

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re :
: Chapter 11
TRONOX INCORPORATED, *et al.*, : Case No. 09-10156 (MEW)
: Jointly Administered
: Reorganized Debtors. :
-----X

**ORDER DENYING CERTAIN MOTIONS
FOR RELIEF FROM THE 2009 BAR DATE**

The individuals listed on **Exhibit A-1** attached to this Order (the “Movants”) have filed motions seeking relief from the August 12, 2009 bar date in these cases so that they may pursue claims against the Tronox Incorporated Tort Claims Trust (the “Trust”) based on diseases or conditions that were diagnosed prior to the bar date but as to which no timely proof of claim was filed. The Trustee filed various Omnibus Objections to the Motions (ECF Nos. 9943, 9973, 19941 and 10081). The Court’s rulings on many issues that are common to the Motions, and the bases for each of the Court’s rulings, are set forth in its Decision as to Additional Motions for Permission to File “Future Tort Claims” and for Relief from the 2009 Bar Date (the “Decision”) that was entered on August 5, 2024, and the Court’s rulings as to each pending Motion are summarized the Decision and in the rulings that are attached hereto as Exhibit A-1. For the reasons set forth in the Decision and in Exhibit A-1,

IT IS HEREBY ORDERED that the Motions listed on **Exhibit A-1** attached to this Order are **DENIED** in their entirety.

Dated: New York, New York
September 12, 2024

Honorable Michael E. Wiles
United States Bankruptcy Judge

Adams, Vallie

Margie Sims
1609 Green St.
Bossier City, LA 71111

Motion and Docket Information

Motion docket no.: 10013
Claim: TRO999548FTC
Claim filed: 9/5/2018
Motion date: 11/8/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses of the relevant conditions occurred in 2000. Explanation for late filing: says filer was incarcerated but no dates of incarceration are listed, and incarceration itself is not by itself a valid excuse for having missed the bar date and for the long post-bar date delay before filing a claim. Motion also says “I sent information in” but provides no further explanation as to what information was sent, when it was sent and to whom. Movant may be referring to movant’s late-filed claim; there is no record in the official claims register of a claim by this movant before the bar date.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Andrews, Cynthia

Cynthia Pulliam
195 Aileen Drive
Columbus, MS 39705

Motion and Docket Information

Motion docket no.: 10066
Claim: TRO8900934FTC
Claim filed: 2/23/2016
Motion date: 4/29/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim was filed on behalf of a parent who died in June 2009. No post-bar date exposures or diagnoses are possible.

Identified conditions were diagnoses in 1990 and May 2009. Exposure in Columbus, Mississippi. Explanation for late filing: was not aware of deadline or process, did not know until 2014, obtained a claim form in 2016 and filed it.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim based on 1990 diagnosis also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Autry, John

John Autry
3105 Cameron River
Cibolo, TX 78108

Motion and Docket Information

Docket No.: 9755
Claim: TRO100566FTC
Claim filed: 1/14/2019
Motion Date: 1/12/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1985 and 1991. Injured party apparently is deceased, claim filed by grandson.
Explanation for late filing: was not aware of deadline. Alleges that the injured party was in the army at the time of the bar date, but military service ended in 2011 and claim was not filed until many years later.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Averhart, Kenneth

Kenneth Averhart
906 13th Street South
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 10049
Claim: TRO887388FTC
Claim filed: 12/14/2015
Motion date: 4/1/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Diagnoses in 1994, 1996. Explanation for late filing: was not aware of deadline, filed a claim when got a form in 2015.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Averhart, Vicktorya

Vicktorya Averhart
906 13th Street South
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 8587, 10046
Claim: TRO887390FTC
Claim filed: 12/14/2015
Motion date: 4/1/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Letter at ECF 8587 is a complaint about the time delays associated with this process. Docket 10046 is a motion for relief from the bar date.

Diagnoses in 1995, 1996 and 1997. Exposure occurred in Columbus, Mississippi. Explanation for late filing: says did not know she could file a claim because “my claim was already on file prior to the claim filing.” Says she did not get a claim form until 2015.

Unclear what prior claim the movant says she filed. She may be referring to the late-filed claim. Or she may be referring to a prior class action claim that preceded the Tronox bankruptcy. There is no record of a bankruptcy claim filed before the bar date.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Barr, Helen

Flentrus Murdock
4664 Baker Rd.
Prairie, MS 39756

Motion and Docket Information

Motion docket no.: 9982
Claim: ;TRO898233FTC
Claim filed: 6/20/2016
Motion date: 9/27/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed on behalf of deceased sister who died in 2006. Diagnoses in 1981. Explanation for late filing: movant was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Barr, Mary

Flentrus Murdock
4664 Baker Rd.
Prairie, MS 39756

Motion and Docket Information

Motion docket no.: 9985
Claim: TRO915092FTC
Claim filed: 7/26/2017
Motion date: 9/29/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed on behalf of a relative who died in 1985. Diagnosis in 1960. Explanation for late filing: movant was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Barr, William

Flentrus Murdock
4664 Baker Rd.
Prairie, MS 39756

Motion and Docket Information

Motion docket no.: 9992
Claim: TRO915108FTC
Claim filed: 7/26/2017
Motion date: 10/2/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed on behalf of deceased relative who died in 1970. Diagnoses in 1968. Explanation for late filing: movant was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Bluitt, Timmie

Timmie Bluitt
1742 Jody Dr.
Marietta, GA 30066

Motion and docket information:

Motion docket no.: 9881
Claim: TRO926820FTC
Claim filed: 2/27/2018
Motion Date: 8/12/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Diagnosis in 1966. Explanation for late filing: did not live in Mississippi in 2009, did not know of exposure to Tronox Kerr-McGee products prior to claim filing date. Found out about the case in 2018.

Claim was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Botler, Marjorie

Marjorie Botler
1912 Scott St.
Bossier City, LA 71111

Motion and Docket Information

Docket No.: 9735
Claim: TRO999838FTC
Claim filed: 9/28/2018
Motion Date: 12/10/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1980, 1981, 1983. Explanation for late filing: “I didn’t have a reason or knowledge of this.”

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Bryant, Cassie

Barbara Little
2991 Carriage Trl
Jonesboro, GA 30236

Motion and Docket Information

Motion docket no.: 10091
Claim: TRO915279FTC
Claim filed: 8/29/2017
Motion date: 9/12/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a Rejection Notice alleging an exposure or new diagnosis after the August 12, 2009 bar date, but the claim was filed on behalf of a person who died in 2003, so no post-bar date exposure or new diagnosis is possible.

Diagnoses for identified conditions were in 1980, 1982, 2000, 2003. Alleged exposures were in Alabama. Explanation for late filing: was not aware of deadline until 2017.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Bryant, Robert

Barbara Little
2991 Carriage Trl
Jonesboro, GA 30236

Motion and Docket Information

Motion docket no.: 9977
Claim: TRO915838FTC
Claim filed: 8/29/2017
Motion date: 9/18/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no information about any post-bar date exposure or post-bar date diagnosis is provided.

Claim filed on behalf of a deceased parent. Diagnoses of many conditions in various years, all before 1992. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Bush, Ophelia

Ophelia Bush
P.O. Box 719
Livingston, AL 35470

Motion and docket information

Motion docket no.: 9880
Claim: TRO925538FTC
Claim filed: 1/2/2018
Motion Date: 8/12/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Diagnoses in 1989 and 1991. Explanation for late filing: was not aware of deadline.

Claim was time-barred under the applicable Alabama statute of limitations before the Tronox bankruptcy filing. In addition, motion alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Chandler, Christopher

Christopher Chandler
210 Deerfield Dr #5
Columbus, MS 39702

Motion and docket information:

Motion docket no.: 9941
Claim: None Provided
Claim filed: 12/7/2015
Letter date: 1/11/2023
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Docket 9941 is a letter asking the Court to expedite rulings and disposition of the remaining funds. Letter does not identify any pending claim belonging to this claimant or any grounds for relief from the bar date on behalf of this individual. To the extent this letter was intended as a motion for such relief, it is denied, as no grounds for relief are identified.

Chism, Shelia

Sheila Chism
1845 Scott St.
Bossier City, LA 71111

Motion and Docket Information

Docket No.: 9730
Claim: TRO999751FTC
Claim filed: 9/27/2018
Motion Date: 12/10/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1981, 1988, 1992 but they 1988 and 1992 diagnoses are of conditions experienced by the claimant's children, not the claimant herself. Explanation for late filing: was not aware of deadline. She makes reference to possibly being incarcerated during this time, but no records were provided and claimant admitted she did not know the dates of incarceration. Claims some mental problems but no details are stated and no supporting information was provided, though the instructions for the motion forms plainly required such support.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Clay, Eugene

Eugene Clay
308 19th St. South
Columbus, MS 39701

Motion and Docket Information:

Docket No.: 9691
Claim: TRO913952FTC
Claim filed: 6/28/2017
Motion Date: 11/8/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnosis in 1994. Alleges incompetency (paranoid schizophrenia) based on exposures that occurred from 1985 to 1988.

Claim was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, no explanation as to why relatives or guardian did not pursue a claim after a condition was diagnosed in 1988. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Combs, Claudette

Claudette Combs
3107 West Maple St.
Shreveport, LA 71109

Motion and Docket Information

Motion docket no.: 9952
Claim: None Provided
Claim filed: 9/3/2018
Motion date: 3/3/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

This is a request for an update as to the status of these matters. The Trustee's annual report provided an update and the Decision that accompanies these rulings provides a further update. To the extent this filing is to be interpreted as a motion for relief from the bar date, it is denied, as no grounds for relief are stated.

Cook, Bessie

Mary Cook Lewis
208 29th St. No.
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 10064
Claim: TRO880723FTC
Claim filed: 12/4/2015
Motion date: 4/19/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, claim is filed on behalf of a relative who died in 2004. No post-bar date exposure or diagnosis is possible.

Diagnoses in 1979, 1981. Explanation for late filing: she filed a claim with Colom Law firm, which was a law firm that prosecuted a class action that preceded the Tronox bankruptcy filing.

Colom firm received direct notice of the bar date. If claim was resolved in a prior proceeding it could no longer be asserted in the Tronox bankruptcy. If the claim was the subject of a still-pending proceeding, it should have been filed by the bar date, because counsel received direct notice of the bar date. If Colom firm failed to make a timely filing that is not grounds for relief from the bar date, because conduct of counsel is not grounds for relief based on excusable neglect unless counsel's conduct can be excused, and no such excuse has been offered. If filed with Colom law firm after the bar date, that is not an excuse for a late filing. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Cook, Eurgie

Mark Cook Lewis
208 19th St. N
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 10042
Claim: TRO880722FTC
Claim filed: 12/4/2015
Motion date: 3/25/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim was filed on behalf of deceased relative who died in 1999. No post-bar date exposure or diagnosis is possible.

Diagnoses in 1970. Exposure in Mississippi. Says that filed a claim with the Colom law firm (which handled class actions that predated the Tronox bankruptcy) but does not list a date. Says also filed with another law firm, then later with the Tronox Tort Claims Trust.

If claim was filed with the Colom law firm in connection with a prior class action then there are no grounds for relief from the bar date. Participation in prior proceeding shows awareness of claim and of legal rights. If claim was resolved in a prior proceeding it could no longer be asserted in the Tronox bankruptcy. If the claim was the subject of a still- pending proceeding, it should have been filed by the bar date, because counsel received direct notice of the bar date.

If claim was lodged with the Colom law firm before the bar date but not as part of a class action, and was not filed, there are no grounds for bar date relief. The Colom firm received direct notice of the bar date. If counsel failed to file a claim, that is not grounds for relief. Conduct of counsel is not grounds for relief based on excusable neglect unless counsel's conduct can be excused.

If claim with the Colom firm was after the bar date, the motion is denied. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Daniel, Cornelious

Jerome Daniels
9128 South Clyde Ave.
Chicago, IL 60617

Motion and Docket Information

Motion docket no.: 10014
Claim: TRO914021FTC
Claim filed: 6/28/2017
Motion date: 11/9/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed on behalf of movant's deceased father. Diagnoses in 1931, 1932, 1935, 1940, 1960, 1967. Exposure occurred in Mississippi. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claims also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Daniel, Lillie

James Daniels
9128 South Clyde Ave.
Chicago, IL 60617

Motion and Docket Information

Motion docket no.: 10028
Claim: TRO913993FTC
Claim filed: 6/28/2017
Motion date: 12/11/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

The claim was filed on behalf of a deceased relative who died in 1955. Diagnoses in 1954.
Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge and diversion by being caretaker for other family members and treatment for cancer, but that does not explain why other family members could not have pursued a claim if there was one to pursue. In addition, this particular claim was time-barred under the applicable statute of limitations long before the Tronox bankruptcy filing. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights), not sufficient for relief based on excusable neglect.

Davis, Ethel

Rena Davis-Beal
568 North Park Lane
Jackson, MS 39206

Motion and Docket Information

Motion docket no.: 10071
Claim: TRO890232FTC
Claim filed: 2/23/2016
Motion date: 5/14/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim was filed on behalf of relative who died in November 2008. No post-bar date exposure or diagnosis is possible.

Diagnoses in 2006. Explanation for late filing: movant was not aware of deadline, did not know her mother had been exposed to a Tronox product.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Davis, Grady

Rena Davis-Beal
568 North Park Lane
Jackson, MS 39206

Motion and Docket Information

Motion docket no.: 10070
Claim: TRO890231FTC
Claim filed: 2/23/2016
Motion date: 5/14/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim was filed on behalf of relative who died in 1986. No post-bar date exposure or diagnosis is possible.

Exposure in Columbus, Mississippi. Diagnoses in 1984. Explanation for late filing: was not aware of deadline, did not know could file for a deceased parent.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Davis, Sandre

Sandra Davis
3602 Main Street
Jackson, MS 39213

Motion and Docket Information

Docket No.: 9716
Claim: TRO915316FTC
Claim filed: 8/29/2017
Motion Date: 11/29/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1981, 1997, based on exposures in Columbus, MS. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Delaney, George

Josie Jenkins
4500 Voss Dr.
Bossier City, LA 71111

Motion and Docket Information

Docket No.: 9717
Claim: TRO999816FTC
Claim filed: 9/28/2018
Motion Date: 11/29/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnosis in 1986. Claim filed by a relative, injured party died in 1986. Explanation for late filing: was not aware of deadline.

Claim was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

DeLois, Mayo

Mayo DeLois
1240 Mt. Zion Rd.
Brooksville, MS 39739

Motion and docket information:

Motion docket no.: 9874
Claim: TRO916596FTC
Claim filed: 9/28/2017
Motion Date: 8/8/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Diagnosis in 1978. Explanation for late filing: was not aware of deadline. Alleges that she thought she needed to live in Columbus in order to file a claim, which suggests she may be confusing the bankruptcy case with a prior class action lawsuit that was brought on behalf of certain Columbus residents.

Claim based on the 1978 diagnosis was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but appears to have been aware of at least one other claims process based on creosote liabilities. Motion makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Dora, Juanita

Rebecca Dora
1802 Washington Ave.
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 10048
Claim: TRO905271FTC
Claim filed: 3/1/2017
Motion date: 4/1/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Claim filed on behalf of relative who died in 1986. Diagnoses in 1960, 1971, 1974 Explanation for late filing: she claims she filed before and claim was lost. No certification as to when claim was allegedly filed or with whom. No record of a pre-bar date claim.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Edwards, Dwayne

Dwayne Edwards
202 Summerhill Rd.
Demopolis, AL 36732

Motion and docket information:

Motion docket no.: 9910
Claim: TRO924492FTC
Claim filed: 1/2/2018
Motion Date: 8/22/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Motion contains no information, just a signature page. No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process.

Fears, Coda

Sandra Peoples
PO Box 7
Aberdeen, MS 39730

Motion and Docket Information

Motion docket no.: 10036
Claim: TRO913658FTC
Claim filed: 6/28/2017
Motion date: 1/2/2024
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim filed on behalf of deceased mother who died in 1999. No post-bar date exposures or diagnoses are possible.

Motion was filed after the deadline in the Determination Notice but movant contends she was being treated for cancer, so the delay in filing the motion itself is permitted. But movant must still establish excusable neglect for the late filing of the underlying claim.

Injured party's conditions were diagnosed in 1970, 1999. Explanation for late claim filing: mother was not aware of deadline, was uneducated as to legal matters.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Mother's claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing and before the bar date.

Galuska, John

John Galuska
311 Church Street
Duryea, PA 18642

Motion and Docket Information

Motion docket no.: 10033
Claim: TRO906226FTC
Claim filed: 5/30/2017
Motion date: 12/21/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 1991. Explanation for late filing: was not aware of deadline. Says he was a contractor who worked on the premises and should have been notified of “this lawsuit.”

No showing that Tronox had reason to know of claimant. Publication notices were approved, no specific challenge to the publication notices that were approved in 2009. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of PA starting in 2001. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Garner, David

Toby Garner
40 Coach Dr.
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 10026
Claim: TRO884598FTC
Claim filed: 11/25/2015
Motion date: 12/6/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim was filed on behalf of deceased relative who died in 2005. No post-bar date exposure or diagnosis is possible.

Diagnoses in 2004. Explanation for late filing: says injured party was in prison, but motion also makes clear that the injured party died many years before the August 12, 2009 bar date. No explanation of why his estate representatives could not have pursued legal rights after the injured party's death.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Grassi, John

Susan George
400 Packer St.
Avoca, PA 18641

Motion and Docket Information

Docket No.: 9724
Claim: TRO100625FTC
Claim filed: 1/18/2019
Motion Date: 12/8/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim was filed on behalf of deceased relative, who died in 1995, so there could not have been a new condition first diagnosed after 2009.

