd: Status Report on PFAS Litigation

1 message

Speaker's Office <speaker@guamlegislature.org>  
To: Clerks Office <clerks@guamlegislature.org>  
Cc: Rennae Meno <rennae@guamlegislature.org>  
Bcc: Tina Muna Barnes <tinamunabarnes@gmail.com>

Fri, Dec 20, 2019 at 5:16 PM

12-20-19	5:05 PM	12-20-19	Status Report on PFAS Litigation	Office of Attorney General	35GL-19-1348
----------	---------	----------	----------------------------------	----------------------------	--------------



Sinserru yan Minagâhet,

Office of the Speaker • Tina Rose Muña Barnes  
Committee on Public Accountability, Human Resources & the Guam Buildup  
35th Guam Legislature  
I Mina'trental Singko na Liheslaturan Guåhan  
Guam Congress Building | 163 Chalan Santo Papa | Hagatna, GU 96910  
T: (671) 477-2520/1  
speaker@guamlegislature.org

Speaker Tina Rose Muña Barnes

DEC 18 2019  
Time 5:19 ( ) AM / PM  
Received By: *[Signature]*

This e-mail message is intended only for the use of the individual or entity named above and may contain confidential and privileged information. If you are not the intended recipient, any disclosure, copying, distribution or use of the information contained in this transmission is strictly PROHIBITED. If you have received this transmission in error, please immediately notify us by replying to speaker@guamlegislature.org and delete the message immediately. Thank you very much.

Guñai pribilehu yan konfendensia este siha na mensáhi. Solo espesíamente para hágu ma entensioña pat ma aturisa para unrisibi. Sen prubidu kurnu ti un ma aturisa para manzibisa, na'etsebe, pat mandespátcha. Yanggen lachi rinisibu-mu nu este na mensáhi , pur fabot ago' guatu gi I num'huyong gi as speaker@guamlegislature.org yan despues destrosa todú siha I kopian mensáhi. Si Yu'os ma'áse'.

----- Forwarded message -----

From: OAG General Counsel <generalcounsel@oagguam.org>  
Date: Fri, Dec 20, 2019 at 5:05 PM  
Subject: Status Report on PFAS Litigation  
To: <governor@guam.gov>, Speaker Tina Muna Barnes <Speaker@guamlegislature.org>  
Cc: AG Law <law@guamag.org>, Senator Therese M. Terlaje <senatorterlajeguam@gmail.com>, <chaig.huynh@guam.gov>, <sophia.diaz@guam.gov>, <chirag.speakertmb@gmail.com>

Hafa Adai Governor Leon Guerrero and Speaker Muna Barnes,

Our office has issued a second status report on the ongoing PFAS litigation. Please see attached letter from Attorney General Camacho transmitting a copy of this report.

Si Yu'os ma'áse',

Division of General Counsel  
Stephanie Mendiola, General Counsel  
Nicole Borja, Assistant to the General Counsel  
Ufisinan Hinirat Ahugao (Office of the Attorney General)  
590 S. Marine Corps Drive, Suite 901  
Tamuning, GU 96913  
Tel: (671) 475-3324 ext. 5335  
Fax: (671) 477-4703  
generalcounsel@oagguam.com

CONFIDENTIALITY NOTICE: This email and any files transmitted with it may be legally privileged and confidential and are intended solely for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any review, dissemination or copying of this email, or taking any action in reliance on the contents of this information is strictly prohibited. If you received this transmission in error, please notify us immediately by e-mail or telephone to arrange for the return of this email and any files to us or to verify it has been deleted from your system.

2019.12.20\_Ltr to Gov, Speaker\_PFAS Status Report 2.pdf  
459K

2019 DEC 20 PM 5:21

*[Signature]*

1348



## Office of the Attorney General of Guam

590 S. Marine Corps Drive, Suite 901 ♦ Tamuning, GU 96913  
671.475.3324 extension 5015 ♦ Fax 671.477-4703 ♦ Email [law@guamag.org](mailto:law@guamag.org)

**Hon. Leevin Taitano Camacho**  
Attorney General of Guam

December 20, 2019

**VIA EMAIL**

**The Honorable Lourdes A. Leon Guerrero**

I Maga'hågan Guåhan  
513 West Marine Corps Drive  
Ricardo J. Bordallo Complex  
Hagåtña, Guam 96910  
*governor@guam.gov*

**The Honorable Tina Muña Barnes**

Speaker, I Mina'trentai Singko na Liheslaturan Guåhan  
Guam Congress Building  
163 Chalan Santo Papa  
Hagåtña, Guam 96910  
*speaker@guamlegislature.org*

**RE: Status Report on Litigation Pursuant to the Prutehi I Hanom Act of 2019**

Håfa Adai Governor Leon Guerrero and Speaker Muña Barnes,

The Office of the Attorney General has issued its second status report regarding litigation pursuant to the Public Law 35-25, the Prutehi I Hanom Act of 2019. A copy of the report is attached for your information and may also be found on our website at [www.oaggum.org](http://www.oaggum.org).

Sinsramente,

**LEEVIN TAITANO CAMACHO**  
Attorney General

cc: Hon. Therese Terlaje, Chairperson, Committee on Justice



# Office of the Attorney General of Guam

590 S. Marine Corps Drive, Suite 901, Tamuning, GU 96913

◆ Phone: 671.475.3324 Ext 5015 ◆ Fax: 671.477.4703 ◆ Email: law@guamag.org

**Hon. Leevin Taitano Camacho**  
Attorney General of Guam

December 20, 2019

**Status report re: litigation pursuant to the Protehi I Hanom Act of 2019  
PFAS Litigation Superior Court CV1080-19, District Court 19-CV-00144, Multi-District Litigation #2873**

I. The PFAS Litigation has moved to the Multidistrict Litigation court in the District Court of South Carolina.

The Office of the Attorney General filed its Complaint (CV7080-19) in the Superior Court of Guam against The 3M Company, Tyco Fire Products LP, Chemguard Inc., Buckeye Fire Equipment Company, Kidde-Fenwal Inc., National Foam Inc., E.I. Du Point De Nemours and Co., and The Chemours Company. On November 4, 2019, the defendants filed a Notice of Removal with the Superior Court, starting the process of transferring the case to the United States District Court in South Carolina, which is handling the Multidistrict Litigation (MDL) for cases involving the use of aqueous film-forming foams (AFFFs). The purpose of the MDL is to have a single court handle the pretrial and discovery phases of cases from across the country. Guam's case was formally moved to the MDL on November 15, 2019.

II. Guam was represented at the MDL hearing where parties from both sides of the AFFF litigation presented information regarding the science relating to their claims and defenses.

Judge Gergel, who is presiding over the MDL, held a hearing on October 4, 2019, where he heard from experts called by both sides. The court asked the experts questions involving a wide range of topics such as adverse health effects of PFOS and PFOA and the scope of contamination throughout the United States.

III. The parties will exchange information relevant to Guam's claims.

The case is currently in the discovery phase, which means the parties are exchanging documents and information relevant to their claims.

/s/

**LEEVIN TAITANO CAMACHO**