

Dempkowski, Angela (Treasury)

From: Workman, Wayne (TREASURY)
Sent: Wednesday, December 02, 2015 3:55 PM
To: Headen, Frederick (Treasury); Schafer, Suzanne K. (Treasury)
Subject: RE: Flint Litigation Summaries, 12-2-15

Thank you Fred

Wayne L. Workman
Deputy State Treasurer
Michigan Department of Treasury

From: Headen, Frederick (Treasury)
Sent: Wednesday, December 02, 2015 3:49 PM
To: Workman, Wayne (TREASURY) <WorkmanW@michigan.gov>; Schafer, Suzanne K. (Treasury) <SchaferS7@michigan.gov>
Subject: Flint Litigation Summaries, 12-2-15

The following information is per your request:

Mays, et al v Governor, et al. This complaint was filed in United States District Court (Eastern District) as a class action and seeks equitable remedial relief and monetary (compensatory and punitive) damages. The claim is that named State officials, City of Flint officials, and former Emergency Managers violated the rights of plaintiffs afforded by the Due Process Clause of the Fourteenth Amendment by deciding to utilize the Flint River as the water source for City residents, thereby exposing them to lead and other toxins.

Status: Filed on November 13, 2015.

Natural Resources Defense Council, et al v Governor, State Treasurer, Flint RTAB, et al. The claim of this Notice of Intent to Sue in United States District Court is that named State and City officials are in continuing violation of federal Safe Drinking Water Act requirements (lead and copper rules) for having failed to monitor and control lead levels in the City's drinking water and for having failed to assist certain Michigan schools with testing and remediation.

Status: Not yet filed. Notice of Intent to Sue served to putative defendants on November 16, 2015.

Vandegrift, Drew (TREASURY)

From: Vandegrift, Drew (TREASURY)
Sent: Thursday, December 03, 2015 8:41 AM
To: Schafer, Suzanne K. (Treasury)
Subject: RE: PA 436

Good Morning Suzanne,

I doubt very much that Treasury is involved in these bills. I note that among the Democratic sponsors of both bills is Phil Phelps, who has historically been very critical of PA 436, and who recently filed a lawsuit against the state related to the Flint water matter. The bills are summarized below:

HB- 5089 This amendment to Section 21 of the Act would permit city councils to reverse EM Orders immediately following an EM's exit. Such an amendment would have troubling consequences for RTAB administration (final orders could be reversed), collective bargaining agreement negotiations, and for existing 12(1)(k) retiree healthcare modifications.

HB- 5100 This amendment to Section 23 of the Act would discourage appointment of former EMs to RTAB boards because they would not be able to vote. Because Joyce Parker, and Lou Schimmel have resigned from their respective RTABs, and because we are not seeking to appoint EM Coulter to the LP RTAB, this amendment would have zero effect on our Bureau's operations. The school districts might be a different story though.

Let me know if I can help further.

Kindly,
Drew

From: Schafer, Suzanne K. (Treasury)
Sent: Thursday, December 03, 2015 7:52 AM
To: Vandegrift, Drew (TREASURY)
Subject: PA 436

Drew,

Are you aware of HP 5089 & 5100? Have we been asked to weigh in or do you know if Treasury is behind the bills?

Thanks,

Suzanne