Diagnoses listed were in 1960, 1972, 1977, 1980, 1988, 1991. Explanation for late filing: says her mother and father were told in early 2000s that they were not eligible to file because their home was not within one-half mile of the Tronox facility. That is a reference to a prior class action on behalf of nearby property owners. Prior communications about that lawsuit shows an awareness of legal rights and potential claims.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Green, Sharon

Joann Latz
3769 Trough Springs Rd.
Adams, TN 37010

Motion and Docket Information

Motion docket no.: 10009
Claim: TRO915648FTC
Claim filed: 8/29/2017
Motion date: 11/6/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 1997, 2001. Explanation for late filing: movant was not aware of the deadline, was living out of state until July 31, 2009 due to active military duty.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. No backup information as to military service, in any event it ended prior to the bar date. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Halsey, Jesse Joe

Robert Halsey
1412 Dartmoor Lane
Conyers, GA 30013

Motion and Docket Information

Docket No.: 9754
Claim: TRO101241FTC
Claim filed: 8/5/2022
Motion Date: 1/11/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim is filed on behalf of a deceased relative who died in 1996, so it is not possible that there was a new condition first diagnosed after the bar date.

There is no official claim number associated with this Motion - Movant used forms originally filed with court in 2017. Refers to various conditions first diagnosed in the 1980s.

Says that the notice of the bar date was deficient because it did not allow enough time to respond, but claim was not filed until many years after the bar date, no explanation is offered to excuse that delay. Also says that the notices were not reasonable, but makes no showing that Tronox had reason to know that movant had a claim, and makes no specific challenge to the publication notices that were approved in 2009. Also says that movant party did not know that movant had been exposed to a dangerous substance until after the deadline, but that language is copied from other forms, as the movant is not the injured party in this instance.

Alleges lack of knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Harris, Helen

Yulanda Hugh
426 Mohican Dr.
Frederick, MD 21701

Motion and Docket Information

Motion docket no.: 10061
Claim: TRO892678FTC
Claim filed: 2/23/2016
Motion date: 4/17/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim is filed on behalf of a relative who died before the bar date. No post-bar date exposure or diagnosis is possible.

Diagnoses in 1984, 1990. Exposures occurred in Columbus, MS. Explanation for late filing: “excusable neglect, I am filing on behalf of my deceased mother.”

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Harris, Kayden

Kayden Harris
900 Sansome Drive
Arlington, TX 76018

Motion and Docket Information

Motion docket no.: 10030
Claim: TRO924676FTC
Claim filed: 1/2/2018
Motion date: 12/19/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 2006. Explanation for late filing: was not aware of deadline, did not receive information about it. Movant relocated from the state but does not say when that happened. Says delay from August 12, 2009 to the date of the actual claim filing was unintentional.

No showing that Tronox had reason to know of claimant, no specific challenge to the publication notices that were approved in 2009. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Harris, Khristian

Khristian Harris
900 Sansome Drive
Arlington, TX 76018

Motion and Docket Information

Motion docket no.: 10031
Claim: TRO924677FTC
Claim filed: 1/2/2018
Motion date: 12/19/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

No diagnosis dates given. Explanation for late filing: was not aware of deadline, did not receive information about it. Movant relocated from the state but motion says that happened in 2010, after the August 12, 2009 bar date. Says delay from August 12, 2009 to the date of the actual claim filing was unintentional.

No showing that Tronox had reason to know of claimant, no specific challenge to the publication notices that were approved in 2009. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Hayden, Bobby

Andrew Hayden, Jr.
272 Madeira Dr.
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 10074
Claim: TRO896044FTC
Claim filed: 4/6/2016
Motion date: 6/3/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Claim filed on behalf of deceased relative. Diagnoses in 1993, 1999. Explanation for late filing: was not aware of deadline or process, became aware of it later.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Hill, Britton

Marilyn Hill-Bogan
P.O. Box 102
Sparta, IL 62286

Motion and Docket Information

Docket No.: 9684
Claim: TRO999408FTC
Claim filed: 8/31/2018
Motion Date: 11/2/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the only listed conditions were first diagnosed in 1955, 2000 and 2001. Motion filed on behalf of movant's brother as the injured party. Exposures occurred in Mississippi.

Explanation for late filing: was not aware of deadline or of the Tronox bankruptcy. Also alleges incompetency but offers no supporting information other than brother's blindness. No explanation as to why a family member or other person could not have assisted brother in filing a claim.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Hodges, Johnnie

Joann Latz
3769 Trough Springs Rd.
Adams, TN 37010

Motion and Docket Information

Motion docket no.: 10007
Claim: TRO915334FTC
Claim filed: 8/29/2017
Motion date: 11/6/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed for a deceased family member. Exposure occurred in Columbus, Mississippi. Diagnoses in 1959, 1990. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Hodges, Johnny

Joann Latz
3769 Trough Springs Rd.
Adams, TN 37010

Motion and Docket Information

Motion docket no.: 10008
Claim: TRO915335FTC
Claim filed: 8/29/2017
Motion date: 11/6/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed for a deceased relative. Diagnosis in 2000. Exposure occurred in Columbus, Mississippi. Explanation for late filing: did not know could file on behalf of a deceased relative. Resided in Tennessee at the time of the bar date. Also says she suffered from a sleep disorder.

No documentation provided showing any incapacity to file a claim. Reference to husband's military duty and residence in Tennessee do not explain or justify the many years' delay before a claim was filed. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Holt, Emma

Catherine Holt
1101 -19th St. N.
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 10093
Claim: TRO896526FTC
Claim filed: 4/25/2016
Motion date: 3/18/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant signed a Rejection Notice alleging that the claim is based on an exposure or a new diagnosis that occurred after the bar date. However, the claim was filed on behalf of the movant's mother, who died in 2001. No post-bar date exposure or new diagnosis is possible.

Diagnoses in 1979, 1980, 1993, 1994. Explanation for late filing: says she filled out papers from "the church" but no indication of when that happened or in connection with what proceeding.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claims also were barred by the applicable statute of limitations before the Tronox bankruptcy filing.

Hood, Johnnie

Johnnie Hood
284 Wyatt Earp Loop
Nolanville, TX 76559

Motion and Docket Information

Docket No.: 9672
Claim: TRO919534FTC
Claim filed: 10/30/2017
Motion Date: 10/27/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1954, 1994. Explanation for late filing: was not aware of deadline until 2017. Says was in the army from 1970 to 1994 but that was long prior to the bankruptcy filing and the bar date. Exposures occurred in Columbus, MS.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Howard, Tommie

Tommie Howard
2315 Bell Ave.
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 9994
Claim: TRO92657FTC
Claim filed: 1/30/2018
Motion date: 10/6/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date exposure or new diagnosis is identified.

Diagnoses in 1996, 2002, 2005. Exposures occurred in Mississippi. Explanation for late filing: did not realize he could file at the time. No explanation for long delay after the bar date before a claim was filed.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

James, Jesse

Jesse James
335 Cadido Ave.
Benton, LA 71006-9510

Motion and Docket Information

Docket No.: 9713
Claim: TRO999723FTC
Claim filed: 9/27/2018
Motion Date: 11/22/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

No diagnosis and no dates given. Explanation for late filing: was not aware of deadline. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Johnson, Charles

Charles Johnson
12369 Domingo St.
Victorville, CA 92392

Motion and Docket Information

Docket No.: 9669, 9980
Claim: TRO999358FTC
Claim filed: 7/31/2018
Motion Date: 10/26/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1969. Says had been exposed in Louisiana but had moved to California in 1983. Says his grandmother raised him but did not know what to do, says later he was not aware of the Tronox bankruptcy or claim process.

Supplemental submission says he developed medical problems while in military service but his claims were denied in 2004 because his conditions predated his service.

Court-approved publication notices (including in national newspaper and local newspapers) were given in 2009. While no publication notice is guaranteed to reach everyone it is the best that can be done under the circumstances where claimants' identities are not known, and the Supreme Court has decided that such notices comply with due process.

Alleges lack of actual knowledge of the claims process but makes no showing as to other relevant factors (including diligence in investigation and pursuit of potential claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Jones, Carroll III

Reginald Jones
5021 B Pl.
Meridian, MS 39305

Motion and Docket Information

Motion docket no.: 10040
Claim: TRO921312FCT
Claim filed: 10/30/2017
Motion date: 2/12/2024
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed on behalf of an injured relative who died in 1998. Diagnosis in 1998. Motion alleges that the relative had passed and movant is not aware of “what he had going on.”

No explanation as to movant’s own delay in filing a claim. Does not allege lack of knowledge of bar date, contains no showing to support relief based on excusable neglect or due process. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Jones, Mary

Jacqueline Coleman
696 Kimberly Dr.
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 10069
Claim: TRO9055339FTC
Claim filed: 3/1/2017
Motion date: 5/13/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Claim filed on behalf of injured party who died in 1998. Listed diagnoses in 1992 except for one alleged diagnosis in 2022. However, a condition being first diagnosed in 2022 is impossible for someone who died in 1998.

Explanation for late filing: injured party had died, was not able to file a claim.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Latham, Jason

Jason Latham
1826 10th Avenue North
Columbus, MS 39701

Motion and Docket Information

Docket No.: 9748
Claim: TRO914916FTC
Claim filed: 7/26/2017
Motion Date: 12/21/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1988. Contends that he actually filed a claim before the bar date but there is no record of such a claim in the official claims register, only claim on file is one that was filed long after the bar date. Also says he wasn't aware of how to make a claim until he met with some community leaders.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Latham, Javoris

Javoris Latham
10385 Magnolia Park Drive
Tuscaloosa, AL 35405

Motion and Docket Information

Motion docket no.: 10016
Claim: TRO888759FTC
Claim filed: 12/30/2015
Motion date: 11/13/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 2000, 2008. Exposure in Columbus, Mississippi. Explanation for late filing: says was a child at the time of the deadline and his parents did not know of the deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge by parents but no showing as to other relevant factors (including their diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Little, Wayne

Wayne Little
2991 Carriage Trl
Jonesboro, GA 30236-6837

Motion and Docket Information

Motion docket no.: 9899
Claim: TRO915276FTC
Claim filed: 829/2017
Motion Date: 8/1/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Listed diagnoses were in 1980. Explanation for late filing: was not aware of Tronox bankruptcy or deadline. Exposures occurred in Alabama.

Claim based on conditions diagnosed in 1980 were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. Claimant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Little, Will

Wayne Little
2997 Carriage Trail
Jonesboro, GA

Motion and Docket Information

Motion docket no.: 10010, 10101
Claim: TRO915656FTC
Claim filed: 8/29/2017
Motion date: 11/7/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed for relative who died in 1980. Diagnosis in 1994-1996. Exposure in Alabama.
Explanation for late filing: says was not aware of the deadline until after it had passed.

A separate claim for another person named Will Little (TRO915469FTC) has been filed and is the subject of a separate motion (Docket NO. 9892). It is not clear whether the claims and motions are for the same injured party.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Manning, Alna Orga

Alna Manning
3550 Cedar Creek Dr. Apt.103
Shreveport, LA 71118

Motion and Docket Information

Motion docket no.: 9995
Claim: TRO100141FTC
Claim filed: 11/1/2018
Motion date: 10/10/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 1993, 1997, 1998. Explanation for late filing: was not aware of the process, had moved from one address in Shreveport to a different address at that time.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Marlow, Carrie

Gertrude Shanklin
139 Harris Drive
Columbus, MS 39705-8212

Motion and Docket Information

Motion docket no.: 10027
Claim: TRO914164FTC
Claim filed: 6/28/2017
Motion date: 12/11/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed on behalf of a deceased relative. Diagnoses in 1958, 1960, 1961. Exposures occurred in Mississippi. Explanation for late filing: was not aware of exposure or of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Marlowe, William

Gertrude Shanklin
139 Harris Drive
Columbus, MS 39705-8212

Motion and Docket Information

Motion docket no.: 10029
Claim: TRO914163FTC
Claim filed: 6/28/2017
Motion date: 12/18/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed on behalf of a deceased relative. Exposures occurred in Mississippi. Diagnoses in 1970, 1978. Explanation for late filing: was not aware of exposure or of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Martin, Louise

Louise Martin
PO Box 5187
Columbus, MS 39704

Motion and Docket Information

Docket No.: 9757
Claim: TRO880865FTC
Claim filed: 12/4/2015
Motion Date: 1/13/22
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 2005. Says filed a claim in 2007, but if that is the case it must have been in connection with a prior class action, as the Tronox bankruptcy case was not filed until 2009.

If the prior claim was not resolved in a class action then it could no longer be pursued in the Tronox bankruptcy case. If the claim was the subject of a still- pending proceeding, it should have been filed by the bar date, because counsel received direct notice of the bar date. A failure by counsel to do so would not be grounds for relief from the bar date, because conduct of counsel is not grounds for relief based on excusable neglect unless counsel's conduct can be excused, and no excuse has been offered.

If the claim was not part of a prior action, the motion is still deficient. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Awareness of the prior class action also shows awareness of potential claims and legal rights. No showing as to relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

McCrary, Regina

Regina McCrary
909 W. Washington Blvd. #407
Chicago, IL 60607

Motion and Docket Information

Docket No.: 9737
Claim: TRO890626FTC
Claim filed: 2/23/2016
Motion Date: 12/14/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1995, 2005. Explanation for late filing: was not aware of deadline, says did not receive information in a timely manner.

No showing that Tronox had reason to know of claimant, no specific challenge to the publication notices that were approved in 2009. In addition, the risks of creosote exposure and filings of lawsuits based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claims also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

McDuffy, Meagan

Meagan McDuffy
9 Fairway Circle
Haughton, LA 71037

Motion and Docket Information

Docket No.: 9729
Claim: TRO999503FTC
Claim filed: 9/3/2018
Motion Date: 12/10/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnosis in 1989. Explanation for late filing: alleges was on active duty military.

The service records submitted with the motion show that movant was in active duty beginning May 25, 2009 but that such duty ended June 10, 2010. Military service would have provided a valid excuse if a claim had been filed reasonably promptly after June 10, 2010, but many years passed after that date before a claim was filed.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

McGee, Kloe

Kloe McGee
908 Mercer St.
Tupelo, MS 38804

Motion and Docket Information

Motion docket no.: 9948
Claim: TRO894142FTC
Claim filed: 3/2/2016
Motion date: 3/7/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 2004. Explanation for late filing: she filed paperwork as it came in the mail.
Mother was legal guardian at the time.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Moore, Mary

Mary Moore
298 Hwy 30
Baldwyn, MS 38824

Motion and Docket Information

Motion docket no.: 9944
Claim: TRO915685FTC
Claim filed: 8/29/2017
Motion date: 2/27/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 2007 and 2008. Explanation for late filing includes references to stolen mail, stolen stimulus checks and stolen tax refunds. Motion appears to allege that movant is “the U.S. Attorney General of the US and Territories.” Alleges was in military service from April 29, 1977 to November 3, 2017. Claims she “did file and the courts and the banks should have the record” and the forms reporting theft.

Active military service might have postponed the due date for the filing of a claim but there is no verification of the dates of service (despite instructions in the motion forms that such verification had to be provided) and no verification that claim was filed on a timely basis even if military service provided an extension.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Moore, Robert

Robert Moore
1147 County Road 25
Forkland, AL 36740

Motion and Docket Information

Docket No.: 9665
Claim: TRO914039FTC
Claim filed: 6/28/2017
Motion Date: 10/20/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 2008 and in April 2009. He claims he filed a claim in 2008 when Tronox first sent claim forms, but 2008 would have pre-dated the actual bankruptcy filing (which occurred in 2009) and the official claims register does not reflect any such claim. Movant may be thinking of the post-bar date claim he eventually filed and may be confused as to the date. Alternatively, movant may have participated in one of the pre-bankruptcy class actions.

Did not offer any reason for post-bar date delay, just says he filed a claim. Does not allege lack of notice of bar date, makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Moran, Francine

Luke P. Moran, Esq.
c/o The Moran Law Group, LLC
116 N. Washington Ave. Suite 400
Scranton, PA 18503

Motion and Docket Information

Docket No.: 9721
Claim: TRO905783FTC
Claim filed: 4/24/2017
Motion Date: 12/6/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1966, 1994, 2007. Explanation for late filing: says she did not learn of the harmful chemicals from the Avoca plant until 2017, at which time she filed a claim.

The risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of PA starting in 2001. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Murdock, Beatrice

Flentrus Murdock
4664 Baker Rd.
Prairie, MS 39756

Motion and Docket Information

Motion docket no.: 9984
Claim: TRO899330FTC
Claim filed: 7/11/2016
Motion date: 9/29/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed on behalf of the movant's mother, who died in 2010. Diagnoses in 1970 and 1997. Exposures in Mississippi. Explanation for late filing: movant says she was not aware of the deadline until 2016.

Mother was alive at the time of the bar date. Does not allege mother's lack of knowledge of the bar date. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claims also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Nalls, Kimberly

Kimberly Nalls
668 South Parkell Ave.
Hueytown, AL 35023

Motion and Docket Information

Docket No.: 9706
Claim: TRO912326FTC
Claim filed: 5/30/2017
Motion Date: 11/15/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

No conditions or diseases were identified, no exposure dates or locations provided, no diagnosis dates listed. Explanation for late filing: was not aware of deadline.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

O'Neal, Gussie Autry

John Autry
3105 Cameron River
Cibolo, TX 78108

Motion and Docket Information

Docket No.: 9756
Claim: TRO100599FTC
Claim filed: 1/14/2019
Motion Date: 1/12/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Claim filed on behalf of deceased relative. Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, movant also alleges that the injured party was deceased as of the bar date, which means there could not have been any conditions first diagnosed after the bar date.

