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## **COHEN MILSTEIN AND SUSMAN GODFREY APPOINTED AS INTERIM CO-LEAD COUNSEL IN GENX WATER CONTAMINATION CASE**

*Cohen Milstein's Ted Leopold and Susman Godfrey's Steve Morrissey To  
Oversee Class Action Litigation Against Two Multinational Chemical  
Companies - Dupont & Chemours - Accused Of Dumping Toxic Chemicals Into  
North Carolina's Water Supply*

**WILMINGTON, N.C.** – Cohen Milstein Sellers & Toll and Susman Godfrey LLP announced today that the firms have been selected as interim Co-Lead Class Counsel for a class action lawsuit brought against DuPont (NYSE: DD) and its wholly-owned subsidiary, the Chemours Company (NYSE: CC), on behalf of thousands of North Carolinians who have been harmed by exposure to toxic chemicals like GenX and other poisonous substances from the state's water supply.

Judge James C. Dever of the United States District Court for the Eastern District of North Carolina has appointed Cohen Milstein's Ted Leopold and Steve Morrissey of Susman Godfrey as Interim Co-Lead Counsel for a class action lawsuit filed in federal court in October 2017. The decision creates an Executive Committee for the putative class, with two master consolidated complaints to be filed no later than January 31, 2018.

“For decades, Dupont and Chemours have disregarded the lives and health of hundreds of thousands of North Carolinians by contaminating their drinking water,” said **Ted Leopold, Chair of the Catastrophic Injury & Defective Products Practice and Co-Chair of the Consumer Protection Practice at Cohen Milstein Sellers & Toll**. “We look forward to getting justice for the families who have been harmed by these companies' irresponsible acts, and we are pleased with the Court's ruling selecting Cohen Milstein and Susman Godfrey as Interim Co-Lead Counsel.”

Leopold is also co-lead counsel in a class action brought by Flint, MI residents against Gov. Rick Snyder, 17 local government officials, the City of Flint and a group of engineering companies over the now-infamous contamination of the Flint water supply.

“By discharging GenX and other toxic chemicals into the Cape Fear River, DuPont and Chemours have shown a complete disregard for the lives, health, and property values of North Carolina residents who depend on the river for their drinking water,” said **Steve Morrissey, Partner at Susman Godfrey and Interim Co-Lead Counsel for the plaintiffs.** “We recognize that this is a very important case for the people of this State, and we are honored that the Court has appointed me and Susman Godfrey as Interim Co-Lead Counsel to pursue justice from the defendants.”

Since 1980, DuPont and Chemours have been dumping toxic waste from its 2,000-acre Fayetteville Works plant, including byproducts of C8, GenX and Nafion, into the Cape Fear River which supplies drinking water to five North Carolina counties with a combined population of over 750,000. According to the U.S. Centers for Disease Control and Prevention, the affected counties -- New Hanover, Bladen, Brunswick, Cumberland and Pender -- have the highest concentration of liver disease in the United States. The North Carolina Department of Health and Human Services says the rates of liver, pancreatic, testicular and kidney cancers are higher in the five counties than anywhere else in the state, and DuPont’s own testing has shown that these chemicals can cause liver, pancreatic, testicular and kidney cancer, liver disease, fetal and birth defects.

Despite conducting multiple internal tests that confirmed the toxicity of GenX, DuPont dismissed its own findings, continued the dumping and never disclosed the existence of the toxic waste or the related test results to residents or local utility companies. The class action lawsuit asserts that DuPont “failed to tell the EPA that it had been discharging GenX for decades without meeting regulatory waste standards.” As detailed in the lawsuit, the company even represented to the U.S. Environmental Protection Agency that GenX was sent to an off-site incinerator, a claim later proven to be false.

Chemours admitted publicly to discharging GenX in the North Carolina public water supply in June 2017, after a team of researchers from the North Carolina State University detected the chemical downriver from the Fayetteville Works plant. In September 2017, the North Carolina Division of Water Resources sought to suspend Chemours’ National Pollutant Discharge Elimination System (NPDES) permit, citing the company’s years-long misrepresentation and failure to disclose the dumping of GenX and Nafion byproducts.

The toxic dumping has not only polluted more than 100 miles of the river but also caused extensive damage to thousands of miles of municipal and residential piping. Chemicals like GenX and Nafion are nearly impossible to eradicate from the water supply once contamination has occurred. They are known to bond with pipes, microbes, plants, animals and sediments and water authorities are not able to filter out the chemicals. To mitigate risks, extensive water filtration is needed at the municipal and residential levels, with removal and replacement of plumbing and appliances inside the home considered the safest and most effective option, potentially costing thousands of dollars for each home.

The class action lawsuit will seek injunctive relief and monetary damages for repairs of private property and medical monitoring to provide health care and other appropriate services for residents in New Hanover, Bladen, Brunswick, Cumberland and Pender counties who have been or are currently exposed to the contaminated water.

**About Cohen Milstein**

Founded in 1969, Cohen Milstein Sellers & Toll PLLC is a national leader in plaintiff class action lawsuits and litigation. As one of the premier firms in the country handling major complex cases, Cohen Milstein, with 90 attorneys, has offices in Washington, D.C., Chicago, New York City, Philadelphia, Palm Beach Gardens, Fla., Denver, Colo., and Raleigh, N.C. For more information, visit <http://www.cohenmilstein.com> or call (561) 515-1400.

**About Susman Godfrey**

For more than forty years, Susman Godfrey LLP has focused its nationally recognized practice on just one thing: high-stakes commercial litigation. We are one of the nation's leading litigation boutique law firms with offices in Houston, Seattle, Los Angeles and New York. We have a unique perspective, the will to win, and an uncommon structure, which taken together provide the way to win. For more information, visit <http://www.susmangodfrey.com> or call 206-373-7380.

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