

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

ALBERT L. GRAY, Administrator, et al., :  
Plaintiffs, :  
 :  
vs. : C.A. No. 04-312L  
 :  
JEFFREY DERDERIAN, et al., :  
Defendants. :

NOTICE OF SETTLEMENT  
AMERICAN FOAM CORPORATION, BARRY WARNER, JO-ANN DERMANEOLIAN,  
EVERETT MARABIAN AND PAUL PLOURDE

Counsel for the Gray Plaintiffs<sup>1</sup> and counsel for Defendants American Foam Corporation, Barry Warner, Co-Executrix Jo-Ann DerManouelian, Co-Executrix Everett Marabian and Co-Executor Paul Plourde on behalf of the Estate of Aram DerManouelian wish to advise the Court that a settlement in principle has been reached for consideration of 6.3 Million (\$6,300,000.00) 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 Cases<sup>2</sup> have agreed to this settlement of claims against these defendants, which settlement is expressly subject to: (1) approval of all Plaintiffs; (2) execution of mutually acceptable release and indemnity agreements by all Plaintiffs which shall include

<sup>1</sup> 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.

<sup>2</sup> 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. 06-080L; Passa, et al. v. Derderian, et al., C.A. No. 03-148L; 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. No. 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. 06-047L; Malagrino v. American Foam Corp., et al., C.A. No. 06-002L; and Gonsalves v. Derderian, et al., C.A. No. 06-076L.

satisfactory release and indemnification language preserving Plaintiffs' claims against, and protecting the settling defendants against cross claims from, the non-settling defendants; (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 to any challenge to the constitutionality of the Rhode Island Contribution Among Joint Tortfeasors Act (R.I.G.L. § 10-6-2, et seq.), as amended.

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**CERTIFICATION**

I hereby certify that an exact copy of the within document was electronically submitted 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* defendant on this 26<sup>th</sup> day of June, 2008.

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