Listed diagnoses were in 1972, 1988. Contention that movant was in Army until January 27, 2011 but no documentation of such service was provided (despite clear instructions that it needed to be provided), and in any event there is no indication that movant was the estate representative and no explanation of why someone else could not have filed.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Ozack, Martin

Martin Ozack
2 Joyce St.
Moosic, PA 18507

Motion and Docket Information

Docket No.: 9674
Claim: TRO912598FTC
Claim filed: 5/30/2017
Motion Date: 10/27/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Motion contains no information, just a signature page. No grounds stated for relief from the bar date.

Perry, Leslie

Leslie Perry
115 Frank James Road
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 9947
Claim: TRO886758FTC
Claim filed: 12/7/2015
Motion date: 3/3/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses approximately 20-25 year ago. Explanation for late filing: says she did file but it has been denied several times. References to filing appear to be references to the late-filed claim and subsequent communications with the Tort Claims Trust. No record of any claim filed before the August 12, 2009 bar date.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Quinn, Walter

Walter Quinn
18245 Hwy 50
Cedar Bluff, MS 39741

Motion and Docket Information

Docket No.: 9687
Claim: TRO913737FTC
Claim filed: 6/28/2017
Motion Date: 11/2/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1987, 1989, 1995. Explanation for late filing: was late hearing about the case, person who was going to help him do the paperwork got sick. Does not explain the multiple-year delay after the bar date before a claim was filed.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Reviello, Ralph

Bill Reviello
984 Wood St.
Old Forge, PA 18518

Motion and Docket Information

Motion docket no.: 9975
Claim: TRO914852FTC
Claim filed: 7/26/2017
Motion date: 9/14/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, motion alleges the injured party died in 1977, so no post-bar date exposure or post-bar date diagnosis is possible

Claim filed on behalf of deceased parent who died in 1977. Diagnosis in 1974. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Revis, Ollie

Barbara Little
2991 Carriage Trl
Jonesboro, GA 30236

Motion and Docket Information

Motion docket no.: 10099
Claim: TRO915856FTC
Claim filed: 8/29/2017
Motion date: 9/12/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant signed a Rejection Notice alleging claims based on post-bar date exposures or based on conditions first diagnosed after the bar date. However, the claim is filed on behalf of a deceased relative. The date of death is not listed but all of the underlying conditions that are listed have diagnosis dates in 1980 and 1981.

Explanation for late filing: was not aware of deadline until 2017. Exposures allegedly occurred in Alabama.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. The listed claims also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Roland, Frederick

Frederick Roland
203 Alabama St.
Columbus, MS

Motion and Docket Information

Motion docket no.: 10025
Claim: TRO886183FTC
Claim filed: 12/7/2015
Motion date: 12/5/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 1995. Explanation for late filing: he filed a claim, but he never heard back. Apparently is referring to the late-filed claim; no record of any claim filed before the August 12, 2009 bar date.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Rush, Johnny

Johnny Rush
813 Skylark Drive
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 9886
Claim: TRO920084FTC
Claim filed: 10/30/2017
Motion Date: 8/18/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Diagnoses in 2003 and in July 2009. Explanation for late filing: was not aware of deadline.

Claim based on 2003 condition diagnosed in 2003 was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Rushing-Lopez, Tresie

Tresie Rushing-Lopez
4785 Katherine Lane
Memphis, TN 38141

Motion and Docket Information

Motion docket no.: 10017
Claim: TRO912214FTC
Claim filed: 5/30/2017
Motion date: 11/13/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 1982, 2003. Exposures in Mississippi. Explanation for late filing: was not aware of deadline, says she moved in 1989.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in Mississippi starting before 2000. Claimant alleges she had moved but that she still had relatives in Columbus, MS. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Shields, George

Julia Buy
2006 Short Main St.
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 9951
Claim: TRO920909FTC
Claim filed: 12/7/2015
Motion date: 3/7/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date exposure or diagnosis is identified.

Claim filed for a relative. Diagnoses in 1961, 1975. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Sims, Linzy

Margie Sims
1609 Green St.
Bossier City, LA 71111

Motion and Docket Information

Motion docket no.: 10012
Claim: TRO999546FTC
Claim filed: 9/5/2018
Motion date: 11/8/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date diagnosis or exposure is listed.

Claim filed on behalf of a deceased relative. Date of death not identified. Exposure in Mississippi. Diagnosis in 1985. Explanation for late filing: movant was incarcerated from 2007 to 2011.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. In addition, the claim was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Stephens, Katie

Katie Stephens
1400 Roberta Drive Apt. 8204
Marietta, GA 36008

Motion and Docket Information

Docket No.: 9731
Claim: TRO914848FTC
Claim filed: 7/26/2017
Motion Date: 12/13/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1980, 1984, 2006, 2008. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claims based on pre-2006 diagnoses also were barred by the applicable statute of limitations prior to the Tronox bankruptcy filing.

Summerville, Willie

Mary Summerville
391 Read Dr.
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 10019
Claim: TRO914903FTC
Claim filed: 7/26/2017
Motion date: 11/16/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim was filed on behalf of a deceased relative who died in 1971. No post-bar date exposure or diagnosis is possible.

Diagnoses in 1950, 1953. Explanation for late filing: she claims she filed and claim was lost “with the previous attorney.” May be referring to a class action claim, but motion is not clear.

Conduct of counsel is not grounds for relief based on excusable neglect unless counsel's conduct can be excused, and no such excuse has been offered. Risks of creosote exposure and filings of claims based on the same also were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Taylor, Annette

Rebecca Dora
1802 Washington Ave.
Columus, MS 39701

Motion and Docket Information

Motion docket no.: 10045
Claim: TRO905323FTC
Claim filed: 3/1/2017
Motion date: 4/1/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim filed on behalf of a person who died in 2004. No post-bar date exposure or diagnosis is possible.

Diagnoses in 1989 and 1990. Reason for late filing: says filed a claim and was turned down. Apparently is referring to the late-filed claim with the Tort Claims Trust. No record of any timely claim.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Taylor, Paul

Paul Taylor
1259 E. 139th Street
Compton, CA 90222

Motion and Docket Information

Docket No.: 9709
Claim: TRO100977FTC
Claim filed: 1/6/2020
Motion Date: 11/16/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 2000, April 2009. Explanation for late filing: was not aware of deadline.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Terry, Willie

Ora Terry
517 13th Ave South
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 10018
Claim: TRO924140FTC
Claim filed: 11/28/2017
Motion date: 11/17/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim was filed on behalf of a deceased relative who died in 1997, so no post-bar date exposure or diagnosis is possible.

Diagnoses in 1994, 1995. Exposure occurred in Columbus, Mississippi. Explanation for late filing: was not aware of deadline, did not know of the process, believes she filed a claim in 2010.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Thomas, Annie

Annie Jean Thomas
802 1th N.W.
Aliceville, AL 35442

Motion and Docket Information

Motion docket no.: 9978
Claim: TRO913060FTC
Claim filed: 5/30/2017
Motion date: 9/20/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnosis in 2000. Exposure occurred in Mississippi. Explanation for late filing: filed when first knew of the process, in 2019.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Walker, Angela

Angela Walker
100 West End Court Apt., F 1,
York, AL 36925

Motion and Docket Information

Motion docket no.: 9877
Claim: TRO915474FTC
Claim filed: 8/29/2017
Motion Date: 8/9/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Diagnoses in 1986, 1988. Explanation for late filing: was not notified of the deadline.

Publication notices (including in Alabama) were reasonable and proper. In addition, the motion alleges a lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claims also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Washington, Erilla

Sherry Dawson
6801 Browns Mill Terry Drive
Lithonia, GA 30038

Motion and Docket Information

Docket No.: 9763
Claim: N/A
Claim filed: 7/18/2022
Motion Date: 2/7/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

There is no claim number associated with this Motion - Movant used forms originally filed with court in 2017. Claim was filed on behalf of an individual who died in 2005.

Movant says notice was deficient because it did not allow enough time to file, but that does not explain the many years' delay after the bar date before a claim was filed. Alleges publication notice was not reasonable but no showing that Tronox had reason to know of claimant, no specific challenge to the publication notices that were approved in 2009.

Alleges lack of actual knowledge as to grandmother's claims but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief from the bar date based on excusable neglect.

Washington, Jerri

Jerri Washington
5024 17th Ave. #2
Kenosha, WI 53140

Motion and Docket Information

Motion docket no.: 10006
Claim: TRO896581FTC
Claim filed: 4/25/2016
Motion date: 11/6/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 1978. Exposure in Columbus, MS. Says made a claim in 2001 and rejected an offer of \$750 after the claim was filed; that is an apparent reference to a prior class action in Columbus, MS. Claims to have made a claim in July 2009 but there is no official record of such a claim. Says her legal representative is now deceased.

Participation in prior class action proceeding shows awareness of claim and of legal rights. Risks of creosote exposure and filings of claims based on the same also were the subjects of widespread publicity in the relevant areas starting before 2000. No showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim based on 1978 diagnosis also was time-barred under Mississippi law prior to the Tronox bankruptcy filing.

Williams, Ada

Ada Williams
61 Beverly Rd.
Greensboro, AL 36744

Motion and Docket Information

Docket No.: 9696
Claim: TRO915780FTC
Claim filed: 8/29/2017
Motion Date: 11/10/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Motion contains no information, just a signature page. No grounds for relief.

Williams, Rodney

Rodney Williams
18436 US 45
Macon, MS 39341

Motion and Docket Information

Motion docket no.: 9929
Claim: TRO916694FTC
Claim filed: 10/30/2017
Motion Date: 9/23/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Diagnoses in 2001, 2002. Explanation for late filing: was not informed of the claims process and procedure, did not know about the claim.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Wilson, Joseph

May Ross
717 Hemlock St.
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 10075
Claim: TRO889756FTC
Claim filed: 2/23/2016
Motion date: 6/5/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Diagnoses in 1998. Explanation for late filing: she was told she could not file without a power of attorney, but says she is the mother of an individual who was 15 years of age. Unclear when or by whom she allegedly was told that.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Woodley, Travis

Travis Woodley
PO Box 66
Brooksville, MS 39739

Motion and Docket Information

Motion docket no.: 9914
Claim: TRO921303FTC
Claim filed: 10/30/2017
Motion Date: 8/22/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Diagnoses in 1985, 1987, 1992. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re)
) Chapter 11
TRONOX INCORPORATED, <i>et al.</i> ,) Case No. 09-10156 (MEW)
) Jointly Administered
Reorganized Debtors.)

**NOITCE OF DECISION AND IMPENDING ORDER WITH REGARD TO
YOUR MOTION FOR PERMISSION TO FILE A TORT CLAIM
NOTWITHSTANDING THE EXPIRATION OF THE 2009 BAR DATE**

On August 5, 2024, the Court issued a Decision regarding 260 motions seeking relief from the August 12, 2009 bar date in these cases so that the movants may pursue claims against the Tronox Incorporated Tort Claims Trust (the “Trust”). The Decision described the Court’s rulings with respect to many common issues among the motions. The Court also prepared and attached tables to the Decision that describe the Court’s rulings with respect to each separate motion. Full copies of the Court’s lengthy Decision, and the tables attached to it, are available on the Trust’s website at [insert web address]. You may also obtain copies by calling the Trust’s toll-free number at [insert phone number].

PLEASE BE ADVISED that your motion has been denied in its entirety and will be the subject of an Order that will be entered in the form that is enclosed with this notice. The Court’s rulings with respect to your individual motion are set forth in the statement that is also enclosed.

PLEASE BE FURTHER ADVISED THAT IN ORDER TO GIVE YOU TIME TO RECEIVE THIS NOTICE AND TO CONSIDER YOUR RIGHTS THE ORDER WITH RESPECT TO YOUR MOTION WILL NOT BE ENTERED UNTIL SEPTEMBER 12, 2024. THE DEADLINE FOR THE FILING OF ANY NOTICE OF APPEAL WILL BE SEPTEMBER 26, 2024.

Dated:

Tronox, Inc. Tort Claims Trust
600 Vine Street
Suite 2006
Cincinnati, OH 45202

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re :
: Chapter 11
TRONOX INCORPORATED, *et al.*, : Case No. 09-10156 (MEW)
: Jointly Administered
: Reorganized Debtors. :
-----X

**ORDER DENYING CERTAIN MOTIONS FOR RELIEF FROM THE
2009 BAR DATE AND REFERRING THE MOVANTS' POST-BAR DATE
CLAIMS TO THE TORT CLAIMS TRUST FOR RESOLUTION**

The individuals listed on **Exhibit C-1** attached to this Order (the “Movants”) have filed motions seeking permission to pursue “Future Tort Claims” against the Tronox Incorporated Tort Claims Trust (the “Trust”). The Trustee of the Trust has filed various Omnibus Objections to the Motions (ECF Nos. 9943,9973, 10041 and 10081). The Court’s rulings on issues that are common to the Motions are set forth in a Decision entered on August 5, 2024 (the “Decision”), and the rulings on certain of the individual motions are set forth in **Exhibit C-1** to this Order. For the reasons set forth in the Decision and in Exhibit C-1,

IT IS HEREBY ORDERED that the portions of the Motions listed on **Exhibit C-1** that seek relief from the bar date as to diseases and conditions that were first diagnosed prior to August 12, 2009 are **DENIED**; and it is further

ORDERED, that the portions of the Motions listed on **Exhibit C-1** that allege claims based upon conditions or diseases that allegedly were first diagnosed after August 12, 2009 are referred to the Trust for resolution under its normal dispute resolution procedures.

Dated: New York, New York
September 12, 2024

Honorable Michael E. Wiles
United States Bankruptcy Judge

Abent, Jean

Frank Abent
436 Sheridan Ave.
Clarks Summit, PA 18411

Motion and Docket Information

Motion docket no.: 9976
Claim: TRO916417FTC
Claim filed: 9/28/2017
Motion Date: 9/18/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Claim filed on behalf of movant's mother. Motion says diagnoses were first made in early September 2009 at the time of her mother's death, but also says that the movant's mother had been treated for these conditions prior to her death, then alleges that they did not know the seriousness of the condition until August 2008. Explanation for late filing: was not aware he could file on behalf of his mother until 2017.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge of right to file claim but underlying conditions apparently were known before the bar date. There is no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), motion is not sufficient for relief based on excusable neglect.

The merits of any claim alleging that conditions were first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Allen, Aretha

Aretha Allen
P.O. Box 734
Demopolis, AL 36732

Motion and docket information:

Motion docket number: 9917
Claim: TRO917397FTC
Claim filed: 10/30/2017
Motion Date: 8/26/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Signed rejection notice. No motion for relief based on excusable neglect or due process. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Anderson, Lula

Lula Anderson
PO Box 78
Crawford, MS 39743

Motion and Docket Information

Docket No.: 9707
Claim: TRO905558FTC
Claim filed: 3/28/2017
Motion Date: 11/15/2020
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

No diagnosis and no dates given. Explanation for late filing: was not aware of deadline. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Augustus, Samuel

Augustus Samuel
55 Johnson Rd.
Columbia, CT 06237

Motion and Docket Information

Motion docket no.: 10060
Claim: TRO905439FTC
Claim filed: 3/28/2017
Motion date: 4/17/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Signed rejection notice. No motion for relief based on excusable neglect or due process.
Disagreement over Trust's review of claim is to be resolved in the Tort Claims Trust dispute resolution procedure.

Autry, Michael

Benita Autry
PO Box 322
Houston, MS 38851

Motion and Docket Information

Motion docket no.: 10024
Claim: TRO925805FTC
Claim filed: 1/30/2018
Motion date: 12/5/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the supporting papers identify no such claim.

Claim submitted by surviving wife on behalf of deceased husband. Diagnoses in 2004 and June 2009. Explanation for late filing: was not aware of “the situation.” No explanation as to why husband did not file a claim. Movants states that she is disabled due to head trauma, but provided no information to support this or to explain why this resulted in such a long delay in filing a claim.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claims based on conditions diagnosed before 2006 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Ball, Ada

Margie Sims
1609 Green St.
Bossier City, LA 71111

Motion and Docket Information

Motion docket no.: 10011
Claim: TRO999547FTC
Claim filed: 9/5/2018
Motion date: 11/8/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no such post-bar date exposure is identified and no post-bar date diagnoses are listed.

Diagnoses in 2000. Explanation for late filing: filer was incarcerated, but no dates listed. That does not explain the failure to file a claim by the bar date.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Ball, Lois

Lois Ball
362 South Jones Ave.
Louisville, MS 39339

Motion and docket information

Motion docket no.: 9900
Claim: TRO918723FTC
Claim filed: 10/30/2017
Motion Date: 8/2/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

No diseases/conditions listed in claimant's motion and no dates given for the diagnoses of such diseases/conditions. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions or diseases first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Barnett, Mary

Mary Barnett
PO Box 94
Brooksville, MS 39739

Motion and docket information:

Motion docket no.: 9935
Claim: TRO919432FTC
Claim filed: 10/30/2017
Motion Date: 11/4/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Signed rejection notice. No motion for relief based on excusable neglect or due process. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Beck, Viola

Viola Beck
9535 US Highway 43
Boligee, AL 35443

Motion and Docket Information

Docket No.: 9703
Claim: TRO915686FTC
Claim filed: 8/29/2017
Motion Date: 11/12/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 2006, 2009, 2021. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses. Claims based on conditions diagnosed before 2006 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Beck, Walter

Walter Beck
9535 US Highway 43
Boligee, AL 35443

Motion and Docket Information

Docket No.: 9695
Claim: TRO916237FTC
Claim filed: 9/28/2017
Motion Date: 11/8/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 2007, 2014, 2021. Explanation for late filing: was not aware of deadline.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Benison, Cordera

Cordera Benison
995 Shep Cook Ave.
Forkland, AL 36740

Motion and Docket Information

Docket No.: 9708
Claim: TRO924744FTC
Claim filed: 1/2/2018
Motion Date: 11/16/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in July, August, October 2009. Explanation for late filing: says she did file in 2009, but claim was not approved. However, there is no record of any such claim in the official claims register. Movant may be thinking of the late-filed claim, or possibly of a claim filed in a prior class action.

Says her case needs to be reviewed again. However, if a claim was denied in a pre-bankruptcy lawsuit that denial became final long ago, no valid reasons alleged to reopen it. If claim was still unresolved, it should have been pursued in the bankruptcy case. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Biggs, Anthony

Anthony Biggs
1014 Shep Cook Ave.
Forkland, AL 36740

Motion and Docket Information

Docket No.: 9704
Claim: TRO916201FTC
Claim filed: 9/28/2017
Motion Date: 11/15/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in May 2009. Explanation for late filing: says he did file in 2009, but claim was denied. However, there is no record of any such claim in the official claims register. Movant may be thinking of the late-filed claim, or possibly of a claim filed in one of the class actions that predated the bankruptcy.

If a prior lawsuit or claim was denied, that denial became final long ago, no valid reasons alleged to reopen it. If a claim was not resolved, it should have been filed by the bar date. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Motion papers did not identify any diagnosis first made after the bar date, but in any event the merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Blaylock, Joyce

Joyce Blaylock
10016 Robin Dr., Lot 34
Aberdeen, MS 39730

Motion and Docket Information

Motion docket no.: 9714
Claim: TRO897123FTC
Claim filed: 5/4/2016
Motion date: 11/22/2021
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Signed rejection notice. No motion for relief based on excusable neglect or due process.
Disagreement over Trust's review of claim is to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Boyd, Teresa

Teresa Boyd
74 Ramsey St.
Scooba, MS 39358

Motion and Docket Information

Motion docket no.: 10003
Claim: TRO916506FTC
Claim filed: 9/28/2017
Motion date: 0/31/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no information is provided as to any post-bar date exposure or post-bar date diagnosis.

No diagnoses dates given and no condition or illness is listed for which a claim is being filed.
Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Brandy, Johnny

Johnny Brandy
111 Anderson Acres Rd.
Preston, MS 39354

Motion and docket information:

Motion docket no.: 9936
Claim: TRO918721FTC
Claim filed: 10/30/2017
Motion Date: 11/29/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Cardiovascular disease was listed as a disease/condition in the motion, but and no diagnosis dates were provided. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to any conditions or diseases that were first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Bryant, Frankie

Frankie Bryant
PO Box 293
Gainesville, AL 35464"

Motion and Docket Information

Docket No.: 9715
Claim: TRO915327FTC
Claim filed: 8/29/2017
Motion Date: 11/29/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in February 2009, 2010 and 2011. Explanation for late filing: was not aware of the claim or the deadline, nobody had reached out to inform his family of the dangerous conditions.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect and to conditions first diagnosed before the bar date.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Bryant, Jasmine

Jasmine Bryant
PO Box 293
Gainesville, AL 35464

Motion and Docket Information:

Docket No.: 9734
Claim: TRO915328FTC
Claim filed: 8/29/17
Motion Date: 12/14/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses August 25, 2009, 2010, 2011. Explanation for late filing: was not aware of deadline or of the Tronox case.

All listed diagnoses were first made after the August 11, 2009 bar date. No grounds for relief to permit the assertion of a pre-bar date claim because no such claim was identified, only post-bar date claims are listed. Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Burgin, Rone

Julia Burgin
2006 Short Main St.
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 9990
Claim: TRO886560FTC
Claim filed: 12/7/2015
Motion date: 10/2/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 1984, 2008, 2015. Explanation for late filing as to pre-bar date diagnoses: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim based on the 1984 diagnosis also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date (in 2015) are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Campbell, Ernest

Ernest Campbell
145 Colquitt St.
Bossier City, LA 71111

Motion and Docket Information

Docket No.: 9697
Claim: TRO100130FTC
Claim filed: 11/1/2018
Motion Date: 11/10/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1976, 1978, 1980 and more recently in August 2021. Explanation for late filing: “no knowledge of suit, wasn’t notify of where to file a claim.”

Alleges lack of personal notice but no showing that Tronox had reason to know of claimant, no specific challenge to the publication notices that were approved in 2009. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Campbell, Lakesha

Lakesha Campbell
PO Box 101
Avesta, MS 39736

Motion and Docket Information

Motion docket no.: 10034
Claim: TRO922085FTC
Claim filed: 11/28/2017
Motion date: 12/21/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no information about any post-bar date exposure or post-bar date diagnosis is provided

Listed diagnoses were in 2002. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim based on 2002 diagnoses also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Carpenter, Lee

Lee Carpenter
PO Box 293
Gainesville, AL 35464

Motion and Docket Information

Docket No.: 9723
Claim: TRO915324FTC
Claim filed: 8/29/2017
Motion Date: 12/8/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses on August 20, 2009, 2010, 2011. Explanation for late filing: was not aware of deadline.

All listed diagnoses were first made after the August 11, 2009 bar date. No grounds for relief to permit the assertion of a pre-bar date claim because no such claim was identified, only post-bar date claims are listed. Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Carter, Corinesha

Corinesha Carter
5456 County Road 69
Boligee, AL 35443

Motion and Docket Information

Docket No.: 9689
Claim: TRO915683FTC
Claim filed: 8/29/2017
Motion Date: 11/3/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the only conditions listed were diagnosed in 2006 and 2007.

Says “I did file with the Tronox and haven’t heard from anybody. I was not aware that there was deadline until after the due date had passed.” Reference to a filing appears to be a reference to the post-bar date filing of a claim with the Trust. There is no record in the official claims register of any timely claim by the movant.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Motion papers do not identify and conditions first diagnosed after the bar date, but in any event the merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Carter, Julia

Julia Carter
432 Roebuck Ave.
Eutaw, AL 35462

Motion and Docket Information

Docket No.: 9690
Claim: TRO915792FTC
Claim filed: 8/29/2017
Motion Date: 11/3/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the only conditions listed in the motion papers were diagnosed in 1980, 2005 and 2006.

Explanation for late filing: was not aware of deadline, was unaware that she qualified.

Alleged exposures were from 1975-1980, claims based on the listed conditions and diagnoses were time-barred by the applicable Alabama statute of limitations long prior to the commencement of the Tronox bankruptcy case. In addition, alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Motion papers do not identify claims based on conditions first diagnosed after the bar date, but in any event the merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Chess, Eddie

Eddie Chess
96 Hwy 114
Butler, AL 39604

Motion and docket information

Motion docket no.: 9884
Claim: TRO924569FTC
Claim filed: 1/2/2018
Motion Date: 8/15/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Motion lists various conditions that were first diagnosed in 2008. Trust's submission suggests that underlying claim alleges diagnoses in 1981 and 1988 but also suggests there may have been a condition diagnosed in 2013.

Explanation for late filing: incompetence and illness. He thought he had filed before, but his illness (multiple myeloma, blood disorder, eye disorder, pre-cancer legion, respiratory problem, shortness of breath, stem cell disorder) caused brain fog.

Does not include records sufficient to show an excuse based on alleged incompetence. Claims based on diagnoses in 1981 and 1988 also were time-barred under the applicable Alabama statute of limitations before the Tronox bankruptcy filing. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect as to diseases and conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Chess, Patricia

Patricia Chess
96 Hwy 114
Butler, AL 39604

Motion and docket information:

Motion docket no.: 9920
Claim: TRO924474FTC
Claim filed: 1/2/2018
Motion Date: 8/29/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Diagnoses in 2012, 2013. Explanation for late filing: illness which caused incompetence.
Medical records included - most of the dates of illnesses occurred after the bar date.

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Choyce, Annie

Willie Moore
700 Detroit St.
Bossier City, LA 7111

Motion and Docket Information

Motion docket no.: 9996
Claim: TRO100897FTC
Claim filed: 8/23/2019
Motion date: 10/16/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the moving papers state that exposure is believed to have occurred before the bar date, and the listed diagnoses are in 2004.

Explanation for late filing: did not have time. Does not allege lack of awareness of bar date and claims process, no valid explanation for missing bar date or for long post-bar date delay in filing claim, not sufficient for relief based on excusable neglect.

Merits of any claim based on conditions allegedly first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Choyce, Bobby

Bobby Choyce
700 Detroit St.
Bossier City, LA 7111

Motion and Docket Information

Docket No.: 9732
Claim: TRO100945FTC
Claim filed: 8/26/2019
Motion Date: 12/14/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 1980, 1984. Explanation for late filing: claimant was in jail in 2009. No records were provided.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Motion papers do not identify any conditions first diagnosed after the bar date, but in any event the merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Clark, Marine

Marine Clark
5620 Enon Rd.
Louisville, MS 39339

Motion and docket information:

Motion docket no.: 9915
Claim: TRO920661FTC
Claim filed: 10/30/2017
Motion Date: 8/23/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Rulings

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Cardiovascular disease, asthma listed and no dates given for diagnoses of diseases/conditions.
Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions or diseases diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Clay, Brandon

Brandon Clay
111 Anderson Acres Rd.
Preston, MS 39354

Motion and docket information:

Motion docket no.: 9937
Claim: TRO918824FTC
Claim filed: 10/30/2017
Motion Date: 11/29/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Asthma disease listed and no dates given for diseases/conditions. Reason did not make a timely filing: says was not aware of the date and that it was not made public. However, there was widespread publication notice of the bar date, including in newspapers in Mississippi.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Clay, Luthaniel

Valerie Clay
608 Chestnut St.
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 10073
Claim: TRO886014FTC
Claim filed: 6/28/2017
Motion date: 5/15/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Claim apparently filed on behalf of a relative. Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. But no post-bar date exposure or diagnosis is listed.

Diagnoses in 1978, 1999. Explanation for late filing: says she did file. However, there is no record of a pre-bar date claim in the official claims register. Movant may be thinking of the late-filed claim, or possibly is thinking of a claim that was filed and resolved in one of the class actions that preceded the Tronox bankruptcy filing.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Coats, Mary

Mary Coats
PO Box 870
Livingston, AL 35470

Motion and Docket Information

Docket No.: 9720
Claim: TRO913325FTC
Claim filed: 5/30/2017
Motion Date: 12/2/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. Says she filed a claim in 2009 but the official claims register shows no record of such a claim. Movant may be thinking of the late-filed claim.

Motion lists conditions that allegedly were first diagnosed in 2010. The Trustee's objection says that conditions were diagnosed in September and December 2009 and in 2015. Explanation for late filing: was not aware of deadline.

No grounds for relief to permit the assertion of a pre-bar date claim because no such claim was identified, only post-bar date claims are listed. Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Coburn, Edward

Edward Coburn

109 Sylvester Hudson Rd.
Louisville, MS 39339

Motion and docket information:

Motion docket no.: 9924

Claim: TRO919704FTC

Claim filed: 10/30/2017

Motion Date: 9/6/2022

Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Cardiovascular disease, asthma listed and no dates given for diseases/conditions. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Coburn, Marjorie

Marjorie Coburn
109 Sylvester Hudson Rd.
Louisville, MS 39339

Motion and docket information:

Motion docket no.: 9925
Claim: TRO919934FTC
Claim filed: 10/30/2017
Motion Date: 9/6/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Cardiovascular disease, asthma listed and no dates given for diseases/conditions. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Cockrell, Linda Williams

Linda Williams-Cockrell
239 Idlebrook Dr.
Jackson, MS 39212

Motion and docket information:

Motion docket no.: 9919
Claim: TRO887061FTC
Claim filed: 12/14/2015
Motion Date: 8/29/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Signed rejection notice. No motion for relief based on excusable neglect or due process.
Disagreement over Trust's review of claim is to be resolved in the Tort Claims Trust's normal dispute resolution procedures.

Coleman, Daisy

Rone Burgin
2006 Short Main St.
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 9989
Claim: TRO921183FTC
Claim filed: 10/30/2017
Motion date: 10/2/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no information about post-bar date exposures or conditions first diagnosed after the bar date is provided.

Diagnoses in 1997, 2008, May 2009. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim based on condition diagnosed in 19997 also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Colvin, George

George Colvin
144 Minor Colvin Drive
Aliceville, AL 35442

Motion and Docket Information

Docket No.: 9765
Claim: TRO926804FTC
Claim filed: 2/27/2018
Motion Date: 2/22/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 2007, November 2009, and 2013. Explanation for late filing: he was seriously ill at the time, no documentation provided.

Even if claimant was ill at the time of the bar date, no explanation was offered as to the lengthy delay after the bar date before a claim was filed. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions diagnosed before the bar date.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Council, Sharon

Sharon Council
2931 Claude Jackson 35
Aliceville, AL 35442

Motion and Docket Information

Docket No.: 9667
Claim: TRO913087FTC
Claim filed: 5/30/2017
Motion Date: 10/25/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling:

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses dated August 14, 2009 and in 2010 (all after the bar date). Explanation for late filing: was not aware of deadline.

No grounds for relief to permit the assertion of a pre-bar date claim because no such claim was identified, only post-bar date claims are listed. Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Crenshaw, Mattie

LeeAnna Crenshaw
5202 2nd Court East
Tuscaloosa, AL 35405

Motion and Docket Information

Motion docket no.: 9968
Claim: TRO917291FTC
Claim filed: 10/30/2017
Motion date: 4/17/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 2014, 2015. Explanation for late filing: diagnosis date was in 2015. No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Crooks, Jonathan

Jonathan Crooks
1800 Links Blvd. Apt. 6603
Tuscaloosa, AL 35405

Motion and docket information:

Motion docket no.: 9938
Claim: TRO921806FTC
Claim filed: 11/28/2017
Motion Date: 12/15/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 1984, 1990, 1992. Explanation for late filing: was not aware of deadline due to change of address. Says mail currently is being sent to his elderly grandmother's home. Unclear if that reasoning is meant to explain the late filing of the claim itself or the late filing of the motion.

Claims based on conditions diagnosed in 1992 and earlier were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, the motion alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Daniel, Hazel

Hazel Daniel
12570 Warsaw Rd. 85
Aliceville, AL 35442

Motion and Docket Information

Docket No.: 9685
Claim: TRO906188FTC
Claim filed: 4/24/2017
Motion Date: 11/2/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses of heart disease and asthma but no dates given. Exposures occurred in Mississippi. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Daniels, Aquanetta

Aquanetta Daniels
953 Butterfly Ln.
Demopolis, AL 36732

Motion and docket information:

Motion docket no.: 9879
Claim: TRO917695FTC
Claim filed: 10/30/2017
Motion Date: 8/12/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Signed rejection notice. No motion for relief based on excusable neglect or due process.
Disagreement over Trust's review of claim is to be resolved pursuant to the Tort Claims Trust's normal dispute resolution procedures.

Daniels, Eric

Eric Daniels
215 Rogers Drive
PO Box 1589
Livingston, AL 35470

Motion and Docket Information

Motion docket no.: 10015
Claim: TRO925757FTC
Claim filed: 1/2/2018
Motion date: 11/9/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. Diagnoses in March, June and August 14, 2009.

Explanation for late filing: says did not receive appropriate documentation or notification and was not aware of deadline.

Individual notice was not feasible or required in the absence of a showing that Tronox knew of this claimant's identity and illness at the time of the bar date. Publication notice was provided, movant has made no specific challenge to the publication notices that were approved in 2009.

Movant also says he was incompetent and physically incapacitated at the time of the bar date. The instructions for motions made clear that any claim of incompetency or incapacity needed to be supported, and movant provided no supporting documentation. In addition, there is no identification of an incompetence or incapacity that would have explained the many years' delay before movant filed a claim.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief from the bar date based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Daniels, Geraldine

Geraldine Daniels
215 Rogers Drive
PO Box 1835
Livingston, AL 35470

Motion and Docket Information

Motion docket no.: 10005
Claim: TRO912937FTC
Claim filed: 5/30/2017
Motion date: 11/6/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 2009 and 2010. Explanation for late filing: incompetency due to illness and hospitalization before filing a claim. Dates of hospitalization are not clear, however. Unclear if movant is referring to hospitalization at the time of the bar date or just prior to the claim that movant filed many years after the bar date.

Movant also says she did not receive proper notice. There is no showing that Tronox had reason to know of claimant or claimant's illness, and there is no specific challenge to the publication notices that were approved in 2009.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect as to claims first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Daniels, Tollie

Tollie Daniels
PO Box 14
Panola, AL 35477

Motion and Docket Information

Docket No.: 9686
Claim: TRO906196FTC
Claim filed: 4/24/2017
Motion Date: 11/2/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. Alleges a cancer diagnosis but no date was listed, unclear what Tronox facility is at issue, where the alleged exposure to a harmful substance occurred and what the alleged exposure was.

Explanation for late filing: was not aware of deadline until learned of the case in 2017.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief from the bar date based on excusable neglect as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Daniels, W.G.

W.G. Daniels
c/o Watkins Cross LLP
PO zbox 1528
Livingston, AL 35470

Motion and Docket Information

Motion docket no.: 10004
Claim: TRO912936FTC
Claim filed: 5/30/2017
Motion date: 11/1/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 1992, 2015, 2016. Explanation for late filing: says that Mr. Daniels was unaware of the Tronox case and is unable to read and write.

