

**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 –  
STATE OF RHODE ISLAND**

Counsel for the *Gray* Plaintiffs<sup>1</sup> and counsel for Defendant State of Rhode Island wish to advise the Court that a settlement in principle has been reached for consideration of 10 Million (\$10,000,000.00) 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 this defendant, which settlement is expressly subject to:

- (1) Court approval of this settlement; (2) Court approval of the Special Master’s Plan; (3) approval by all plaintiffs; (4) successful defense of any challenge to the constitutionality of the Rhode Island Uniform Contribution Among Tortfeasors Act (R.I.G.L. § 10-6-1, *et. seq.*), as amended; (5) execution of mutually acceptable release and indemnity agreements by all

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<sup>1</sup> All *Gray* and *Napolitano* Plaintiffs are represented by the undersigned counsel of record.

<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.

Plaintiffs, which shall include mutually satisfactory release and indemnification provisions; and  
(6) funding of this settlement by the Rhode Island legislature.

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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 18th day of August , 2008.

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#133 through #190, inclusive, #225 through #233,  
inclusive, # 240, and #251 through #257, inclusive,  
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