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**West Virginia Water Contamination Settlement**

**Sworn Statement from Employer**

In order to qualify for a Wage Earner Claim, the Claimant must show:

- He/she was employed by an employer that was provided tap water service from West Virginia American's Kanawha Valley Water Treatment Plant ("KVTP") on January 9, 2014 and was Shut Down or Partially Shut Down, AND
- He/she was employed as an hourly employee on January 9, 2014 at that location and lost wages because he/she was not able to work as a result of the Shut Down or Partial Shut Down.

Please see Definitions of terms provided below before completing this form.

If you have questions about this form, contact the Settlement Administrator for assistance by calling 1-855-829-8121 or submit a question at [www.wvwaterclaims.com](http://www.wvwaterclaims.com)

**Part 1: To be completed by the Claimant:**

Claimant's Name: \_\_\_\_\_

Last 4 Digits of Claimant's SSN: \_\_\_\_\_

**Part 2: To be completed by the Claimant's Employer/Supervisor**

Employer Name: \_\_\_\_\_

Employer Address: \_\_\_\_\_

\_\_\_\_\_

Your Name: \_\_\_\_\_

Your Position/Title on January 9, 2014: \_\_\_\_\_

Your Current Position/Title: \_\_\_\_\_

Your Current Address: \_\_\_\_\_

\_\_\_\_\_

Your Current Phone Number: \_\_\_\_\_

Check here to confirm that (i) the Claimant listed above was an hourly employee of the employer listed above on January 9, 2014 and (ii) the Claimant was prevented from working during hours Claimant had been scheduled to work because of the Shut Down or Partial Shut Down.

Check here if the location of the Claimant's work is the same as the employer address above.

If the address is different, please provide the address of the Claimant's work location:

\_\_\_\_\_

Check here if you know the regular hourly wages of the Claimant as of January 9, 2014 and provide the following information:

Claimant's Hourly Rate as of January 9, 2014: \_\_\_\_\_

Check here if the Business was Partially Shut Down and the Claimant was scheduled to work in the portion of the Business that was Partially Shut Down.

Check here if you are confirming that the Business was Shut Down or Partially Shut Down and state the circumstances/reasons for that Shut Down or Partial Shut Down below.

\_\_\_\_\_

**By signing this Form, I hereby certify under penalty of perjury that the foregoing is true and correct.**

\_\_\_\_\_  
**Signature and Title**

\_\_\_\_\_  
**Date**

## DEFINITIONS

“Business” means a Commercial Business, non-profit entity or Governmental Entity.

“Commercial Business” means a Business that is not a non-profit entity or a Governmental Entity.

“Defendants” means West Virginia-American Water Company (“West Virginia American”), American Water Works Company, Inc., American Water Works Service Company, Inc. and Eastman Chemical Company.

“Partially Shut Down” or “Partial Shut Down” means a Business that was Shut Down only with respect to certain activities conducted by the Business while other business activities continued (e.g., food service operations within a larger retail store). A separate Business that operates at the same location as another Business and meets the definition of Shut Down is considered to be Shut Down and not Partially Shut Down even if other separate Businesses operating in the same location were not Shut Down.

“Shut Down” means that the Business was (i) conducted at a location where the Business making the Business Claim possessed a West Virginia Business Registration Certificate for the location that is the subject of the Business Claim and (ii) with respect to that location, was subject to a regulation requiring it to cease operations, or a direct order or instruction from a regulatory agency to cease the operations regulated by that regulatory agency, during the Do Not Use Period as a result of the Freedom Chemical Spill. A separate Business that operates at the same location as another Business and meets the definition of Shut Down is considered to have been Shut Down even if other separate Businesses operating in the same location were not Shut Down; however, an individual who leases space from a Business that was Shut Down but who does not have any ownership interest in the Business that was Shut Down does not meet the definition of Shut Down under the Amended Settlement Agreement. A voluntary decision to cease or reduce operations does not meet the definition of Shut Down.

“Wage Earner” means a worker compensated on an hourly basis who worked for a Business that was Shut Down or Partially Shut Down.

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