Claims based on conditions diagnosed in 1992 were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. No other claim based on a condition first diagnosed before August 12, 2009 is identified. Motions for relief from the bar date only apply to claims that were first diagnosed before the bar date.

Movant alleges conditions that were first diagnosed in 2015 and 2016. The merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Davis, Annie

Sandra Davis
3602 Main Street
Jackson, MS 39213

Motion and Docket Information

Motion docket no.: 9983
Claim: TRO915315FTC
Claim filed: 8/29/2017
Motion date: 9/29/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. But no post-bar date exposure or diagnosis is identified.

Movant filed a claim on behalf of a relative. Diagnoses in 1940, 1981. Explanation for late filing: says that the injured party moved between Columbus, MS and Jackson, MS, was legally blind and was not aware of the claim. No explanation of why relatives or other persons could not assist the party with respect to her legal rights.

The risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of Mississippi starting before 2000. Movant alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Davis, Konrad

Konrad Davis
813 Skylark Drive
Columbus, MS 39702

Motion and docket information:

Motion docket no.: 9888
Claim: TRO921461FTC
Claim filed: 11/28/2017
Motion Date: 8/18/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Underlying claim is based on diseases and conditions first diagnosed in 2003 and on August 1, 2009. Explanation for late filing: was not aware of deadline.

Claim based on the 2003 diagnosis was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Motion states that claimant also filed a “challenge option 1,” which suggests that claimant also may contend that he has a claim based on an exposure or diagnosis that first occurred after August 12, 2009. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Davis, Roderick

Roderick Davis
1417 Cynthia Ln.
Bossier, LA 71112

Motion and docket information

Motion docket no.: 9927
Claim: TRO100228FTC
Claim filed: 11/2/2018
Motion Date: 9/12/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 1994, 2007. Explanation for late filing: was not aware of deadline.

Claim based on 1994 diagnosis was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to any conditions or diseases that were first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Davis, Shirley

Shirley Davis
PO Box 1615
Louisville, MS 39339

Motion and Docket Information

Motion docket no.: 9991
Claim: TRO918760FTC
Claim filed: 10/30/2017
Motion date: 10/2/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. But no information about any post-bar date exposure or post-bar date diagnosis is provided.

Claims is based on cardiovascular disease but no diagnosis date was provided. Explanation for late filing: was not aware of deadline, says it was not made public.

No showing that Tronox had reason to know of claimant in 2009. There was widespread court-approved publication notice before the bar date, movant makes no specific challenge to the publication notices that were approved in 2009. Risks of creosote exposure and filings of claims based on the same also were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Davis, Willie

Sandra Davis
3602 Main Street
Jackson, MS 39213

Motion and Docket Information

Motion docket no.: 9986
Claim: TRO915317FTC
Claim filed: 8/29/2017
Motion date: 9/29/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Movant filed a claim on behalf of a relative who died in 2010. Diagnoses in 1990, 1995, 1998. Explanation for late filing: says parents were unaware of the deadline, had moved between Columbus and Jackson MS, sometimes someone else got their mail.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claims based on the listed diagnoses also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Dawson, Sherry

Sherry Dawson
6801 Browns Mill Terry Drive
Lithonia, GA 30038

Motion and Docket Information

Docket No.: 9762
Claim: NONE
Claim filed: 7/18/2022
Motion Date: 2/7/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

There is no claim number associated with this Motion - Movant used forms originally filed with court in 2017. Various diagnoses listed; no diagnosis dates given but attached supporting materials indicate first diagnoses in 1986, though it is not clear if that is just of one of the claimed conditions or all of them.

Explanation for late filing: was not aware of deadline.

Alleges that the notice of the deadline was deficient because the time to respond was too short, but even if that had been the case the claimant does not explain the long delay in filing a claim after the bar date expired. Says she no longer lived in the areas where publication notices occurred, but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Degraffernreid, Eddie

Eddie Degraffernreid
2908 Sapps Rd
Aliceville, AL 35442

Motion and Docket Information

Docket No.: 9759
Claim: TRO926870FTC
Claim filed: 2/27/2018
Motion Date: 1/27/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in March and April 2009, a different diagnosis in 2010. Explanation for late filing of underlying claim: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Edwards, Peggy

Peggy Edwards
38 Terri Dr.
Philadelphia, MS 39350

Motion and Docket Information:

Docket No.: 9722
Claim: TRO919570FTC
Claim filed: 10/30/2017
Motion Date: 12/7/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Alleges cardiovascular disease, respiratory asthma but no diagnosis dates are listed. Explanation for late filing: was not aware of deadline, says it was not made public.

Publication notices were made, movant offers no specific challenge to the publication notices that were approved in 2009. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Ervin, Carolyn

Carolyn Ervin
425 Oxford Ave.
Merritt Island, FL 32953

Motion and Docket Information

Docket No.: 9679
Claim: TRO905360FTC
Claim filed: 3/1/2017
Motion Date: 10/28/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the only condition identified in the motion is a condition that was diagnosed in 1995.

Explanation for late filing: says she had moved to another state, friends asked if she had signed up but she said she hadn't because she did not have anyone in Columbus, MS to fill out the paperwork for her or to tell her what to do and she did not know there was a time limit.

Claim identified in the motion was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, movant alleges lack of actual knowledge but does not make a sufficient showing as to other relevant factors (including diligence in investigation and pursuit of claims), not sufficient for relief based on excusable neglect as to conditions diagnosed before the bar date.

If movant believes she has a claim based on a condition that was first diagnosed after the bar date, that claim is to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Ervin, Rosie

Rosie Ervin
4753 Co Rd. 75
Ethelsville, AL 36461

Motion and docket information:

Motion docket no.: 9891
Claim: TRO906298FTC
Claim filed: 5/30/2017
Motion Date: 8/19/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 1980, 1981. Explanation for late filing: was not aware of deadline. Says she did not know what to do, her brother helped her when she eventually filed a claim but he has since passed away and she has nobody to help her.

Claims based on 1980 and 1981 diagnoses were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to diseases or conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Fair, Sharon

Sharon Fair
704 College St. Apt. 7
Ackerman, MS 39735

Motion and docket information:

Motion docket no.: 9903
Claim: TRO919605FTC
Claim filed: 10/30/2017
Motion Date: 8/15/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to cardiovascular disease; no dates given for diseases/conditions. Explanation for late filing: was not aware of deadline. No explanation offered as to delay between bar date and actual filing of a claim.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect based on conditions or diseases first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Farris, Sharon

Sharon Farris
113 Landyshine Lane
Rockville, MD 20850

Motion and Docket Information

Motion docket no.: 10022
Claim: TRO925098FTC
Claim filed: 1/2/2018
Motion date: 11/27/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 1966, 2022. Says injured party made a prior claim in a legal proceeding, does not otherwise explain. Explanation for late filing: was not aware of deadline, says cancer diagnosis was after the bar date.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date. Claim based on the condition diagnosed in 1966 also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Fenton, Robin

Robin Fenton
55 Oaks Dr.
Columbus, MS 39705

Motion and docket information:

Motion docket no.: 9902
Claim: TRO917079FTC
Claim filed: 10/30/2017
Motion Date: 8/15/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 1977. Explanation for late filing: was not aware of deadline, alleges there was no media or news coverage.

Claim was on 1977 diagnoses was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, reasonable publication notice of the bar date was provided in 2009, including in Columbus. Risks of creosote exposure and filings of claims based on the same also were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to diseases or conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Ferguson, Pearlie

Pearlie Ferguson
52 Colleen Street
West Point, MS 39773

Motion and Docket Information

Motion docket no.: 10092
Claim: TRO900737FTC
Claim filed: 8/16/2016
Motion date: 3/15/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claimant also submitted a signed Rejection Notice, alleging an exposure or new diagnosis after the bar date.

Diagnoses listed in motion occurred in 2000 and 2020. Exposures occurred in Mississippi. Explanation for late filing: “conditions worsened as of 1-1-2020.”

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date. Claims based on conditions diagnosed in 2000 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim based on conditions that allegedly were first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Ford, Donald

Donald Ford
512 Co. Rd. 100
Gainesville, AL 35464

Motion and Docket Information:

Docket No.: 9700
Claim: TRO915772FTC
Claim filed: 8/29/2017
Motion Date: 11/10/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 1994, 1999, Explanation for late filing: was not aware of deadline.

Publication notices were issued in the relevant area and movant does not complain about the approval of the publication notices and their scope. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant area starting before 2000. Movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions diagnosed before the bar date.

Motion did not list any post-bar date new diagnoses, but the merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Ford, Ola

Ola Ford
512 Co. Rd. 100
Gainesville, AL 35464

Motion and Docket Information

Docket No.: 9701
Claim: TRO915783FTC
Claim filed: 8/29/2017
Motion Date: 11/10/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 1994. Explanation for late filing: was not aware of deadline.

Publication notices were issued in the relevant area and movant does not complain about the approval of the publication notices and their scope. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant area starting before 2000. Movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions diagnosed before the bar date.

Motion does not identify any post-bar date diagnoses, but in any event the merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Fowler, Pauline

Pauline Ann Fowler
418 N. Lehmnerg Rd. East
Brook Apt. #48
Columbus, MS 39702

Motion and Docket Information

Docket No.: 9760
Claim: TRO101013FTC
Claim filed: 7/28/2020
Motion Date: 1/31/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Conditions listed but no diagnosis dates are given. Movant attached correspondence with class action attorneys from 2002 regarding her claim against Kerr-McGee (the predecessor of Tronox). One letter states that the movant had previously elected to be excluded from a settlement, which is an apparent reference to a prior class action settlement. Says she thought counsel was handling the matter.

The prior class actions are separate from the Tronox bankruptcy case. However, movant's participation in the prior lawsuit, and her prior dealings with attorney, show her awareness of her claim and her legal rights. The proof of service as to the bar date notice also shows a direct mailing of bar date notice to all participants in the 2002 class action by service on class action counsel.

If movant's claim was resolved in a prior proceeding it could no longer be asserted in the Tronox bankruptcy. If her claim was not resolved and was no longer the subject of a pending proceeding then it was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. If the claim was the subject of a still-pending proceeding, it should have been filed by the bar date, because counsel received direct notice of the bar date. If counsel failed to file a claim that is not grounds for relief, as conduct of counsel is not grounds for relief based on excusable neglect unless counsel's conduct can be excused, and no such excuse has been offered.

Request for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date is denied. Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Gilbert, Tovika

Tovika Gilbert
910 South Glover Ave.
Demopolis, AL 36732

Motion and docket information:

Motion docket no.: 9913
Claim: TRO919895FTC
Claim filed: 10/30/2017
Motion Date: 8/22/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 1990. Explanation for late filing: was not aware of deadline and did not know of the claims process until 2017.

Claim based on the 1990 diagnoses was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, movant alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Glass, Rosie

Rosie Glass
1506 22nd St. North
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 9945
Claim: TRO921542FTC
Claim filed: 11/28/2017
Motion date: 2/27/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

No diagnoses dates given. No explanation for late filing given.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Movant does not allege lack of knowledge of bar date, contains no showing to support relief based on excusable neglect or due process as to any conditions that were first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Goss, David

David Goss
99 Martin Luther King
Louisville, MS 39339

Motion and docket information:

Motion docket no.: 9908
Claim: TRO921397FTC
Claim filed: 11/28/2017
Motion Date: 8/22/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to cardiovascular disease and provides no diagnosis dates. Explanation for late filing: was not aware of deadline, says it was not made public.

Reasonable notice of the bar date was published in Mississippi. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Graham, Ethel

Ethel Graham
PO Box 44
Brooksville, MS 39739

Motion and docket information:

Motion docket no.: 9934
Claim: TRO918627FTC
Claim filed: 10/30/2017
Motion Date: 11/4/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Motion contains no information, just a signature page. Signed rejection notice also filed.

No motion for relief based on excusable neglect or due process. Disagreement over Trust's review of claim is to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Greenberg, Barbara

Barbara Greenberg
313 Ziegler St.
Dupont, PA 18641

Motion and Docket Information

Docket No.: 9751
Claim: TRO905032FTC
Claim filed: 3/1/2017
Motion Date: 1/3/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 1996. Explanation for late filing: says she filed a claim in 2006, but that must be a reference to prior class actions or other lawsuits that preceded the Tronox bankruptcy by several years, as the bankruptcy case was not filed until 2009.

Participation in prior proceeding shows awareness of claim and of legal rights. If claim was resolved in a prior proceeding it could no longer be asserted in the Tronox bankruptcy. If the claim was not resolved and was not the subject of a pending proceeding then it was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, movant alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Halsey, Annie Pearl

Sherry Dawson
6801 Browns Mill Terry Drive
Lithonia, GA 30038

Motion and Docket Information

Docket No.: 9761
Claim: TRO101216FTC
Claim filed: 7/18/2022
Motion Date: 2/7/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

There is no claim number associated with this Motion - Movant used forms originally filed with court in 2017.

Says that the notice of the bar date was deficient because it did not allow enough time to respond, but claim was not filed until many years after the bar date, no explanation is offered to excuse that delay. Also says that the notices were not reasonable, but makes no showing that Tronox had reason to know that movant had a claim, and makes no specific challenge to the publication notices that were approved in 2009. Also says that she did not know that she had been exposed to a dangerous substance until after the deadline, but movant does not list the date of diagnosis of her conditions.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Halsey, Robert

Robert Halsey
1412 Dartmoor Lane
Conyers, GA 30013

Motion and Docket Information

Docket No.: 9753
Claim: TRO101228FTC
Claim filed: 7/18/2022
Motion Date: 1/11/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

There is no claim number associated with this Motion - Movant used forms originally filed with court in 2017.

Diagnoses of diabetes, high blood pressure with no dates given. Says that the notice of the bar date was deficient because it did not allow enough time to respond, but claim was not filed until many years after the bar date, no explanation is offered to excuse that delay. Also says that the notices were not reasonable, but makes no showing that Tronox had reason to know that movant had a claim, and makes no specific challenge to the publication notices that were approved in 2009. Also says that he did not know that he had been exposed to a dangerous substance until after the deadline, but movant does not list the date of diagnosis of his conditions.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Hannah, Tina

Tina Hannah
23 Nearway Dr.
Louisville, MS 39339

Motion and docket information:

Motion docket no.: 9926
Claim: TRO920212FTC
Claim filed: 10/30/2017
Motion Date: 9/6/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to cardiovascular disease but lists no diagnosis dates. Alleges was not aware of deadline and that the deadline was not made public.

Reasonable notice of the bar date was published in Mississippi. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Hargrove, Shirley [listed by Trust as Willie, B.]

Shirley Hargrove
287 Pine Crest Vlg.
Aliceville, AL 35442

Motion and Docket Information

Motion docket no.: 10037
Claim: TRO926358FTC [may be another claimant's claim number – see below]
Claim filed: 1/30/2018
Motion date: 1/17/2024
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Motion identifies the injured party as Shirley Hargrove (not B. Willie as listed by Trust); movant used another claimant's forms for submission, apparently. Unclear if the listed claim number is the correct one as a result.

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the papers do not identify any post-bar date exposure or condition first diagnosed after the bar date.

Diagnoses in 2000, 2002. She claims that she filed a timely claim with the bankruptcy court, but there is no record of any such claim. She may be thinking of the late-filed claim, or possibly a claim filed in a prior class action.

Motion is denied as to claims based on conditions that were first diagnosed before the bar date. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claims based on 2000 and 2002 diagnoses also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Hathorn, Obie

Obie Hathorn
163 R. L. Goss Rd.
Louisville, MS 39339

Motion and docket information:

Motion docket no.: 9897
Claim: TRO918796FTC
Claim filed: 10/30/2017
Motion Date: 8/1/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to cardiovascular disease but lists no diagnosis dates. Explanation for late filing: was not aware of deadline, alleges the deadline was not made public.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Hathorn, Vera

Vera Hathorn
163 R. L. Goss Rd.
Louisville, MS 39339

Motion and docket information:

Motion docket no.: 9898
Claim: TRO918795FTC
Claim filed: 10/30/2017
Motion date: 8/1/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion does not list any diseases or conditions, or any diagnosis dates for the same. Explanation for late filing: was not aware of deadline, it was not made public.

Reasonable notice of the bar date was published in Mississippi. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Hatter, Willie

Willie Hatter
2923 Bluffport Rd.
Livingston, AL 35470

Motion and docket information:

Motion docket no.: 9875
Claim: TRO999013FTC
Claim filed: 5/28/2018
Motion Date: 8/8/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 1989. Explanation for late filing: was not aware of deadline, was only notified 2 years ago.

Claim was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, the motion alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Hickman, Johnny

Johnny Hickman
1293 Bloomfield Road
Preston, MS 39354

Motion and Docket Information

Docket No.: 9711
Claim: TRO912807FTC
Claim filed: 5/30/2017
Motion Date: 11/18/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnosis in 2010. Explanation for late filing: was not aware of deadline. No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process. Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Hill, Peggy

Peggy Hill
5243 Brookside Pass
Hoover, AL 35244

Motion and Docket Information

Docket No.: 9758
Claim: NONE
Claim filed:
Motion Date: 1/19/22
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

There is no claim number associated with this Motion - Movant used forms originally filed with court in 2017.

