

Flushable Wipes Litigation: Stipulation of Settlement with Kimberly-Clark

FLUSHABLE WIPES LITIGATION

- **Plaintiff:** Charleston Water System
- **Class Members:** All entities that own and/or operate wastewater conveyance and treatment systems between January 6, 2018 through preliminary approval of settlement.
- **Defendants:** Kimberly-Clark, Costco, CVS, Proctor & Gamble, Target, Walgreens, and Wal-Mart.
- **Relief Sought:** Orders preventing the Defendants from continuing to manufacture, market, and sell flushable wipes that are not in fact flushable.
- **Settlement:** Applies ONLY to claims asserted against Kimberly-Clark.

WHAT HAPPENS NEXT?

- **Preliminary Approval:** The Court will decide whether to issue a preliminary approval of the settlement. If the Court does not approve, the settlement cannot go forward. If the Court does approve, Class Members will be notified.
- **Objections:** The Notice will provide a deadline for submitting objections.
- **Fairness Hearing:** After the objection period, the Court will hold a final hearing and will consider objections (and testimony from class members). The Court will either approve or reject the settlement—the Court will not alter the terms of the Settlement.
- **No Opt-Outs:** Class Members cannot opt out of the class.

KIMBERLY-CLARK'S COMMITMENT

- **New Standard:** Must meet the current International Water Services Flushability Group (IWSEG) Publicly Available Specifications (PAS) 3 Standard by May 1, 2022.
- **Other Changes:** Independent testing, educational content, label changes, and product endorsement.

WHAT SHOULD CLASS MEMBERS DO?

- **Read the Stipulation of Settlement:** Read the terms carefully.
- **Analyze the Standard:** WEF will distribute information regarding IWSEG PAS 3.
- **If Considering Objecting:** It will be difficult to overturn the settlement; however, it can be done with technical expertise and a strong showing from the sector. If a Class Member does not oppose the settlement, then NO action is needed.
- **Changes by Industry Leader:** This is the first commitment of this kind by an industry leader, a positive development for the sector.

RELEASES BY CLASS MEMBERS

- **Monetary Relief:** The settlement has NO impact on claims for monetary relief for any individual class member.
- **Injunctive Relief:** Class members must release all claims for injunctive relief related to any wipe product (flushable or non-flushable) currently or formerly manufactured by Kimberly-Clark.

HOW DO I GET MORE INFORMATION?

- Read the [Stipulation of Settlement Agreement, www.wef.org/wipes-settlement](http://www.wef.org/wipes-settlement).
- WEF is preparing educational materials that will be available at www.wef.org.

For more information contact:



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Legal support provided by:

