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Navy Faces More Claims By Families Sickened by Toxic Red Hill Water

Lawsuit: Testing evidence from 1,000 homes destroyed by the government

HONOLULU, Nov. 10, 2022 -- More than 100 injured U.S. military family members and civilians filed new federal-court claims against the Navy today over the catastrophic contamination of the water supply near the Red Hill fuel storage facility in Hawai'i in 2021, according to their attorneys at [Just Well Law, PLLC](#) and the Hosoda Law Group.

Filed in Honolulu federal court, the amended lawsuit accuses the Navy of releasing thousands of gallons of jet fuel and other contaminants directly into the military and civilian families' drinking water at least twice in 2021. The new complaint also accuses the Navy of destroying more than 1,000 water samples collected from the homes of the affected families.

According to the complaint, “[N]ews reports have revealed that the government destroyed water sample vials collected from over one thousand family homes — *every sample taken*. Water samples that could have revealed the chemicals present in these family’s waters — for health and for accountability — were trashed instead. This destruction of the evidence has robbed plaintiffs of the opportunity to know what was in their water.”

The injured families reported seizures, gastrointestinal disorders, neurological issues, burns, rashes, lesions, thyroid abnormalities, migraines, neurobehavioral challenges, and other maladies, the lawsuit asserts. The families were evacuated from their contaminated homes in Hawai'i. They were forced to move back into those homes, only to get sick again, and now reside elsewhere, according to the complaint.

“While these families suffer,” the lawsuit alleges, “Navy officials continue to claim that families are not sick from their exposure to jet fuel, with medical gaslighting at the highest levels. Up to now, military officials have denied ongoing medical harm to service members, their families, or civilians.”

On Tuesday, a U.S. Centers for Disease Control and State of Hawai'i survey revealed health problems reported by families “impacted by the Red Hill Water crisis.” The survey of hundreds of affected households found that 80 percent had exposure symptoms – with 41 percent of respondents reporting existing condition that worsened, with 31 percent reporting new diagnoses, and 25 percent reporting new diagnoses with no pre-existing conditions.

On August 31, the first four injured families filed suit alleging that the Navy still has not fully disclosed the scope of the contamination, recognized that affected families are still sick, or provided appropriate medical care.

The families are represented by Kristina S. Baehr and James Baehr, of Just Well Law, PLLC, of Austin, Texas, and Lyle S. Hosoda, Kourtney H. Wong, Spencer J. Lau, and Thurston A. Kino, of the Hosoda Law Group, of Honolulu. The law firms also represent hundreds more plaintiffs who have filed pre-litigation SF-95 administrative claim forms with the government under the Federal Tort Claims Act (FTCA) and who will be added to the suit.

Kristina S. Baehr said, “Our legal team is working hard to hold the Navy accountable for its conduct before, during and after the Red Hill contamination. Our case has gained momentum and our investigation continues.” The federal court recently set a trial date of Jan. 29, 2024.

The lawsuit, which previously alleged negligence, nuisance, medical negligence, failure to treat, delayed care, and infliction of emotional distress by the government, adds new claims of negligent undertaking and negligent spoliation of evidence. The lawsuit was filed after the plaintiffs exhausted administrative remedies under the FTCA.

The case is *Patrick Feindt, Jr., et al., v. The United States of America*, Case No. 1:22-cv-0039, in the U.S. District Court for the District of Hawai’i.

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