No diagnoses or dates given. Says that the notice of the bar date was deficient because it did not allow enough time to respond, but claim was not filed until many years after the bar date, no explanation is offered to excuse that delay. Alleges publication notice was not reasonable but no showing that Tronox had reason to know of claimant, no specific challenge to the publication notices that were approved in 2009. Also says that she did not know that she had been exposed to a dangerous substance until after the deadline, but movant does not list the date of diagnosis of her conditions.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant area starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Hill, Willie Ann

Willie Ann Hill
7502 Hwy 182 E
Columbus, MS 39702

Motion and docket information:

Motion docket no.: 9923
Claim: TRO887366FTC
Claim filed: 12/14/2015
Motion Date: 9/6/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses of various conditions in 2004, 2005, June 2009, 2011, 2013 and 2021. Movant claims that she previously filed a claim, but claims Trust did not get it. Trust was not established at the time of the bar date, and there is no record in the official claims register of a timely claim by movant.

Trust alleges that the underlying claim alleges diagnoses in 1955 and 1974.

Claims based on conditions diagnosed before 2006 were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. The claim based on the condition first diagnosed in June 2009 is barred (unless actually filed before the bar date) because no grounds for relief from the bar date have been established. Reasonable notice of the bar date was published in Mississippi. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Holder, Henry

Henry Holder
2727 Bennett Rd. 13
York, AL 36925

Motion and Docket Information

Docket No.: 9671
Claim: TRO914262FTC
Claim filed: 6/28/2017
Motion Date: 10/27/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Lists various conditions with no diagnosis dates. Explanation for late filing: was not aware of the process or the deadline.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Humphrey, Tamara

Tamara Humphrey
30504 Quincert St.
Roseville, MI 48066

Motion and Docket Information

Docket No.: 9738
Claim: TRO998948FTC
Claim filed: 5/23/2018
Motion Date: 12/16/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 2004, 2012, 2014. Explanation for late filing: was not aware of deadline. Place of exposure and nature of exposure not clear.

As to the 2004 diagnosis: alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Hunter, Florence

Florence Hunter
1905 Tulane Ave.
Shreveport, LA 71103

Motion and Docket Information

Docket No.: 9702
Claim: TRO100140FTC
Claim filed: 11/1/2018
Motion Date: 11/18/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 2004, 2010. Explanation for late filing: was not aware of deadline.

As to the 2004 diagnosis: alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Jamison, Eliza

Johnny Mayfield
6066 Hardy Billups Rd.
Crawford, MS 39743

Motion and Docket Information

Motion docket no.: 10047
Claim: TRO905327FTC
Claim filed: 3/1/2017
Motion date: 4/1/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion apparently is filed on behalf of another person. Listed diagnoses in 1981, 1984. Says was out of the County and not aware of the lawsuit at the time. No explanation for late filing given.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Jenkins, Gloria

Gloria Jenkins
7950 S. Throop
Chicago, IL 60620

Motion and Docket Information

Motion docket no.: 10094
Claim: TRO926319FTC
Claim filed: 5/30/2017
Motion date: 10/4/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claimed signed a Rejection Notice alleging post-bar date exposures or diagnoses, but did not identify any post-bar date diagnosis in the motion papers.

Listed diagnosis occurred in 2000. Explanation for late filing: was not aware of the Tronox bankruptcy case, says it was not in the newspapers.

No allegation that Tronox had reason to know of the claimant. Publication notices were approved for both local and national newspapers. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging a post-bar date exposure or based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Johnson, Arthur

Arthur Johnson
PO Box 112
Emelle, AL 35459

Motion and Docket Information

Docket No.: 9668
Claim: TRO915604FTC
Claim filed: 8/29/2017
Motion Date: 10/25/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Signed rejection notice. No motion for relief based on excusable neglect or due process.
Disagreement over Trust's review of claim is to be resolved in the Tort Claims Trust dispute resolution procedure.

Johnson, Shlysses

Shlysses Johnson
282 Evergreen Rd
Louisville, MS 39339

Motion and Docket Information

Motion docket no.: 10095
Claim: TRO920623FTC
Claim filed: 10/30/2017
Motion date: 2/17/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a signed Rejection Notice alleging post-bar date exposure or a condition first diagnosed after the bar date, but her motion lists no conditions and no diagnoses.

Explanation for late filing: says she did file a claim, but offers no explanation as to whether she is referring to (a) the late claim that is the subject of the determination notice, (b) a claim purportedly filed in the bankruptcy case before the bar date, or (c) a claim filed in a prior class action. The official claims register shows no timely claim filed by this movant.

No claim based on a pre-bar date diagnosis is identified, there is no basis for relief from the bar date. Risks of creosote exposure and filings of claims based on the same also were the subjects of widespread publicity in the relevant areas of MS starting before 2000.

Merits of any claim based on conditions allegedly first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Johnson, Tungia

Tungia Johnson
5106 Harvest Court
Villa Rica, GA 30180

Motion and Docket Information

Motion docket no.: 9955
Claim: TRO920047FTC
Claim filed: 10/30/2017
Motion date: 3/16/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 1999, 2000, 2003. Exposure occurred in Columbus, Mississippi. Explanation for late filing: says condition was not diagnosed until after August 12, 2009. However, the motion lists the claimant's conditions and says they were first diagnosed in 1999, 2000 and 2003. Motion also says the claimant chooses to have her claim arbitrated under the Trust's dispute resolution procedures.

Does not allege lack of knowledge of bar date, contains no showing to support relief based on excusable neglect or due process. Claims based on conditions diagnosed in 1999, 2000 and 2003 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Jones, Beatrice

Beatrice Jones
PO Box 1646
Livingston, AL 35470

Motion and docket information:

Motion docket no.: 9905
Claim: TRO914010FTC
Claim filed: 6/28/2017
Motion Date: 8/16/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 1980, 1988. Explanation for late filing: was not aware of deadline.

Claims based on conditions diagnosed before 2006 were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, the movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Jones, Christine

Christine Jones
PO Box 255
Livingston, AL 35470

Motion and Docket Information

Docket No.: 9749
Claim: TRO9104076FTC
Claim filed: 6/28/2017
Motion Date: 12/29/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Only conditions listed were diagnosed in 2010. No basis for a motion seeking relief from the bar date because papers do not identify any condition that was first diagnosed before the bar date. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Jones, Doris

Doris Jones
2149 Kings Court
Moody, AL 35004

Motion and Docket Information

Docket No.: 9752
Claim: TRO998791FTC
Claim filed: 5/18/2018
Motion Date: 1/6/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 2010, 2013, 2015. No basis for a motion seeking relief from the bar date because papers do not identify any condition that was first diagnosed before the bar date. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Jones, Red

Red Jones
268 County Rd 986
Valley Grand, AL 36703

Motion and Docket Information

Motion docket no.: 10096
Claim: TRO925542FTC
Claim filed: 1/2/2018
Motion date: 1/21/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Motion identifies some conditions but no diagnoses dates are listed. Explanation for late filing: says he “signed up” but didn’t get feedback, then got retested and did not get feedback, then signed up after September 10, 2017. The last reference apparently is a reference to the late-filed claim. Says he cannot read.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date. Claims based on conditions first diagnosed before 2006 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Jones, Richard

Richard Jones
PO Box 1646
Livingston, AL 35470

Motion and docket information:

Motion docket no.: 9906
Claim: TRO914296FTC
Claim filed: 6/28/2017
Motion Date: 8/16/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 1985, 1988. Explanation for late filing: was not aware of deadline.

Claims based on 1985 and 1988 diagnoses were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, the movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Jordan, Nadra

Nadra Jordan
468 S. Church Ave.
Louisville, MS 39339

Motion and Docket Information

Docket No.: 9719
Claim: TRO923805FTC
Claim filed: 11/28/2017
Motion Date: 11/29/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Alleges respiratory condition but no specific diagnosis or date is provided. Explanation for late filing: was not aware of deadline, says it was not made public.

Reasonable court-approved publication notices were issued in Mississippi. Risks of creosote exposure and filings of claims based on the same also were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

King, Bernice

David King
400 John Wesley Blvd. Apt. #153
Bossier City, LA 71112

Motion and Docket Information

Motion docket no.: 9981
Claim: TRO100135FTC
Claim filed: 11/1/2018
Motion date: 9/26/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed for relative. Diagnosis in 2010. Explanation for late filing: “didn’t know.”

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

King, Edward

Edward King
1234 County Road 32
West, MS 39192

Motion and Docket Information

Docket No.: 9764
Claim: TRO999159FTC
Claim filed: 5/29/2018
Motion Date: 2/22/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Alleges various conditions but provides no diagnosis dates. No explanation for late filing.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Kirkwood, LaQuonda

LaQuonda Kirkwood
100 Red Hills
Apt. 19
Louisville, MS 39339-9220

Motion and Docket Information

Motion docket no.: 9962
Claim: TRO101327FTC
Claim filed: 8/19/2022
Motion date: 3/28/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 2015, 2022. Explanation for late filing: says she filed but was told by "the office handlers" that claim had been misplaced to file again. Apparently is referring to her late-filed claim rather than to any claim filed in 2009 prior to the bar date.

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Kociolek, Joan

Joan Kociolek
R. 113 Lackawanna Ave.
Dupont, PA 18641

Motion and docket information:

Motion docket no.: 9911
Claim: TRO880995FTC
Claim filed: 12/4/2015
Motion Date: 8/22/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 1993, 2003, 2007. Explanation for late filing: was not aware of deadline or of the bankruptcy, did not subscribe to local papers. Learned of the matter when she heard a patron at a restaurant discussing it.

Publication notice in Pennsylvania was reasonable. In addition, the risks of creosote exposure (and the filings of lawsuits based on the same) were the subjects of widespread publicity in the relevant areas of PA starting in 2001. Movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions or diseases first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Langford, Willie

Willie Langford

35 Crenshaw Drive
Columbus, MS 39702

Motion and docket information:

Motion docket no.: 9921

Claim: TRO920092FTC

Claim filed: 10/30/2017

Motion Date: 8/29/2022

Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 2000, 2002 Explanation for late filing: was not aware of the case or of the deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect based on conditions first diagnosed before the bar date. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Latham, Joyce

Joyce Latham
PO Box 215
Prairie, MS 39756

Motion and docket information:

Motion docket no.: 9912
Claim: TRO914373TFC
Claim filed: 7/26/2017
Motion Date: 8/22/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 1990, 2008, 2010. Explanation for late filing: was not aware of the case or of the deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect as to claim based on pre-bar date diagnosis. Claims based on conditions diagnosed before 2006 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Lawson, Nausyll

Nausyll Lawson
12757 Sludder Cr.
Madison, AL 35756

Motion and Docket Information

Motion docket no.: 10021
Claim: TRO926640FTC
Claim filed: 2/27/2018
Motion date: 11/27/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. Diagnoses in 2011, 2021. Explanation for late filing: was not aware of illness.

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Leschinsky, Helen

Helen Leschinsky
526 Minooka Ave.
Moosic, PA 18507

Motion and Docket Information

Docket No.: 9750
Claim: TRO916513FTC
Claim filed: 9/28/2017
Motion Date: 1/3/2022
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, listed conditions have original diagnosis dates in 1960, 1989, 1991.

Movant says she was told that claims were just for residents of Avoca and West Avoca, but that is obviously a reference to a prior class action that was brought on behalf of persons who lived near the Avoca facility. Knowledge of that action shows an awareness of potential claims and rights.

Risks of creosote exposure and filings of claims based on the same also were the subjects of widespread publicity in the relevant areas. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed after the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Lewis, Sandra

Sandra Lewis
722 Carolina Ave.
Bogalusa, LA 70427

Motion and Docket Information

Motion docket no.: 9953
Claim: TRO101122FTC
Claim filed: 2/1/2022
Motion date: 3/13/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses of various conditions apparently from 2007 or possibly 2009 (motion form is not clear). Explanation for late filing: was not aware of deadline, claims that people of color did not know about it.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Little, Alonzo

Alonzo Little
1157 Hillcrest Villa
Lot #90
Tuscaloosa, AL 35405

Motion and docket information:

Motion docket no.: 9901
Claim: TRO915431FTC
Claim filed: 8/29/2017
Motion Date: 8/15/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 1990. Explanation for late filing: says his community was not made aware of the claim and the claims process.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses. Claim based on 1990 diagnosis also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Little, Barbara

Barbara Little
2991 Carriage Trail
Jonesboro, GA 30236

Motion and Docket Information

Docket No.: 9683
Claim: TRO915291FTC
Claim filed: 8/29/2017
Motion Date: 11/2/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date claims are identified.

Various conditions are listed with diagnosis dates in 1983, 1984, 1985, 1986, 1991, 1996.
Explanation for late filing: was not aware of deadline, says learned about the case in 2017.

Alleges that exposures occurred in 1980s in Alabama. Claims based on the listed diagnoses were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Little, Howard

Howard Little
2991 Carriage Trail
Jonesboro, GA 30236

Motion and Docket Information

Docket No.: 9692
Claim: TRO915365FTC
Claim filed: 8/29/2017
Motion Date: 11/8/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the only conditions listed have diagnosis dates in 1981, 1985 and 1990.

Explanation for late filing: was not aware of deadline until 2017. Exposures allegedly occurred in Alabama in 1980s.

Claims based on the listed diagnoses were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Little, James

James Little
211 Hamner Mitchell Rd.
Emelle, AL 35459

Motion and Docket Information:

Docket No.: 9693
Claim: TRO915524FTC
Claim filed: 8/29/2017
Motion Date: 11/8/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the only listed conditions were diagnosed in 1985, 1991, 1992.

Explanation for late filing: was not aware of deadline. Alleges that exposures occurred in Alabama in 1990s and earlier.

Claims based on the listed diagnoses were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Little, Kevin

Kevin Little
713 Valley View Dr.
Forrest Park, GA 30297

Motion and docket information:

Motion docket no.: 9887
Claim: TRO926886FTC
Claim filed: 2/27/2018
Motion Date: 8/18/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 1960, 1980. Explanation for late filing: was not aware of deadline until after the deadline had passed.

Publication notice of the bar date was reasonable. Movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Little, Shirley Jones

Shirley Jones Little
713 Valleyview Dr.
Forrest Park, GA 30297

Motion and docket information:

Motion docket nos.: 9904, 9932
Claim: TRO926147FTC
Claim filed: 1/30/2018
Motion Date(s): 8/15/2022, 11/4/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. Same Motion was filed twice, once at docket 9904 and again at docket 9932.

Motion refers to various conditions diagnosed in 1980, 1981, 1983, 1985, 1986 and 2008.
Explanation for late filing: says the process was “kept quiet” and she did not know about it until 2017. Was not aware of deadline.

Claims based on conditions diagnosed in 1986 and earlier were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. As to the 2008 diagnosis; movant alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Little, Thomas

Thomas Little
211 Hamner Mitchell Rd.
Emelle, AL 35459

Motion and Docket Information

Docket No.: 9694
Claim: TRO915467FTC
Claim filed: 8/29/2017
Motion Date: 11/8/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the only listed conditions were first diagnosed in 1982, 1986, 1990.

Explanation for late filing: was not aware of deadline. Alleges that exposures occurred in Alabama in 1980s and 1990s.

Claims based on the listed diagnoses were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing. In addition, alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Little, Walter

Crystal Little
72 Franklin Street Unit 415
Stamford, CT 06901

Motion and Docket Information

Motion docket no.: 10020
Claim: TRO916638FTC
Claim filed: 9/28/2017
Motion date: 11/20/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed on behalf of a relative who died in 2016. Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging the injured party has a claim based on an exposure or a diagnosis that first occurred after the bar date. Movant submitted an attachment that is not on the docket (because it contains personal information) but that the Court has reviewed.

Diagnoses were in 1986-1988. Exposures occurred in Alabama

Explanation for late filing: says movant was not aware of the deadline, alleges was told that it was not too late to file after 2009.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Claims based on 1986-1988 diagnoses also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Little, Will

Will Little
91 East Morning Side Street
Bloomfield, CT 06002

Motion and Docket Information

Motion docket no.: 9892
Claim: TRO915469FTC
Claim filed: 8/29/2017
Motion Date: 8/19/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

A separate claim for another person named Will Little (TRO915656FTC), who is deceased, has been filed and is the subject of a separate motion (Docket Nos. 10010, 10101). It is not clear whether the claims and motions are for the same injured party.

Motion refers to diagnoses in 2007, 2014, 2017. Explanation for late filing: was not aware of deadline, says deadline passed before “blacks” were informed.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Martin, Shirley MS

Shirley Martin
908 Buck Egger Road
Caledonia, MS 39740

Motion and Docket Information

Docket No.: 9675
Claim: TRO100973FTC
Claim filed: 11/8/2019
Motion Date: 10/27/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, conditions listed were diagnosed in 1965.

Explanation for late filing: was caring for dying mother. Does not sufficiently explain why a claim could not have been timely filed, or the long delay that occurred after the bar date before a claim was filed. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Maxwell, Andrea

Andrea Maxwell
313 Colonial Dr.
Aliceville, AL 35442

Motion and Docket Information

Docket No.: 9747
Claim: TRO91310FTC
Claim filed: 5/30/2017
Motion Date: 12/20/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses of blood pressure, bronchitis, asthma but in space provided for diagnosis dates the movant listed “exposure” dates. Explanation for late filing: says “was told to do it later, because no one where I live knew about this lawsuit.”

