

## **Settlement Reached in Lawsuit about Tree Damage Caused by the Weed-Killer Imprelis®**

PHILADELPHIA, April 8, 2013 /PRNewswire/ -- A settlement has been reached in a lawsuit with the manufacturer of the weed-killer Imprelis®. The lawsuit claims that Imprelis® killed and damaged trees and other non-target vegetation.

Imprelis® was used by lawn care professionals on residential and commercial properties, as well as by golf courses, between August 31, 2010 and August 21, 2011, across the country--except California and New York.

*Settlement Counsel for the Classes, Robert S. Kitchenoff, says "this settlement will provide substantial benefits for property owners whose trees were damaged as a result of Imprelis®, including additional benefits for persons who have already accepted benefits in the manufacturer's settlement program."*

There are three classes of consumers and businesses who benefit from the settlement. Eligible class members are included even if they previously submitted and/or accepted a claim through the manufacturer's Imprelis® Claims Resolution Process.

### ***Class 1 - Property Owners***

- This class includes those who own property where Imprelis® was directly applied, as well as adjacent property owners. Adjacent property owners must have Imprelis® damage as of **February 11, 2013**.
- Class 1 benefits include: tree removal, cash payments for tree replacement and care, and a limited warranty for any future Imprelis® tree damage.
- Class 1 members do not give up any rights relating to future environmental damage or any claims for personal injury.

### ***Class 2 - Lawn Care Professionals***

- This class includes lawn care professionals who applied Imprelis® to property owned by another person or entity as part of their normal business.
- Class 2 benefits include: reimbursement for time and expenses incurred assessing Imprelis® damage on customers' properties prior to September 6, 2011, refunds for the return of any unused Imprelis®, and compensation for assisting customers with the Settlement Claims Process, if approved.

### ***Class 3 - Golf Courses and Other Self-Applicators***

- This class includes golf courses and other self-applicators who applied Imprelis® on property that they own or owned.
- In addition to all of the benefits available to Class 1 members, Class 3 benefits also include: reimbursement up to \$2,000 for time and expenses incurred assessing Imprelis® damage, as well as refunds for the return of any unused Imprelis®.
- Class 3 members do not give up any rights relating to future environmental damage or any claims for personal injury.

Consumers and businesses that stay in the Settlement will be bound by all Court's orders. They may, however, object to or comment on the settlement in writing by **August 21, 2013**.

Consumers and businesses that wish to keep the right to sue the manufacturer for Imprelis® damage (other than future environmental or personal injury claims) must request to be excluded from the class, in writing, by **June 28, 2013**. They will not get the benefits from the settlement.

The Court will hold a hearing on **September 27, 2013** to consider whether to approve the settlement, along with a request for attorneys' fees and expenses of up to \$7 million.

Additional information about the settlement can be found at [www.TreeDamageSettlement.com](http://www.TreeDamageSettlement.com). There, you can see photos of the damage caused by Imprelis<sup>®</sup> and additional details on how to get benefits from the settlement. More information can also be obtained by calling 1-866-802-8112.

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