

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

ALBERT L. GRAY, Administrator, et al.
Plaintiffs

VS.

JEFFREY DERDERIAN, et al.
Defendants

C.A. No. 04-312L

**NOTICE OF SETTLEMENT -
POLYURETHANE FOAM MANUFACTURERS**

Counsel for the Gray Plaintiffs¹, and counsel for the defendants alleged to have manufactured, sold and/or distributed polyurethane foam to defendant American Foam Corporation, and/or their alleged successors, wish to advise the Court that a settlement in principle has been reached for consideration of 30 Million (\$30,000,000.00) Dollars. Payment of this sum constitutes an agreement by all undersigned parties that all claims among or between them are resolved by this settlement.

Plaintiffs' counsel in all pending Station Fire Cases² have agreed to this settlement of claims against these defendants, which settlement is expressly subject to:

¹ All Plaintiffs represented by counsel in Gray, et al. v. Derderian, et al., C.A. No. 04-312L and Napolitano, et al. v. Derderian, et al., C.A. No. 06-080L as indicated by the signatures of counsel.

² All Station Fire Plaintiffs in the cases of Gray, et al. v. Derderian, et al., C.A. No. 04-312L; Napolitano, et al. v. Derderian, et al., C.A. No. 06-80L; Passa, et al. v. Derderian, et al., C.A. No. 03148L; Kingsley, et al v. Derderian, et al., C.A. No. 03-208L; Guindon, et al., v. American Foam Corp., et al., C.A. No. 03-335L and Guindon, et al. v. Derderian, et al., C.A. 07-366; Henault, et al. v. American Foam Corp., et al., C.A. No. 03-483L; Roderiques, et al. v. American Foam Corp., et al., C.A. No. 04-026L; Sweet, et al. v. American Foam Corp., et al., C.A. No. 04-056L; Paskowski, et al. v. Derderian, et al., C.A. No. 05-002L; Kolasa v. American Foam Corp., et al., C.A. No. 05-070L; Long v. American Foam Corporation, C.A. No. 06047L; Malaquino v. American Foam Corp., et al., C.A. No. 06-002L; and Gonsalves v. Derderian, et. al., C.A. No. 06-076L.

(1) approval of all Plaintiffs; (2) execution of mutually acceptable release and indemnity agreements by all Plaintiffs and Defendants, which shall include mutually satisfactory release and indemnification provisions; (3) approval of this settlement by the Court; (4) approval by this Court of the allocation plan being developed by the Special Master; and (5) successful defense of any challenge to the constitutionality of the Rhode Island Uniform Contribution Among Tortfeasors Act (R.I.G.L. § 10-6-1, et. seq.), as amended. In addition, once these conditions are met, defendants shall have ninety (90) days in which to provide the funds for this settlement.

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Certification

I hereby certify that an exact copy of the within document was electronically mailed to the Electronic Case Filing system of the United States District Court for its distribution to all counsel of record and a copy was electronically mailed to *pro se* defendants on the ____ day of May 2008.

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