



Final Protocol

October 22, 2021

This is the Final Protocol that will govern the Albertville Survivors Fund (the Fund). It was developed by the National Compassion Fund (the Administrator), incorporating feedback from the Albertville Steering Committee (the Committee) and the greater Albertville community. **The financial benefits paid by the Fund are gifts to which no person has a legal claim or entitlement.** All aspects of this Final Protocol including, without limitation, the classifications of applicants, distribution criteria, application process, timetable, and amounts to be awarded may be revised and are subject to the full and complete discretion of the Administrator. The Fund and online application (the Application) to receive a gift from the Fund are managed and administered by the National Compassion Fund, LLC (Federal Tax ID #83-0924922), a subsidiary of the National Center for Victims of Crime, a 501(c)(3) nonprofit organization (Federal Tax ID #30-0022798).

BACKGROUND INFORMATION

On June 15, 2021, an attack (the Albertville Attack) occurred at the Albertville fire hydrant manufacturing facility located at 956 Industrial Boulevard in Albertville, Alabama (the Albertville Facility), at approximately 2:30 a.m. Central Time. Tragically, two male employees of Mueller Co. LLC (Mueller) were killed, and two male employees were severely physically injured.

- David Lee Horton, of Boaz, Alabama, was fatally wounded during the Albertville Attack. David joined Mueller in 2016 and was a Foundry Helper.
- Michael “Lee” Dobbins, of Boaz, Alabama, was fatally wounded during the Albertville Attack. Lee joined Mueller in November 2020 and was a Foundry Utility Painter.
- Casey Sampson, of Albertville, Alabama, was seriously injured during the Albertville Attack and is receiving continued treatment for his injuries sustained. Casey joined Mueller in 2018 and is a Foundry Helper.
- Isaac Byrd, of Albertville, Alabama, was seriously injured during the Albertville Attack and is receiving continued treatment for his injuries sustained. Isaac joined Mueller in February 2021 and is a Foundry Painter.

Several other people were emotionally injured in the Albertville Attack, and the community will continue to feel the impact far into the future. The Albertville Facility was opened as a hydrant manufacturing plant in 1975, and many of the employees present during the Albertville Attack live in nearby neighborhoods and have been members of the Albertville community for decades.

Mueller Water Products, Inc., and the company's employees, together with the generous assistance of other businesses, foundations, and individual donors, have established the Albertville Survivors Fund. The Fund will be used to assist the survivors of the Albertville Attack, including surviving direct family members of the employees who were killed, those who were severely physically injured, and those who were psychologically injured while present in the Albertville Facility during the Albertville Attack (collectively, the Victims). Each Victim may apply to receive a gift by completing the online Application, which is managed by the Administrator. **All applications must be submitted no later than Tuesday, November 30, 2021.**

No individual (or family member of such individual) responsible for the Albertville Attack as determined by the Committee will be eligible to apply for or receive any gift from the Fund.

The Committee, with the National Compassion Fund, will establish the rules governing eligibility for and distribution of gifts from the Fund. Each member is committed to honoring the intent of donors to help the Victims by administering these gifts in a way that is fair, transparent, and focused on the survivors. The following members have volunteered time and expertise to staff the Committee:

- Dr. Merida Grant – Director of the Trauma Related Disorders Clinic, University of Alabama Birmingham
- Julia Smeds Roth – Partner at Eyster, Key, Tubb, Roth, Middleton & Adams, LLP
- Dennis & Melanie Pedigo – Sergeant, Chattanooga Police Department
- Dr. Joe Whitmore – President, Snead State Community College
- Jessica Zimmermann – Founder & Mental Health Counselor, Sage Life Counseling
- Yolanda Kokayi – Senior Director Marketing & Communications, Mueller Water Products
- Jonathan Lancaster – Pastor, First Baptist Church of Boaz
- Jeffrey R. Dion – Executive Director, National Compassion Fund
- Dan Levey – Senior Lead of Mass Violence Response, National Compassion Fund

No one has a legal claim or entitlement to these gifts. Any payment made from the Fund is a gift – an act of charity from the tremendous generosity of individuals and organizations. The Committee's role is to fairly administer these gifts for the direct benefit of the Victims, within the context of other available services. The Committee is inspired by the largesse of the public to help as many people as possible, as much as possible, though they are poignantly aware of their constraints and limitations.

BENEFIT ALLOCATION

Benefits from the Fund are to be apportioned to the relatives of the deceased employees on an equal basis and are to be apportioned to the physically injured employees in accordance with the severity of the injuries arising from the Albertville Attack.¹

CATEGORIES OF ELIGIBLE APPLICANTS

There must only be one Application per Victim. The Application type falls into one of three categories. A final determination of gifts will be made upon receipt of all pertinent data and is subject to all comments below.

