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For More Information, Contact:
Ross Noland, 501-396-5400, Little Rock, or
Shawn Daniels, 479-521-7000, Fayetteville

GOVERNMENT SETTLEMENT WITH EXXONMOBIL DOES NOT COMPENSATE MAYFLOWER RESIDENTS

First Trial of Private Claims Set for October

Little Rock, AR (April 22, 2015) – Lawyers representing Mayflower residents suing ExxonMobil for civil damages say the government’s recent settlement with ExxonMobil in no way compensates the hundreds of residents seriously and permanently impacted by the 2013 Good Friday Pegasus Pipeline rupture. ExxonMobil pays fines assessed pursuant to state and federal environmental laws directly to the U.S. Treasury and the State. The law limits the amount of the fine the government can assess based on the number of barrels spilled.

“This government settlement clearly establishes ExxonMobil’s liability for the rupture,” said attorney Sam Ledbetter of McMath Woods P.A. in Little Rock. “However, ExxonMobil is yet to take responsibility for the harm caused to the residents of Mayflower, and the damages it must pay.” Mayflower residents in civil suits seek compensation for exposure, disruption of their lives, and reduction in the value of their property caused by the Pegasus Pipeline rupture. This type of toxic oil contains hydrogen sulfide, aromatic hydrocarbons, naphthalenes, and benzene.

The Mayflower settlement is one in a recent pattern involving ExxonMobil. In 2012, ExxonMobil’s North Line pipeline ruptured in Pointe Coupee Parish, Louisiana, spilling more than 80,000 gallons of oil. ExxonMobil settled the government’s resulting suit for \$1.4 million. On July 1, 2011, a break occurred in the ExxonMobil owned Silvertip pipeline, spilling 42,000 gallons of oil into the Yellowstone River. As a result of the Silvertip spill, ExxonMobil expended \$135 million for property damage, cleanup and repair work, paid the State of Montana nearly \$2.4 million, and is the subject of a \$1 million dollar fine proposed by the Pipeline Hazardous Materials Safety Administration (PHMSA). ExxonMobil is appealing a proposed PHMSA fine of \$2.6 million (the second largest ever proposed by that agency) for safety, operation, inspection and maintenance violations associated with the Mayflower pipeline rupture.

Faulkner County Judge Charles Clawson consolidated residents’ cases filed by Hare, Wynn, Newell & Newton, LLP, McMath Woods P.A., Brazil, Adlong & Mickel, PLC, Davis & Whitlock, P.C., and Johnson & Vines, PLLC. The cases involve hundreds Mayflower residents. “Judge Clawson scheduled a five week trial for several of the plaintiffs beginning October 20, 2015,” said Tom Mickel of Brazil, Adlong & Mickel, PLC in Conway.

Attorneys for the Mayflower residents expect to prove ExxonMobil restarted the 1947 pipeline in 2006, reversed the flow, introduced thick Wabasca Heavy Crude, and increased pipeline pressure despite knowing the pipeline’s serious seam weld problems would likely result in a rupture. ExxonMobil’s intentional actions, including failure to consider the defective pipe susceptible to seam failure, and failure to conduct required testing and maintenance, harmed Mayflower residents.