

**IF YOU ARE OR WERE  
AN OWNER OR TENANT  
OF A CONDOMINIUM UNIT  
IN CERTAIN BUILDINGS AT  
PORT LIBERTÉ, YOU COULD  
GET BENEFITS AND YOU  
MAY BE ELIGIBLE TO  
RECEIVE A CASH PAYMENT.**

A settlement has been reached with Simsmetal East LLC, Sims Group USA Holdings Corporation and Sims Municipal Recycling of New York, LLC (“Defendants”) in a class action lawsuit, alleging that the operation of Defendants’ industrial businesses at the Claremont Terminal in Jersey City produced noise, odors, light, air pollution from dust, particulate matter and other causes, fires, and explosions, that caused the market value of certain units in certain buildings at Port Liberté to decrease and interfered with the use and enjoyment of the units. Defendants deny all of the claims alleged in the lawsuit. The Court has not decided who is right. Instead, the parties have agreed to settle the case.

**WHO IS INCLUDED?**

The Settlement includes all owners and lessees of certain units at 1 Independence Way, 205 Shearwater Court West, 206 Shearwater Court West, 207 Shearwater Court West, 208 Shearwater Court West, 100 Shearwater Court East, 101 Shearwater Court East, 102 Shearwater Court East, 15 Freedom Way, and 4 Constellation Place that have windows, doors, balconies, or other open-air access facing Defendants’ business operations at Claremont Terminal at any point between April 26, 2018 and January 23, 2026.

**WHAT DOES THE  
SETTLEMENT PROVIDE?**

The Settlement provides that Defendants will establish a Settlement Fund valued in the amount of \$1,475,000. Class Members who file valid Claims will receive a check. Payment amounts will be based on the number of settlement shares allocated to each Class Member and depend on four things: (1) whether you owned or leased the unit; (2) the number of years that you owned or leased the unit and resided in the unit; (3) the building in which the unit is located; and (4) the number of other Claimants (for more detail, see [www.PortLiberteSettlement.com](http://www.PortLiberteSettlement.com)). In the event that the Settlement Fund, net of attorneys’ fees and costs and one-third of the cost of notice and settlement administration, is not sufficient to enable the above payments, the per-claim payments will be decreased on a pro-rata basis. This notice is not an assurance as to the actual amount that any particular Class Member may receive.

In addition, the Settlement provides that Defendants are undertaking a number of remedial measures at their respective facilities at Claremont Terminal to minimize and mitigate the alleged environmental impacts of the noise, odors, light, air pollution from dust, particulate matter and other causes, fires, and explosions that allegedly result from their respective industrial business operations. These measures are described in detail in the Settlement Agreement.

**YOUR OPTIONS**

If you do nothing: (1) you will be bound by the Settlement; (2) you will release claims

against Defendants and related parties concerning the conditions described above; and (3) your interests will be represented by Class Counsel who have been appointed by the Court. If you do not want to be legally bound by the Settlement, then you must exclude yourself by May 4, 2026. Unless you exclude yourself, you will not be able to sue Defendants and related parties for any claim asserted in the lawsuit or released by the Settlement. If you stay in the Settlement (i.e., you don’t exclude yourself), you may object and you or your lawyer may request to appear and speak at the settlement approval hearing. Objections and requests to appear are due by May 4, 2026.

**THE SETTLEMENT  
APPROVAL HEARING**

The Superior Court of the State of New Jersey, Law Division, Hudson County will hold a hearing in this case (Medina et al. v. Simsmetal East, LLC, et al., Docket No. HUD-L-1589-24) on May 22, 2026 at 10:00 a.m. to consider whether to approve the Settlement, attorneys’ fees of up to \$491,617.50 and expenses of up to \$52,884.92.

**WANT MORE INFORMATION?**

Go to [www.PortLiberteSettlement.com](http://www.PortLiberteSettlement.com) for more information. You can also contact the Settlement Administrator toll free at 877-206-2311, by emailing [info@PortLiberteSettlement.com](mailto:info@PortLiberteSettlement.com), or by writing the Settlement Administrator at Port Liberté Settlement, c/o JND Legal Administration, PO Box 91232, Seattle, WA 98111.