

QUICK v. SHELL SETTLEMENT

Frequently Asked Questions

This document reviews frequently asked questions regarding the class action settlement with Shell Oil Company involving Shell's 1988 pipeline spill in Limestone Township. The document is intended to supplement the notice of class action and the actual settlement agreement, both of which are also posted on this website. If you have a question that is not answered in this document, please review the notice and settlement agreement to see if those documents provide an answer.

* What are the benefits of participating in the settlement?

It would probably cost several million dollars for an individual to go to trial against Shell regarding the pipeline spill. The likely relief to any individual would be far less than the expense of trying the case. By participating in the settlement, you will be compensated without waiting for a lengthy and expensive trial that you might lose.

* Will it cost me any money if I file a claim?

No.

* When do you think we will receive any money?

The settlement first has to be approved, which is scheduled for February 28th. The Administrator will start evaluating claims once the time for appeal has expired. The time for appeals will expire 30 days after the final hearing. Within 14 days after the appeal time has lapsed, the money will be deposited and available to be disbursed by the Administrator.

* What if I own the property but there are currently renters living there?

The answer varies depending upon whether you're in the Outer Area or Core Area. Within the Outer Area, only current property owners may have claims. Within the Core Area, both property owners and renters may have claims. Each should submit separate claims. The Administrator will evaluate the claims.

* What is the basic difference between the Core Area and the Outer Area?

MTBE has never been detected in the Outer Area during the nineteen years since the pipeline spill, but it has been detected in the Core Area. Although it is unlikely that MTBE will ever be detected in the Outer Area, the settlement provides money for testing in the Area, for compensating current property owners for the inconvenience of having their water tested, and for providing potable water if MTBE should be detected.

It is important to understand that MTBE is a unique “marker” of the 1988 pipeline spill. Some wells in the Outer Area, or for that matter in any area of the country, may have low level detections of gasoline that may have come from other sources. Only if MTBE is detected, however, is it possible to link the detection with the 1988 spill.

* What if I don’t have receipts for water bills, etc?

Please document the claim as well as you are able by submitting any documentation that you have. The Administrator will evaluate each claim based upon all information provided. It is important that you submit your claim on time.

* What if I am divorced and my ex-spouse and I each want to submit a claim?

Submit separate claims. If you think that another resident or an ex-spouse will also be submitting claims, please identify that person so that the Administrator can coordinate the response.

* What if I own several properties in the Limestone area? Should I fill out a separate Claim Form for each one?

Yes, submit a separate claim for each property.

* My parents, who are now deceased, sold the property after 1988. May I file a claim on behalf of them or their estate?

If the property is in the Core Area, the personal representative of the estate should file any claim on behalf of the estate. If the property is in the Outer Area, the current owner should complete the claim.

* Has the market value of property in the area gone down because of the spill?

Experts disagree about the impacts of the spill on market value. If you believe the spill has affected the market value of your property, describe on your claim form the way in which you think your property has been affected. The Administrator has received expert opinions on market value impacts, and will consider those opinions, as well as your description of impacts on your property value, when evaluating claims. It is expected that installation of “city water” will help off-set any negative impacts.

* What if I don’t have a copy of my deed?

You can confirm property ownership with other documents, such as from the tax assessor or a title company.

* How expensive would it be if I filed my own lawsuit?

A separate lawsuit against Shell for the pipeline spill would likely cost more than a million dollars and take years to prosecute.

* How does this settlement compare with other similar cases?

This is a very large settlement in comparison to other similar cases.

* How are the attorneys paid?

The court will separately award an amount to the attorneys. The amount of that award has not yet been determined. Shell has agreed to pay the attorneys separately from the settlement amount, and the award will not be deducted from the settlement amount.

* How much do I have to pay the attorneys?

You do not have to pay the attorneys. Shell has agreed to pay the attorneys, although the amount has not yet been determined.

* What time period should I consider when submitting my claim?

If you lived in the Core Area from November, 1988, to the present, you should include all costs associated with MTBE during that time period. Because there have been no detections of MTBE in the Outer Area, only current property owners in the Outer Area should submit claims.

If being connected to a public water supply is going to be more expensive for you than being on well water, you should calculate the additional expense on a monthly basis.

* What is the time frame for submitting a claim?

You should submit your claim by February 14, 2008. If necessary, you can submit supporting documentation after February 14th, but you should submit your claim form by February 14th.