

Exhibit 3

AFFIDAVIT OF JOHN HARSHBARGER

1. My name is John Harshbarger.
2. I am over the age of 18, am of sound mind, and have personal knowledge of the facts contained herein.
3. I am the President of the Town Council for the Town of Andrews, Indiana.
4. As a part of my duties as President of the Andrews Town Council, I oversee the Utilities Department which includes the Town's Water Department.
5. I have been a member of the Andrews Town Council since January 1, 2012.
6. In connection with my role on the Andrews Town Council, I am familiar with the Town's Water Plant and Utilities.
7. The Town of Andrews has recently become aware of an emergency concerning the Town's drinking water supply.
8. The emergency was caused by the fact that contamination coming from the former United Technologies Automotive Plant ("the Factory") has polluted the Town's Municipal Well 1.
9. Without Municipal Well 1, we do not have an adequate amount of water to serve the Town residents and we do not have the ability to adequately fight fires.
10. The Town of Andrews receives its public water from three Municipal Wells.
11. Historically, all three of the Town's Municipal Wells have shown low levels of contamination which originated from the Factory.
12. In approximately 2012, the levels of vinyl chloride in Municipal Well 1 started to rise.
13. At the same time, the Town was getting complaints about the odor and taste of the

Town's water.

14. Therefore, we took Municipal Well 1 offline and stopped using it except in cases of emergency.

15. In the Spring of 2020, Municipal Wells 2 and 3 lost capacity and were no longer able to supply the Town with an adequate amount of water.

16. Because of the loss of capacity, the Town had to turn Municipal Well 1 back on.

17. Since there are high levels of contamination in Municipal Well 1, the Town is dependent upon an air stripper operated by United Technologies to remove contaminants from the Municipal Well water before it is distributed to the public.

18. On June 6, 2020, the Town's Clear Well overflowed and damaged some recent repairs to the system.

19. The reason the Town's Clear Well overflowed was because of significantly increased volume flowing from the air stripper building, indicating that the air stripper equipment was malfunctioning.

20. Following an investigation and consultation with the Town's expert Dr. James Wells, the Town filed an emergency motion for preliminary injunction with Huntington County Superior Court on Friday, June 19, 2020.

21. Also on Friday, June 19, 2020, the Huntington County Emergency Management Agency issued an emergency "Do Not Drink" advisory for the residents of the Town of Andrews.

22. Since that time, the Town residents have not been able to use their water, and the Town has been supplying them with bottled water.

23. The Huntington County Superior Court set our emergency motion for hearing on

Thursday, June 25, 2020 at 10:00 a.m.

24. On Monday, June 22, 2020, I accompanied representatives from the Indiana Department of Environmental Management ("IDEM") as they collected several samples from the Town wells and Town drinking water.

25. After the IDEM representatives finished obtaining their samples, IDEM instructed the Town to stop using Municipal Well 1.

26. In response to IDEM's instruction, the Town turned off Municipal Well 1 at approximately 2:00 p.m. on June 22, 2020.

27. Without the use of Municipal Well 1, the Town does not have sufficient water to supply its residents or to adequately fight fires.

28. On Wednesday, June 24, 2020, IDEM informed the Town of Andrews that the sampling conducted on Monday detected high levels of contamination in Municipal Well 1 and detected vinyl chloride at the Maximum Contaminant Level ("MCL") for safe drinking water in the tap water coming out of the faucet in the Town's Wastewater Treatment Plant.

29. As a result of that testing, IDEM informed the Town of Andrews again that Municipal Well 1 must remain offline and may not be used anymore to supply water to the Town.

30. In my opinion, this shows a total disrespect by IDEM and United Technologies for the citizens of this community.

31. This Town has been trying to get United Technologies to clean up our water for twenty-seven years.

32. The Town is now in an impossible situation because we need Municipal Well 1 to fight fires and serve our residents, yet IDEM has ordered the Town not to use Municipal Well 1

because the water is unsafe.

33. Further affiant sayeth naught.

34. I affirm, under the penalties for perjury, that the foregoing representations are true and correct.

6/24/20
Date

John Harshbarger
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