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant area starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Mays, William

William Mays
8320 Bliss St.
Detroit, MI 48234

Motion and Docket Information

Motion docket no.: 9916
Claim: TRO925861FTC
Claim filed: 1/30/2018
Motion Date: 8/25/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Signed rejection notice. No motion for relief based on excusable neglect or due process.
Disagreement over Trust's review of claim is to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

McCaa, Jessie Myles

Jessie Myles McCaa
4200 Scenic Drive
Shreveport, LA 71114

Motion and Docket Information

Docket No.: 9726
Claim: TRO999381FTC
Claim filed: 8/31/2018
Motion Date: 12/9/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 1993, 2009, 2013, 2014, 2015, 2017. Explanation for late filing: was not aware of deadline and did not receive claim forms, filed a claim when she received forms in 2018 or so.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

McCafferty, David

David McCafferty
525 3rd St. SE
Aliceville, AL 35442

Motion and Docket Information

Motion docket no.: 10097
Claim: TRO887674FTC
Claim filed: 12/14/2015
Motion date: 3/24/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 2008, 2017. Explanation for late filing: says he did file with lawyer Wilbur Colom and he never heard anything about it.

The Colom law firm was counsel in class actions that preceded the Tronox bankruptcy filing. There is no record of any claim filed in the Tronox case on behalf of movant. Unclear if contact with the Colom firm was in connection with a prior class action, but if the claim was resolved in a prior proceeding it could no longer be asserted in the Tronox bankruptcy case. If the claim was the subject of a still-pending proceeding then it should have been filed by the bar date, because the Colom firm and other class action counsel received direct notice of the bar date. If counsel failed to file a claim that is not grounds for relief from the bar date, because the conduct of counsel is not grounds for relief based on excusable neglect unless counsel's own conduct can be excused, and no excuse is proposed.

No showing as to relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date) sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

McCully, Pamela

Pamela McCully
106 Hillcrest Circle
Louisville, MS 39339

Motion and Docket Information

Motion docket no.: 9969
Claim: TRO999137FTC
Claim filed: 5/28/2018
Motion date: 4/17/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 2012, 2014, 2016. Explanation for late filing: was not aware she could make a claim, nobody told her or sent her papers.

No pre-bar date diagnosis identified for which relief is sought. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect for claims based on conditions first diagnosed before the bar date.

Motion alleges conditions were diagnosed after the bar date. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

McNeal, Johnny

Johnny McNeal
750 Enon Road
Ackerman, MS 39735

Motion and Docket Information

Motion docket no.: 9998
Claim: TRO922243FTC
Claim filed: 11/28/2017
Motion date: 10/23/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date diagnoses are listed.

Diagnoses of identified conditions occurred in 2005. Exposures occurred in Mississippi. Explanation for late filing: lack of information about the claim, filed when he found about about the case.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Miller, Pauline

Spurgeon Miller
249 Miller Hannah Rd.
Louisville, MS 39939

Motion and Docket Information

Motion docket no.: 9988
Claim: TRO919203FTC
Claim filed: 10/30/2017
Motion date: 10/2/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnosis of uterus cancer and no dates provided. Explanation for late filing: was not aware of deadline, says it was not made public.

Unclear if movant has a claim based on a pre-bar date diagnosis. Publication notice was provided in several locations in Mississippi and was reasonable and court-approved. Risks of creosote exposure and filings of claims based on the same also were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Miller, Yachica

Yachica Miller
170 Hill Street
Louisville, MS 39339

Motion and Docket Information

Docket No.: 9725
Claim: TRO919000FTC
Claim filed: 10/30/2017
Motion Date: 12/8/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the only conditions identified were diagnosed in 1994 and in April 2009.

Explanation for late filing: none given, but alleges her mother filed a claim.

Does not contend lacked knowledge of the bar date, makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Modley, Arma

Arma Modley
5245 W 109th St.
Oak Lawn, IL 60453

Motion and Docket Information

Motion docket no.: 9895
Claim: TRO926271FTC
Claim filed: 1/30/2018
Motion Date: 7/28/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Signed rejection notice. No motion for relief based on excusable neglect or due process.
Disagreement over Trust's review of claim is to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Moore, Clyde

Clyde Moore
2205 Shannon Avenue
Columbus, MS 39702

Motion and Docket Information

Motion docket nos.: 9940, 9963
Claim: TRO920874FTC
Claim filed: 10/30/2017
Motion Date: 12/28/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Did not file a motion using the form attached to the Determination Notice, but letters to the Court clearly seek relief from the bar date.

Docket no. 9940 is a letter dated December 20, 2022. Movant alleges that a prior letter was sent on August 17, 2022 but that no response was received. However, the court docket does not reflect any such letter and the Trustee has stated that the Trustee also does not have a copy.

Movant alleges that he missed the August 12, 2009 bar date because he was searching for concrete information proving that his cardiovascular diseases were not military-related. Says he filed information he obtained from Department of Veterans Affairs as soon as he received it. However, the records show that the claim was not filed until many years after the bar date.

Docket no. 9963 is a letter dated March 8, 2023. The letter makes the same points as were made in the December 20, 2022 letter. The letters do not state the date on which Mr. Moore's condition was first diagnosed.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Moore, Tierre

Gloria Moore
3253 Landgraf Close
Decatur, GA 30034

Motion and Docket Information

Motion docket no.: 9878
Claim: TRO925492FTC
Claim filed: 1/2/2018
Motion Date: 8/11/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Only Signature Page was filed with note "chosen option 1." Option 1 is an election to arbitrate under the Trust Distribution Procedure. No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Murdock, Flentrus

Flentrus Murdock
4664 Baker Rd.
Prairie, MS 39756

Motion and Docket Information

Docket No.: 9712
Claim: TRO899320FTC
Claim filed: 7/11/2016
Motion Date: 11/22/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the only conditions identified were diagnosed in 1993, 1994.

Alleges exposures while a resident of Mississippi. Explanation for late filing: was not aware of deadline, says people who were filing claims kept the process a secret but offers no supporting evidence for that contention.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claims based on the listed diagnoses also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Neal, Dianne Johnson

Dianne Neal
PO Box 481
Macon, MS 39341

Motion and Docket Information

Motion docket no.: 10072
Claim: TRO101591FTC
Claim filed: 4/28/2023
Motion date: 5/10/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Listed diagnoses in 2009, 2017. She claims she was originally denied the right to file a claim due to not living in the city limits of Columbus, Mississippi. However, that must be a reference to a class action on behalf of property owners that preceded the Tronox bankruptcy filing. She then states she filed 3 different times and claim was lost.

To the extent the movant seeks relief from the bar date as to a claim based on a condition first diagnosed before the bar date the motion is denied. Movant apparently filed a claim in connection with an earlier class action. Participation in prior proceeding shows awareness of claim and of legal rights. Risks of creosote exposure and filings of claims based on the same also were the subjects of widespread publicity in the relevant areas of MS starting before 2000. No showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Nettles, Ralph Terry

Betty Jones Nettles
40108A Pickle Rd.
Hamilton, MS 39746-9667

Motion and Docket Information

Motion docket no.: 10098
Claim: TRO100426FTC
Claim filed: 11/13/2018
Motion date: 3/1/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Signed Rejection Notice alleging post-bar date exposure or condition first diagnosed after the bar date. Listed diagnoses were in 2010, 2012. Injured party died in 2012. Explanation for late filing: incompetency due to stroke.

No pre-bar date condition or diagnosis has been identified for which relief from the bar date would be proper. Movant only alleges conditions first diagnosed after the bar date. The merits of any such claim are to be resolved by the Tort Claims Trust based on its normal dispute resolution procedures.

Owens-Brooks, Betty

Betty Owens-Brooks
15539 Fox Plains Dr.
Florissant, MO 63034

Motion and Docket Information

Motion docket no.: 9967
Claim: TRO914447FTC
Claim filed: 7/26/2017
Motion date: 4/10/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 2010, 2012. Injured party listed as Betty Leach-Owens. Explanation for late filing: was in a nursing home, suffers from some physical limitations. Motion does not identify any claims based on conditions or diseases first diagnosed before the bar date. The merits of any claim based on conditions or diseases first diagnosed after the bar date are to be resolved by the Tort Claims Trust pursuant to its normal dispute resolution procedures.

Payne, Ruricas

Ruricas Payne
518 N. Matubba St.
Aberdeen, MS 39730

Motion and Docket Information:

Docket No.: 9733
Claim: TRO913274FTC
Claim filed: 5/30/2017
Motion Date: 12/14/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in April 2009, 2011. Explanation for late filing: says he filed two different claims and did not hear back, but the Official claims register has no record of a claim, movant appears to be referring to late-filed claims that were filed many years after 2009, rather than to any claim filed before the bar date. Also says “I wasn’t aware of that I had to do it the lady that did my paperwork said I didn’t because it didn’t have nothing to do with it.”

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Pegues, Timothy

Timothy Pegues
208 19th St. N
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 10043; possibly 4519
Claim: TRO921230FTC
Claim filed: 10/30/2017
Motion date: 3/25/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Another claim (TRO886169FTC) and motion (docket no. 4519) were filed by an individual named Timothy Pegues at this same address. The prior motion (docket 4519) was the subject of rulings that the Court made in March 2021. It is not clear whether this is the same individual or another individual with the same name.

Alleges diagnoses in 2016. Says did not know creosote had caused his conditions.

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process. Merits of any claim based on conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Perry, Isaac

Isaac Perry
14395 US Hwy 43
Forkland, AL 36740

Motion and Docket Information

Motion docket no.: 9957
Claim: TRO918137FTC
Claim filed: 10/30/2017
Motion date: 3/17/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date diagnoses are listed.

Diagnoses in 1981. Explanation for late filing: says he filed papers a number of times but does not have records because his house burned down. References to prior filings appear to refer to his late-filed claim and to his subsequent answers to requests for information. No record of any timely claim filed before August 12, 2009.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date. Claim based on 1981 diagnosis also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Phinizee, Mariah

Mariah Phinizee
468 Porter Road
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 9889, 9956
Claim: TRO891509FTC
Claim filed: 2/23/2016
Motion Date: 8/18/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Motion refers to diagnoses dated August 18, 2009, 2010 and 2017, all of which were after the August 12, 2009 bar date.

No pre-bar date diagnosis identified for which relief from the bar date is sought, no basis for relief based on excusable neglect or due process. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Pippins, George

Mary Pippins
367 Hughes Rd.
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 10002
Claim: TRO917204FTC
Claim filed: 6/27/2016
Motion date: 10/31/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date diagnoses are listed.

Diagnoses in 2005. Explanation for late filing: was not aware of deadline - she was a minor at the time. No reason offered why parents or guardian could not have filed.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect for claims based on conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Randle, Walter

Stephanie Hatchett
848 Clay Chickasaw County Line Road
Prairie, MS 39756

Motion and Docket Information

Motion docket no.: 9961
Claim: TRO926190FTC
Claim filed: 1/30/2018
Motion date: 3/27/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date exposure or diagnosis is identified.

Claim filed for the benefit of another party. Diagnoses in 1986. Exposure in Mississippi. Explanation for late filing: says the injured party suffered a stroke, alleges he was not aware of the deadline. No explanation of why family members could not have filed claims or assisted the injured party in doing so, other than allegation that daughter did not know of the process.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect as to claims based on conditions that were first diagnosed before the bar date. Claims based on 1986 diagnoses also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Ravizee, Brenda

Brenda Ravizee
42 Pelt Drive
Forkland, AL 36740

Motion and docket information:

Motion docket no.: 9933
Claim: TRO926408FTC
Claim filed: 1/30/2018
Motion Date: 11/4/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Claimant's name incorrectly listed on trust forms as "Bavizee," signature indicates the correct name is "Ravizee."

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no diseases or conditions are listed and no dates of diagnosis are set forth in the motion for allowance of a claim.

Explanation for late filing says "due to illness;" however, there is no description of the alleged illness, no documentation of it and no explanation of why illness would have accounted not only for an inability to comply with the 2009 bar date but also for the delay between the bar date and the actual filing of this claim.

Motion for relief from the bar date is denied due to the absence of a specific pre-bar date diagnosis identified for which relief is sought, no allegation of lack of knowledge of bar date, and no showing sufficient to support relief based on excusable neglect or due process.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Ravizee, Dominique

Dominique Ravizee
42 Pelt Drive
Forkland, AL 36740

Motion and docket information:

Motion docket no.: 9931
Claim: TRO926406FTC
Claim filed: 1/30/2018
Motion Date: 11/4/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling:

Claimant's name incorrectly listed on trust forms as "Ravisee," signature indicates the correct name is "Ravizee."

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no diseases or conditions are listed and no dates of diagnosis are set forth in the motion for allowance of a claim.

Explanation for late filing says "due to illness;" however, there is no description of the alleged illness, no documentation of it and no explanation of why illness would have accounted not only for an inability to comply with the 2009 bar date but also for the delay between the bar date and the actual filing of this claim.

Motion for relief from the bar date is denied due to the absence of a specific pre-bar date diagnosis identified for which relief is sought, no allegation of lack of knowledge of bar date, and no showing sufficient to support relief based on excusable neglect or due process.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Revis, Linda

Linda Revis
765 Dunlin Farms Ct.
Lawrenceville, GA 30044

Motion and Docket Information:

Docket No.: 9727
Claim: TRO915473FTC
Claim filed: 8/29/2017
Motion Date: 12/9/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in March 2009, 2015. Explanation for late filing: was not aware that Tronox had filed bankruptcy, but says he and others were in the process of determining how to go about making a case against Tronox through a possible class action or individual actions. Alleges publication notice was not reasonable because it was not made in the local paper in Sumter County, AL but publication was made in Columbus MS and in the Birmingham News.

No showing that Tronox had reason to know of claimant, publication notices were approved as reasonable. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant area starting before 2000. Admitted involvement in potential class action shows knowledge of claim and of legal rights. Alleges lack of actual knowledge of bankruptcy process but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Richards, Grovar

Grovar Richards
608 W. Browden St.
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 10052
Claim: TRO887090FTC
Claim filed: 12/14/2015
Motion date: 4/15/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date diagnoses are listed.

Diagnoses in 1985, 1998. Explanation for late filing: was not aware that Tronox had filed bankruptcy.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date. Claims based on conditions diagnosed in 1985 and 1998 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Ridgeway, Gladys

Gladys Ridgeway
5435 33rd Place
Meridian, MS 39305

Motion and Docket Information

Motion docket no.: 9883
Claim: TRO924424FTC
Claim filed: 1/2/2018
Motion Date: 8/1/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Motion refers to various conditions and diseases first diagnosed in 2011 and in subsequent years. Alleges that missed bar date due to incompetence and "brain fog" but provides no medical verification.

Motion does not actually identify any pre-bar date diagnoses or conditions as to which relief is sought. Since the identified claims relate only to post-bar date diagnoses, there is no need or basis for bar date relief. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Robertson, Eric

Eric Robertson
34 Hickman Road
Louisville, MS 39339

Motion and Docket Information

Motion docket no.: 9885
Claim: TRO921489FTC
Claim filed: 11/28/2017
Motion Date: 8/18/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to cardiovascular disease but lists no diagnosis date(s). Explanation for late filing: was not aware of deadline, matter allegedly was not made public.

Publication notice of the bar date was reasonable. In addition, Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Robertson, Magnolia

Magnolia Robertson
1654 Young Crossing Road
Louisville, MS 39339

Motion and Docket Information

Motion docket no.: 9930
Claim: TRO918430FTC
Claim filed: 10/30/2017
Motion Date: 10/5/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Motion refers to respiratory and cardiovascular diseases but lists no diagnosis dates. listed and no dates given for diseases/conditions. Explanation for late filing: was not aware of deadline, allegedly it was not made public.

Publication notice of the bar date was widespread and reasonable. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Robinson, Charlie

Charlie Robinson
PO Box 256
Gallion, AL 36742

Motion and Docket Information

Motion docket no.: 9876
Claim: TRO925064FTC
Claim filed: 1/2/2018
Motion Date: 8/9/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to conditions diagnosed in 2019 and 2021. Trustee contends that the underlying claim filed with the Trust alleges diagnoses in 1980. Motion seeks no relief as to pre-bar date diagnoses, however, and so no relief from the bar date is needed or appropriate.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Robinson, Stacey

Stacey Benison Robinson
1016 Shep Cook Ave.
Forkland, AL 36740

Motion and Docket Information

Docket No.: 9710
Claim: TRO916092FTC
Claim filed: 9/28/2017
Motion Date: 11/16/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in September, October 2009. Explanation for late filing: says she did file in 2009, but claim was not approved. However, the Official Claims Register does not reflect any bankruptcy claim filed by movant before the bar date. Perhaps she filed a claim in a separate class action, but the court has no records of who filed such claims, and those proceedings were separate from the bankruptcy.

Motion identifies no claim based on a condition first diagnosed before the bar date for which relief from the bar date is sought. There is therefore no basis for relief from the bar date based on excusable neglect or due process.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Sangster, Tommy

Tommy Sangster
54 Westfield Dr.
Louisville, MS 39339

Motion and Docket Information

Motion docket no.: 9882
Claim: TRO918533FTC
Claim filed: 10/30/2017
Motion Date: 8/12/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to cardiovascular disease but lists no diagnosis date. Says he was not aware of the deadline and it was not made public.

Publication notice (including in Mississippi) was reasonable and appropriate. In addition, the risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Shirley, Tony

Tony Shirley
603 South Matubba St.
Aberdeen, MS 39730

Motion and Docket Information

Docket No.: 9676
Claim: TRO893498FTC
Claim filed: 2/23/2016
Motion Date: 10/27/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. No diagnosis and no dates given.

Explanation for late filing: claims that he filed a claim several years prior to August 12, 2009 and that an attorney was handling it. If so, this must have been a claim in connection with a prior lawsuit, likely one of the class actions in Columbus MS.

