

The law firm of Baird Mandalas Brockstedt & Federico (BMBF Law) is proud to be entrusted by the Marine Corps Reserve Association (MCRA), the Veterans of Foreign Wars (VFW), Naval Enlisted Reserve Association (NERA) and the Reserve Association of America (ROA), to represent Marines and their families who were harmed by the toxic water at United States Marine Corps Base Camp Lejeune. We are even prouder of the fact that we have offered a 25% contingency fee for assisting in the pursuit of a legal claim/lawsuit under the Camp Lejeune Justice Act (CLJA). Our clients will not pay any out-of-pocket costs or fees, EVER. We give personal attention to each of our clients and members of our team are VA accredited attorneys standing by to provide advice and guidance on working with an accredited service officer to file initial VA claims for service connection injuries and illnesses attributable to service onboard Camp Lejeune. Collectively, the BMBF team of litigators have decades of experience and success in groundwater contamination mass tort cases. We know what is involved and understand what it takes, to successfully represent lawsuits under the CLJA.

As part of our national grassroots education campaign, in 2023 alone, our team of veteran attorney co-counsel from around the country (many of them Marines themselves) presented information and education at nearly one hundred veteran conferences, conventions, leadership meetings, and community town halls. We have discovered extensive confusion around what the CLJA is, but especially what it does. This is often due to the loudness of the noise created from incessant television commercials, robocalls, and spamming of email boxes. This is why BMBF Law is utilizing every opportunity to be out in the field speaking with veterans and their families face to face, and eye to eye. Before clarity and specific details about the CLJA may be provided, it is important to know the background of what happened there and understand why seeking justice is important to all of us, whether you ever stepped foot onboard Camp Lejeune. Veterans take care of veterans and our families, and right now we need to focus on taking care of the hundreds of thousands who were harmed there for over three and a half decades. The DEADLINE for filing a legal claim is rapidly approaching on August 10<sup>th</sup>, so do not delay in speaking with us if you may be eligible, or sharing our information with someone you know who may be.

From 1953-1987, massive contamination of the water at Camp Lejeune occurred resulting in the base becoming the site of one the worst public health disasters in our nation's history. For decades, personnel & family members at Camp Lejeune complained to base officials of "foul smelling" water. Mess Hall personnel mixed the water with Kool-Aid, lemonade, and iced tea to mask the taste and smell. Taking hot showers, baths, and washing hands only vaporized the chemicals and put them into the air, compounding the harm of the toxins by inhalation into one's respiratory system.

In the mid- 1980's, the EPA conducted extensive testing at Lejeune and discovered that levels of hazardous chemicals were among the highest ever seen in a large, public water system, Trichloroethylene (TCE), an industrial solvent and known carcinogen, is considered "safe" for

human consumption by the EPA at the level of 5ppb. The water fountain at Berkeley Manor Elementary School was found to have TCE in it at the level of 1,444 ppb.

“How” TCE, and numerous other toxic chemicals got into the water cannot be explained with one, or even a few actions by base personnel, or in the contrary, inaction by base leadership. The documented happenings throughout the 35 years of known contamination are extensive, and there are more being discovered every day. Here is a handful of examples:

- Weekly from 1958-1977, at a wash rack off Center Road in the heart of the base, an estimated 350 gallons of pesticide-laced water from the cleaning of equipment flowed directly onto the ground.
- From 1946-1971, a burn dump at Hadnot Point was used for disposal of garbage, industrial waste, and construction debris. Afterwards, the site was graded over and seeded with grass, made into a park where a fishing pond was created for use by families.
- From 1946-1970, a landfill at Camp Geiger was used as an open burn pit area for garbage, used oil, batteries, and ordinance- including mortar shells and grenades.
- A disposal area at Courthouse Bay was used for dumping 400,000 gallons of waste oil and 20,000 gallons of battery acid.
- ABC One-Hour cleaners, which opened in the 1950s, was releasing dozens of gallons of the highly toxic solvent Perchloroethylene (PCE) into the groundwater on an almost daily basis. In 1989, the EPA formally added ABC to the list of the nation's worst hazardous-waste sites.
- As early as the 1970's, base commanders were aware that over time, 800,000 gallons of fuel leaked into the water, polluting it with benzene.
- Strontium-90, an isotope known to cause leukemia and other cancers entered the water supply from a radioactive dump site located near the Rifle Range.

