

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

IN RE: AQUEOUS FILM-FORMING FOAMS ) Master Docket No.:  
PRODUCTS LIABILITY LITIGATION ) 2:18-mn-2873-RMG

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CITY OF CAMDEN, et al., )

*Plaintiffs,* )

v. )

3M COMPANY, )

*Defendant.* )

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) Civil Action No.:  
) 2:23-cv-03147-RMG

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**ORDER GRANTING JOINT MOTION TO AMEND  
THE PRELIMINARILY APPROVED 3M SETTLEMENT AGREEMENT AND THE  
PRELIMINARY APPROVAL ORDER**

Before the Court is the Parties’ joint motion to amend the preliminarily approved settlement agreement and the preliminary approval order (Dkt. No. 4561). The Parties seek to extend the deadline by which an Eligible Claimant that has elected to opt out may withdraw its Request for Exclusion to March 15, 2024. For good cause shown, the Court GRANTS the Parties’ motion.

Paragraph 8.5 of the Settlement Agreement is amended as follows (amendment in italics):

**Opt Outs.** Any Eligible Claimant that wishes to opt out of the Settlement must serve a written, signed “Opt Out” statement designated “Request for Exclusion” on the Notice Administrator, the Special Master, the Claims Administrator, 3M’s Counsel, and Class Counsel in accordance with Paragraph 13.15. Any Request for Exclusion must be properly served by the deadline imposed by the Court. In seeking Preliminary Approval of this Settlement Agreement, the Class Representatives will ask the Court to set that deadline ninety (90) calendar days after the date the Notice is mailed. Any Eligible Claimant that has elected to opt out may withdraw its Request for Exclusion at any time on or before *March 15, 2024* and thereby accept all terms of this Settlement Agreement, including its Dismissal provisions.

Section VIII of the Court's August 29, 2023 Preliminary Approval Order (C.A. 2:23-cv-03147-RMG, Dkt. No. 65) is amended as follows (amendment in italics):

**VIII. Stay and Injunction**

Pursuant to the Court's inherent authority to control its own docket and its powers under the All Writs Act, 28 U.S.C. § 1651, (a) all litigation in any forum or jurisdiction (whether federal, state, or otherwise) brought by or on behalf of any Eligible Claimant or Releasing Party and that asserts a Released Claim, and all Claims and proceedings therein, are hereby STAYED as to any Released Party, except as to proceedings that may be necessary to implement the Settlement, to remove an action to federal court, or to obtain transfer by the Judicial Panel on Multidistrict Litigation; and (b) all Eligible Claimants and Releasing Parties are ENJOINED from filing or prosecuting any litigation that asserts a Released Claim in any forum or jurisdiction (whether federal, state, or otherwise) against any of the Released Parties, provided however, that, after *March 15, 2024*, the stay and injunction shall not apply to any Person who has filed (and not withdrawn) a timely and valid Request for Exclusion and that the stay and injunction shall not apply to litigation brought by a State or the federal government. The foregoing stay and injunction shall remain in effect until the earlier of (a) the Effective Date, in which case such provisions shall be superseded by the provisions of the Order Granting Final Approval, or (b) the termination of the Settlement Agreement in accordance with its terms.

**AND IT IS SO ORDERED.**

Charleston, South Carolina, this 29th day of February, 2024.

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