If claim was resolved in a prior proceeding it could no longer be asserted in the Tronox bankruptcy. In any event, participation in prior legal proceeding shows an awareness of claims and legal rights.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Sims, Margie

Margie Sims
1609 Green St.
Bossier City, LA 71111

Motion and Docket Information

Motion docket no.: 9964
Claim: TRO999545FTC
Claim filed: 9/5/2018
Motion date: 3/31/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 1980, 2004, 2011. Explanation for late filing: was incarcerated but dates of incarceration are not clear appears to have been from 2007 to August 16, 2011.

Papers attached to the motion show that the movant filed a lawsuit against Kerr-McGee (the predecessor of Tronox) in Mississippi in 2003 and that the case was transferred to the Parish of Bossier, Louisiana. Participation in prior proceeding shows awareness of claim and of legal rights. Alleges lack of actual knowledge of claim process but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Smith, Patricia

Patricia Smith
1406 LA Don Dr.
Bossier City, LA

Motion and Docket Information

Motion docket no.: 9958
Claim: TRO999739FTC
Claim filed: 9/27/2018
Motion date: 3/20/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date exposure or diagnosis is listed.

Diagnosis in 2008. Explanation for late filing: was not aware of “the class action claim that was taking place.”

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Smith, Sonya

Sonya Smith
PO Box 43
Brooksville, MS 397739

Motion and Docket Information

Motion docket no.: 9954
Claim: TRO920305FTC
Claim filed: 10/30/2017
Motion date: 3/13/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Signed rejection notice. No motion for relief based on excusable neglect or due process.
Disagreement over Trust's review of claim is to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Smith, Valerie

Valerie Smith
104 North Tennessee St.
Crossett, AR 71635

Motion and Docket Information

Docket No.: 9728
Claim: TRO885837FTC
Claim filed: 11/25/2015
Motion Date: 12/9/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 2017, 2021. Explanation for late filing: brain fog from chemotherapy. No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process. Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Smith, Willie

Willie Smith
1406 LA Don Dr.
Bossier City, LA

Motion and Docket Information

Motion docket no.: 9959
Claim: TRO999737FTC
Claim filed: 9/27/2018
Motion date: 3/20/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-date exposure or diagnosis is identified.

Diagnosis in 2004. Explanation for late filing: was not aware of “the class action claim.”

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Somerville, Kambron

Kambron Somerville
900 Sansome Drive
Arlington, TX 76018

Motion and Docket Information

Motion docket no.: 10032
Claim: TRO924679FTC
Claim filed: 1/2/2018
Motion date: 12/19/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

No diagnosis dates given. Explanation for late filing: was not aware of deadline; had relocated from the state (but does not provide dates as to residence as requested in item 10 of the motion form) and did not receive information; says failure to file was unintentional. Cover letter appears to be a form letter also filed by other movants.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Sturdivant, Roy

Roy Sturdivant
491 Ellis Road
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 9949, 10051
Claim: TRO886990FTC
Claim filed: 12/7/2015
Motion date: 3/7/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date diagnoses or exposures were identified. Supplemental letter (docket 10041) says movant wants to add another sickness (chest pains).

Diagnoses in 1999. Exposure occurred in Mississippi. Explanation for late filing: was not aware of deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date. Claims based on 1999 diagnoses also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Talley, Sellers

Sellers Talley
377 Keffer McGee Road
Crawford, MS 39743

Motion and Docket Information

Motion docket no.: 9922
Claim: TRO906269FTC
Claim filed: 5/30/2017
Motion Date: 9/6/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Motion refers to conditions diagnosed in 2008, 2015 and 2020. Explanation for late filing: was not aware of the claims process and the deadline.

The risks of creosote exposure and filings of lawsuits based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date). Motion is not sufficient for relief based on excusable neglect as to claim based on pre-bar date diagnoses.

Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Tate, Antwan

Antwan Tate
PO Box 822
Brooksville, MS 39739

Motion and Docket Information

Docket No.: 9705
Claim: TRO917398FTC
Claim filed: 10/30/2017
Motion Date: 11/15/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in September and December 2009, 2015. Explanation for late filing: was not aware of deadline.

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process. Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Tate, Crystal

Crystal Tate
3230 So Greenpark Dr.
Houston, TX 77082

Motion and Docket Information

Motion docket no.: 9928
Claim: TRO895591FTC
Claim filed: 3/24/2016
Motion Date: 9/23/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Motion refers to tumors and skin rashes but states “unknown” as to diagnosis dates. Explanation for late filing: was not aware of the claims process or the deadline.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to conditions or diseases first diagnosed before the bar date. Claims based on conditions diagnosed before 2006 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Tate, David

David Tate
95 East Peach St.
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 10076
Claim: TRO905441FTC
Claim filed: 3/28/2017
Motion date: 6/14/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Diagnoses in 2010. Explanation for late filing: he did file but did not get a response.

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process. Merits of claim based on condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal disputed resolution procedures.

Taylor, Ashton

Yalunda Taylor
657 Windellwood Cir
Smyrna, TN 37167

Motion and Docket Information

Motion docket no.: 9997
Claim: TRO894791FTC
Claim filed: 3/23/2016
Motion date: 10/19/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Claim filed for deceased son. Exposure occurred in Mississippi. Diagnoses in 2003, 2009, 2019. Claim was filed in 2016. Explanation for late filing: was not aware of claim.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect as to conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date (including 2019 cancer diagnosis) are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Taylor, Herman

Herman Taylor
5647 Whispering Pines Lane
Douglasville, GA 30135

Motion and Docket Information

Docket No.: 9699
Claim: TRO915563FTC
Claim filed: 8/29/2017
Motion Date: 11/17/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnosis in 2017. Explanation for late filing: condition was not diagnosed as of that date.

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Thomas, Joe

Nettie Thomas
179 Lawson Road
Starkville, MS 39759

Motion and Docket Information

Motion docket no.: 10065
Claim: TRO903877FTC
Claim filed: 1/3/2017
Motion date: 4/22/2024
Trustee Objection: Fifth Omnibus, Docket No. 10081

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, the claim is filed on behalf of a deceased person. There is some indication he died in 1984. If so, then no post-bar date exposure or diagnosis is possible.

Diagnosis in 1984. Explanation for late filing: did not receive the papers to file.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claim also was time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Thomas, Linda Kaye

Linda Anne Thomas
5054 Town North Drive
Shreveport, LA

Motion and Docket Information

Motion docket no.: 9979
Claim: TRO999875FTC
Claim filed: 9/28/2018
Motion date: 9/21/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnosis in 1997. Explanation for late filing: she claims she filed in 2009 and claim was lost. But also says she did not know about the claim until 2021. There is no record of any timely filed claim in 2009.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Tucker, Jada

Tucker, Jada
2186 Nashville Ferry Rd. E
Columbus, MS 39702

Motion and Docket Information

Motion docket no.: 10023
Claim: TRO915609FTC
Claim filed: 8/29/2017
Motion date: 12/4/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date. However, no post-bar date diagnoses are listed.

Diagnoses in 2000, 2005. Explanation for late filing: says movant sent medical records but appears to be referring to responses to requests for information by the Tort Claims Trust rather than to any claim filed before the bar date.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date. Claims based on conditions diagnosed in 2000 and 2005 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Walls, Jared

Jared Walls
231 Shady Gln
Dallas, GA 30132

Motion and Docket Information

Motion docket no.: 10035
Claim: TRO921662FTC
Claim filed: 11/28/2017
Motion date: 12/22/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 1999, 2010. Exposure while claimant lived in Columbus, MS. Explanation for late filing: was not aware of deadline, was 10 years old at the time of the bar date, says parents were not aware of the bankruptcy case.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas starting before 2000. Alleges lack of actual knowledge by parents but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect based on conditions first diagnosed before the bar date.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

West, Donia

Donia West
2204 24th St. N
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 9909
Claim: TRO884279FTC
Claim filed: 11/25/2015
Motion Date: 8/22/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 2013. Contends she made a filing through an attorney in an unidentified proceeding in 2015 but that she never heard anything back. She does not recall the attorney's name. Also says she was not aware of the original claims process. Trust contends that original claim referred to a diagnosis in 1984.

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process. In addition, conduct of counsel is not grounds for relief based on excusable neglect or due process unless counsel's conduct can be excused. Furthermore, risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to pre-bar date diagnoses.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

White, Shirley

Shirley White
409 Day Ave.
Louisville, MS 39339

Motion and Docket Information

Motion docket no.: 9960
Claim: TRO101331FTC
Claim filed: 11/8/2022
Motion date: 3/21/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnoses in 2010, 2012, 2021. Explanation for late filing: she did file, but was told "by the lady" that claim was not in the system and to file again. Says her claim was misplaced. May be referring to a prior effort to file a late claim, no record of any claim filed before August 12, 2009.

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Williams, Bradlin

Bradlin Williams
1706 5th Ave. N
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 10062, 10090
Claim: TRO884091FTC
Claim filed: 11/13/2015
Motion date: 9/17/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Letter dated April 4, 2024 says that movant was born in 1996 and was only 13 years old at the time of the bar date. However, the letter has no information explaining why parents could not and did not file a claim.

No diagnoses dates given. No explanation for late filing given. Only letter and rejection notice filed.

Motion does not identify any pre-bar date diagnosis upon which a claim is based, no grounds for relief based on excusable neglect. Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Williams, C.

Barbara Hill
152 Jordan Lane
Starkville, MS 39759

Motion and Docket Information

Motion docket no.: 9942
Claim: TRO101079FTC
Claim filed: 1/12/2022
Motion date: 2/21/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Signed rejection notice. No motion for relief based on excusable neglect or due process.
Disagreement over Trust's review of claim is to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Williams, Concheaka

Concheaka Williams
224 Chat and Chew Rd.
Columbus, MS 39701

Motion and Docket Information

Motion docket no.: 10100
Claim: TRO887676FTC
Claim filed: 12/14/2015
Motion date: 2/27/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Diagnosis identified in the motion allegedly occurred in 2020. Underlying claim apparently alleged a diagnosis in 1984. Explanation for late filing: Attorneys Wilber Colom (August 2009), Johnny Cochran (August 2010) and other attorneys listed in 2009 and 2015 allegedly did not respond to her. However, there is no record in the official claims register of any proof of claim filed on behalf of Concheaka Williams.

The attorneys listed (including Mr. Colom and Mr. Cochran) were involved in class actions that preceded the Tronox bankruptcy case. Mr. Colom's firm and other class action counsel received direct notice of the bar date. If movant's claim was resolved in a prior class action then it could no longer be asserted in the Tronox bankruptcy case. If movant's claim was pending at the time of the bankruptcy then a proof of claim should have been filed, because counsel received direct notice of the bar date. If counsel failed to file a claim, that is not grounds for relief based on excusable neglect or due process unless counsel's conduct can be excused, and no such excuse has been alleged.

To the extent movant did not file a claim, there is no sufficient ground for relief from the bar date. Risks of creosote exposure and filings of claims based on the same also were the subjects of widespread publicity in the relevant areas of MS starting before 2000. No showing as to other relevant factors (including diligence in investigation and pursuit of claims and legal rights, reason why filed so long after bar date), not sufficient for relief based on excusable neglect. Alleged contact with the Colom firm in August 2009 shows knowledge and awareness of legal rights as to claims based on conditions that were first diagnosed before the bar date. Claims based on conditions diagnosed in 1984 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim based on a condition allegedly first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Wilson, Delois

Delois Wilson
1056 Oakdale Avenue
Mobile, AL 36605

Motion and Docket Information

Motion docket no.: 9950
Claim: TRO925774FTC
Claim filed: 1/2/2018
Motion date: 3/7/2023
Trustee Objection: Fourth Omnibus, Docket No. 10041

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Diagnoses in 1995, 2005, 2023. Explanation for late filing: was not aware of deadline, had moved and did not learn of process until after 2009.

Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to claims based on conditions first diagnosed before the bar date. Claims based on 1995 and 2005 diagnoses also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Wilson, Tameka

Tameka Wilson
417 East Gaywood
Columbus, MS 39702

Motion and Docket Information

Docket No.: 9666
Claim: TRO885967FTC
Claim filed: 11/25/2015
Motion Date: 10/22/21
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 2010, 2012. Explanation for late filing: was not aware of deadline.

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process. Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

Winston, Mattie Austine

Mattie L. Austin
311 Rutledge Dr.
Midfield, AL 35228

Motion and Docket Information

Motion docket no.: 9896
Claim: TRO921530TFC
Claim filed: 11/28/2017
Motion Date: 8/1/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 2001, alleges exposure occurred in Alabama. Motion states that the movant was not aware of the Tronox case or the claims process.

Motion is not clear as to whether movant filed other legal proceedings before the bar date, but any pre-2009 legal proceedings show awareness of claim and of legal rights. Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Movant alleges lack of actual knowledge but makes no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect. Claims based on conditions diagnosed before 2006 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Woods, Herbert

Herbert Woods
2700 North Church Ave.
Louisville, MS 39339

Motion and Docket Information

Motion docket no.: 9893
Claim: TRO920588FTC
Claim filed: 10/30/2017
Motion Date: 7/27/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Signed rejection notice. No motion for relief based on excusable neglect or due process. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Woods, Vivie

Vivie Woods
2700 North Church Ave.
Louisville, MS 39339

Motion and Docket Information

Motion docket no.: 9894
Claim: TRO920569FTC
Claim filed: 10/30/2017
Motion Date: 7/27/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Signed rejection notice. No motion for relief based on excusable neglect or due process. Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Woods, Walter

Walter Woods
P.O. Box 635
Macon, MS 39341

Motion and Docket Information

Motion docket no.: 9907
Claim: TRO920884FTC
Claim filed: 10/30/2017
Motion Date: 8/17/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to diagnoses in 2006 and 2007. Explanation for late filing: was not aware at that time that he could file a claim.

Risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Yarbrough, Keoceania

Keoceania Yarbrough
84 Brown Ave.
Louisville, MS 39339

Motion and Docket Information

Motion docket no.: 9918
Claim: TRO920210FTC
Claim filed: 10/30/2017
Motion Date: 8/29/2022
Trustee Objection: Second Omnibus, Docket No. 9943

Ruling

Movant filed a motion seeking relief from the bar date but also filed a signed Rejection Notice alleging movant has a claim based on an exposure or a diagnosis that first occurred after the bar date.

Motion refers to respiratory disease but lists no diagnosis dates. Reason for missing the bar date: says was not aware of it and it was not made public.

Publication notice of the bar date was reasonable and proper. In addition, risks of creosote exposure and filings of claims based on the same were the subjects of widespread publicity in the relevant areas of MS starting before 2000. Movant alleges lack of actual knowledge but no showing as to other relevant factors (including diligence in investigation and pursuit of claims and reasons why filed so long after the bar date), not sufficient for relief based on excusable neglect as to pre-bar date diagnoses. Claims based on conditions diagnosed before 2006 also were time-barred under the applicable statute of limitations before the Tronox bankruptcy filing.

Merits of any claim alleging conditions first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its dispute resolution procedures.

Young, Patrick

Patrick Young
407 9th Street SE
Aliceville, AL 35442

Motion and Docket Information

Docket No.: 9736
Claim: TRO100265FTC
Claim filed: 11/2/2018
Motion Date: 12/14/2021
Trustee Objection: Third Omnibus, Docket No. 9973

Ruling

Diagnoses in 2011, 2012. Explanation for late filing: was not aware of deadline.

No pre-bar date diagnosis identified for which relief is sought, no basis for relief based on excusable neglect or due process. Merits of any claim based on a condition first diagnosed after the bar date are to be resolved by the Tort Claims Trust under its normal dispute resolution procedures.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re)
) Chapter 11
TRONOX INCORPORATED, <i>et al.</i> ,) Case No. 09-10156 (MEW)
) Jointly Administered
Reorganized Debtors.)

**NOITCE OF DECISION AND IMPENDING ORDER WITH REGARD TO
YOUR MOTION FOR PERMISSION TO FILE A TORT CLAIM
NOTWITHSTANDING THE EXPIRATION OF THE 2009 BAR DATE**

On August 5, 2024 the Court issued a Decision regarding 260 motions seeking relief from the August 12, 2009 bar date in these cases so that the movants may pursue claims against the Tronox Incorporated Tort Claims Trust (the “Trust”). The Decision described the Court’s rulings with respect to many common issues among the motions. The Court also prepared an Order and attached tables that describe the Court’s rulings with respect to each separate motion. Full copies of the Court’s Decision, the Orders and the tables attached to them, are available on the Trust’s website at [insert web address]. You may also obtain copies by calling the Trust’s toll-free number at [insert phone number].

PLEASE BE ADVISED that your motion has been denied in its entirety to the extent that it is based on diseases or conditions that were diagnosed before the August 12, 2009 bar date. However, any claim you have asserted based on diseases and conditions that were first diagnosed after August 12, 2009 will be reviewed and resolved by the Trust according to its normal dispute resolution procedures. Your motion therefore will be the subject of an Order that will be entered in the form that is enclosed with this notice. The Court’s rulings with respect to your individual motion are set forth in the statement that is also enclosed.

PLEASE BE FURTHER ADVISED THAT IN ORDER TO GIVE YOU TIME TO RECEIVE THIS NOTICE AND TO CONSIDER YOUR RIGHTS THE ORDER WITH RESPECT TO YOUR MOTION WILL NOT BE ENTERED UNTIL SEPTEMBER 12, 2024. THE DEADLINE FOR THE FILING OF ANY NOTICE OF APPEAL WITH RESPECT TO THE DENIAL OF YOUR MOTION AS TO PRE-BAR DATE DIAGNOSES WILL BE SEPTEMBER 26, 2021.

Dated:

Tronox, Inc. Tort Claims Trust
600 Vine Street
Suite 2006
Cincinnati, OH 45202