Beginning in the late 1950s babies born on the base were dying the same day, or within days of delivery. Some born without craniums, parts of their brain, open spinal columns, missing lungs, irreversible heart defects. Conditions that caused their deaths within hours, at most days, after being born. Throughout the next 30 years, hundreds of these babies were buried in a city of Jacksonville cemetery in what became known as “Baby Heaven.” Many children who survived beyond days of their birth developed leukemia, neurological issues, and cardiac issues, just to name a few, and did not make it to adulthood. I have walked this ground and it is a place that will always be with me. As the father of 3 young children, I cannot imagine the pain these Marines & their spouses went through. I saw one set of headstones that showed THREE baby girls, Suzy, Lucy, and Judy, who were born and died same day, in a span of only 7 years. ALL to the same Marine and his wife.....

In 2009, claims stemming from groundwater contamination at Camp Lejeune were filed, but ultimately rejected due to federal government immunity and North Carolina's 10-year statute of limitations on bringing personal injury claims.

On August 10, 2022, thanks to Congressional advocacy efforts led by the VFW, the PACT Act was signed into law. A section within known as the Camp Lejeune Justice Act (CLJA) granted veterans and their families the ability to file lawsuits against the federal government for illnesses and other health impacts caused by toxic water contamination at Camp Lejeune.

Under the CLJA, an individual may qualify if:

- Resided, worked, or was otherwise exposed (including in utero exposure) to the ground water at Camp Lejeune for not less than 30 days;
  - During the period between August 1, 1953, to December 31, 1987, and;
  - Diagnosed with a cancer, serious illness, or numerous other health conditions including neurological, kidney & liver diseases, miscarriages, infertility, and birth defects/cognitive disabilities in children. Your condition does NOT have to be on the VA presumptive list or CDC's (ATSDR) list to file a claim.
  - Surviving family members may pursue a claim on behalf of their deceased loved one.
- Step 1: File an administrative claim with the US Navy JAG
    - 6 months to approve or deny your claim.
    - Over 60,000 claims have been filed with Navy JAG to date and no settlement awards have been offered by the Dept. of the Navy. We hope this will change as the court cases progress.
  - Step 2: Right to appeal denial by filing a lawsuit in U.S. District Court for the Eastern District of North Carolina.
  - Award: If case proven, you will receive either of: (1) amount of damages sought via administrative claim; (2) settlement award amount offered by DOJ; (3) court award after winning at trial.
  - \*\*NEXUS (Causation): Although the government has accepted liability, you still need to prove that your condition is linked to exposure to the groundwater at Camp Lejeune. There is no "presumption" in a court of law and strategically applying medical & scientific evidence will be important. This is why it is vital to be represented by a legal team experienced with environmental law and groundwater contamination torts.
  - The U.S. Department of Veterans Affairs has issued guidance stating the amount of any disability award, payment, or benefit received for a condition related to Camp Lejeune will only reduce the amount of the award and will:
    - NOT reduce rating percentage or monthly compensation
    - NOT affect eligibility for other VA benefits or services
    - NOT affect benefits or healthcare the VA provides to you now or in the future.

AUTHOR: Jason E. Johns is an attorney, Iraq War veteran, Purple Heart recipient, and Past State Commander for the VFW of Wisconsin. He is standing ready to answer any questions and help. Give him a call at (608) 209-0805 or [jason@johnslaw.biz](mailto:jason@johnslaw.biz)

For more information on BMBF Law and their Camp Lejeune Justice Act efforts:  
[www.CampLejeuneGroundwater.com](http://www.CampLejeuneGroundwater.com)