Category 1 – Applicants on Behalf of the Deceased

Category 1 applicants are those filing on behalf of an immediate family member killed as a result of the Albertville Attack. The Fund provides a gift for the benefit of each of the families of the deceased Victims upon receipt and approval of an Application made by the parent, spouse, legal partner, or child of an employee killed as a result of the Albertville Attack. The Fund will not provide more than one gift per family of each deceased Victim. All Category 1 gifts will be of an equal amount. Category 1 gifts shall be the most valuable gifts on an individual basis under the scope of this Final Protocol.

Category 2 – Individual Employees Physically Injured During the Attack

Any individual employee who was physically present in the Albertville Facility during the Albertville Attack and who suffered some physical injury from a gunshot wound as a direct result of the Albertville Attack is eligible to apply for a gift under this Final Protocol. A gift from the Fund to an individual in Category 2 shall be less than a gift provided to a beneficiary in Category 1 under this Final Protocol. Applicants in Category 2 may have different gifts based on the severity of physical harm resulting from the Albertville Attack.

Category 3 – Individual Employees Present in the Albertville Facility Who Experienced Psychological Trauma

Any individual employee who was physically present in the Albertville Facility during the Albertville Attack and who experienced psychological trauma as a result is eligible to apply for a gift under this Final Protocol. A higher level of benefit may be provided to employees who discovered the Victims, rendered direct assistance to the Victims, or are official in-house Mueller first responders. The individual gifts provided to Category 3 applicants shall be less than individual gifts provided to individual applicants in Category 2 under the scope of this Final Protocol. Category 3 gifts may be of differing amounts as described above.

¹ Determination of the amounts for each eligible applicant will depend upon the following: (1) the balance in the Fund on November 30, 2021 or the date that the Fund closes; (2) completion of the review of all submitted applications; and (3) review and approval by the Administrator.

APPLICATION PROCESS

Each person must complete and submit an Application in order to be eligible to receive a gift from the Fund.

Only Category 1, Category 2, and Category 3 applicants are eligible to submit Applications, and a single Application for benefits should be submitted for each deceased Victim or eligible applicant. The purpose of the Application is to validate the identification of the individual and to confirm the individual's category of eligibility.

FILING AN APPLICATION

Access to the online Application system will be available on or about November 5, 2021. The link to the Application will be posted on <https://nationalcompassion.org/fund/alberville-survivors-fund>. Applicants without internet access are invited to call the toll-free number 855-4VICTIM (855-484-2846) for guidance on alternative filing assistance.

The Application may require supporting documentation and is considered complete only when all required material has been received by the Administrator. Note: In the event that an applicant submits an incomplete or deficient Application (e.g., the applicant failed to include required documentation or failed to fully complete the Application), a representative from the Administrator's office will contact the applicant in an effort to cure any such deficiencies.

All inquiries and requests for assistance should be e-mailed to Alberville@NationalCompassion.org.

ALL APPLICATIONS MUST BE SUBMITTED BY THE TUESDAY, NOVEMBER 30, 2021 DEADLINE.

APPLICATION REQUIREMENTS

Category 1 – Applicants on Behalf of the Deceased

Category 1 Applications require confirmation of direct relation to the deceased employee. This confirmation document means a current marriage certificate (in the case of a partner or spouse) or birth certificate (in the case of a parent or child) and a death certificate for the deceased employee. Applications for a minor child must be submitted and signed by a parent or legal guardian. For Applications for incompetent adults, the Application will require proof of representative capacity, such as a power-of-attorney, guardianship, and appointment of guardian or attorney ad litem.

An Application filed for a deceased Victim will require the spouse or legal partner's signature if the deceased individual was married at the time of death and must also include information pertaining to individuals (e.g., spouse, children, parents, siblings) who may be eligible to receive

compensation under the local probate law of the deceased Victim's domicile. In cases where the Victim was not married, the personal representative legally authorized to administer the estate must submit the Application. If the Victim did not leave a will, the personal representative must prepare a proposed plan of distribution of the funds among the Victim's legal heirs and beneficiaries. In circumstances where the deceased Victim was, at the time of their death, engaged to be married, cohabitating with an intimate partner, or separated from a spouse, the Administrator may, in its discretion, require a fiancé, intimate partner, or children of the deceased Victim to be included in the proposed distribution plan.

The proposed plan will be distributed to all such legal heirs, beneficiaries, and fiancé or cohabitating intimate partner, each of whom must consent to the proposed distribution. If agreement among the heirs cannot be reached as to who will serve as the personal representative, or with regard to the proposed distribution, the Applicants will be required to obtain legal authorization from the Probate Court having jurisdiction to determine who is the legally responsible person eligible to file the Application. Under those circumstances, the Fund Administrator will, in its discretion, withhold funds until an agreement is reached, or deposit the affected funds with the Probate Court having jurisdiction to be held in a separate account and to be distributed only upon resolution in accordance with a valid court order. The Fund will not provide more than one gift to the estate or family member of each deceased Victim.

