

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In re* Flint Water Cases.

Judith E. Levy  
United States District Judge

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This Order Relates To:

ALL CASES

\_\_\_\_\_ /

**OPINION AND ORDER GRANTING IN PART MOTION FOR A  
PRELIMINARY INJUNCTION AND TEMPORARY  
RESTRAINING ORDER [1409]**

Before the Court is Co-Liaison Counsel for Individual Plaintiffs and Interim Co-Lead Class Counsel (“Plaintiffs”) motion for a preliminary injunction and temporary restraining order (“TRO”). (ECF No. 1409.) Plaintiffs seek an order (1) enjoining attorney Loyst Fletcher, Jr. of the law firm Loyst Fletcher Jr., & Associates, 718 Beech Street, Flint, Michigan 48502 (the “Fletcher Firm”) and any affiliates or agents, from communicating with putative class members and individual represented plaintiffs regarding matters relating to the proposed settlement in this matter; (2) requiring Mr. Fletcher to provide this Court and Plaintiffs the names of all individuals who received his January 17, 2021

communication; and (3) requiring Mr. Fletcher to inform this Court and Plaintiffs the names of all individuals who signed the retainer agreement that accompanied the January 17, 2021 letter. (*Id.* at PageID.54537.)

On February 5, 2021, a hearing was held with Mr. Fletcher in attendance. Under Federal Rule of Civil Procedure 23(d)(2), and for the reasons set forth on the record, the Court grants the relief sought in Plaintiffs' motion, and orders as follows:

1. Mr. Fletcher must, no later than Wednesday February 10, 2021 at 5:00 pm, file under seal in this Court (Docket No. 16- 10444):
  - a. A list of all of the names, addresses, telephone numbers, and any other contact information obtained for the over-200 individuals and/or entities to whom Mr. Fletcher or the Fletcher Firm or any agent authorized by Mr. Fletcher or his firm mailed the letters that are the subject of Plaintiffs' motion;
  - b. Copies of any and all annotations or notes that indicate the date and time that each individual and/or entity contacted Mr. Fletcher or the Fletcher Firm; and
  - c. A list of which individuals signed a retainer as a result of the communications at issue in Plaintiffs' motion.
2. Mr. Fletcher and the Fletcher Firm are enjoined from making, providing or disseminating any future communications with or to any and all putative class members including members of the proposed settlement class or any individuals currently represented by other lawyers in the proposed partial settlement, where such

contact or communication contains information that is incorrect, misleading, or improper related to the Flint Water litigation or partial settlement.

3. Upon receipt of the above-ordered information, the Court may order that a Court-approved corrective communication is necessary and required.

Dated: February 8, 2021  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 8, 2021.

s/William Barkholz  
WILLIAM BARKHOLZ  
Case Manager