Category 2 – Individual Employees Physically Injured During the Attack

Category 2 Applications filed for physical injury must have such claim corroborated by employment records or law enforcement records. The Administrator, not the applicant, will be responsible for obtaining this information. Applicants must also submit a HIPAA release authorization for release of medical documentation as to the severity of the injury.

Category 3 – Individual Employees Present in the Albertville Facility Who Experienced Psychological Trauma

Category 3 Applications filed for injured employees must have such claim corroborated by employment records or law enforcement records. The Administrator, not the applicant, will be responsible for obtaining this information.

ADMINISTRATOR REQUIREMENTS

Funds Distribution Protocol

The Administrator published the Draft Protocol and invited input and comments from the general public, which were considered in the adoption of this Final Protocol. A public meeting with options for live and virtual participation was conducted by the Administrator on Tuesday, October 19, 2021.

Final Protocol

This Final Protocol will be disseminated, along with Application information, to all known

Victims who have completed the Fund’s online contact form on the National Compassion Fund website (<https://nationalcompassionfund.org>). All information will also be posted on the National Compassion Fund website. The Administrator will work directly with applicants as requested so that all Applications are complete and submitted by the Tuesday, November 30, 2021 deadline.

Victim Contact and Outreach

The National Compassion Fund will make its best effort to provide information to Victims of the Albertville Attack on the Application process, to answer questions related to the filing of Applications, to assist victims in curing deficiencies on Applications, and to work to ensure that all eligible persons who wish to submit Applications are able to do so before the Tuesday, November 30, 2021 filing deadline. The National Compassion Fund does not guarantee that each person who may be eligible will be contacted successfully, nor does it guarantee that persons who are in contact with the National Compassion Fund will be eligible persons as defined in this Final Protocol. It is the responsibility of each eligible applicant to file an Application and ensure that the Application is filed timely and received.

Contact information that is held by law enforcement is not accessible by the Administrator, and there should be no assumption that anyone who is eligible will be contacted simply because such person may have shared their contact information with law enforcement, without sharing it with the National Compassion Fund via the Fund’s online contact form.

Payment Administration and Governance

Payments will be issued shortly after the deadline for submission of all contributions and the Administrator’s final review and determination of all eligible Applications. The Administrator will submit final gift determinations to the Committee for approval of transmission of the payments, by check or electronic bank wire, to each eligible applicant. In the event that sufficient contributions are received after the final gift determinations, a supplemental distribution may be made to eligible applicants.

Tax Advice

While the Fund intends that these gifts be tax-free, the Fund cannot provide tax advice to those receiving gifts from the Fund. The Administrator recommends recipients to consult their tax advisor or legal advisor for any questions regarding tax liability for these gifts.

Auditing

A full examination of the Fund will be conducted according to agreed upon procedures by an independent auditing firm as soon as possible after the final distribution of all gifts. The results of this audit, along with a Final Report from the Administrator, will be made available to all applicants, donors, and the general public on the National Compassion Fund website (<https://nationalcompassionfund.org>).

PROPOSED TIMELINE

- June 15, 2021 – The Albertville Attack occurs at the Albertville Facility
- June 18, 2021 – Mueller Water Products, Inc. and the National Compassion Fund complete an agreement to support survivors
- June 18, 2021 – The National Compassion Fund launches the Albertville Survivors Fund
- September 24, 2021 – The first meeting of the Steering Committee, which approves the Draft Protocol and sends it for translation
- September 29, 2021 – Receive the Draft Protocol back from translation service
- September 30, 2021 – Publish the Draft Protocol; public comment period begins
- October 19, 2021 – Town Hall Meeting occurs and public comment period ends
- October 20, 2021 – The Steering Committee meets to approve the Final Protocol
- October 25, 2021 – Receive the Final Protocol from translation service
- October 26, 2021 – The Final Protocol is published on the Fund website for families and all interested parties
- November 5, 2021 – The Application is available online and instructions are disseminated to all known applicants and potential applicants who completed the contact form on the Fund website
- November 5 – November 17, 2021 – Applications are completed with the required documentation and submitted online
- November 15, 2021 – Fund closes to donations
- November 30, 2021 – Deadline for submission of Applications
- October 15 – November 17, 2021 – All personal meetings requested with the Administrator are completed
- November 2 – December 15, 2021 – All Applications are reviewed by the Administrator and recommendations for payments to eligible applicants are submitted to the Steering Committee for independent review and approval
- December 17, 2021 – The Steering Committee approves the Distribution Plan
- December 20, 2021 – Payment distribution to approved eligible beneficiaries begins on a rolling basis
- Three weeks after the end of the month in which all disbursements are completed – AUP by auditors begins