

\$10.02 Million Settlement Reached to Resolve Defective Concrete Class Action Suit Against Argos USA LLC, Announces Moss & Gilmore LLP and Pope McGlamry, P.C.

News provided by
[Moss & Gilmore LLP](#)
Sep 21, 2020, 10:05 ET

ATLANTA, Sept. 21, 2020 /PRNewswire/ -- Pope McGlamry, P.C. and Moss & Gilmore LLP are pleased to announce that a \$10.02 million settlement has been reached between Argos USA LLC, ("Argos") and the plaintiff class ("Plaintiffs") (the "Settlement"). The litigation stems from Plaintiffs' allegations that Argos supplied a specific concrete mix that contained an excessive amount of fly ash that was not designed or intended for slab or flatwork uses, creating surface durability and dusting issues at residential properties. The mix was poured during a six-month period in 2013 in the Savannah, Georgia area and affected hundreds of residential properties, many owned by veterans.



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On August 30, 2019, United States District Judge, the Hon. R. Stan Baker in the Southern District of Georgia (the "Court"): (i) granted Plaintiffs' Motion for Class Certification, in part and certified the issue of liability; (ii) appointed Class Representatives, and (iii) appointed attorneys at the law firms of Pope McGlamry, P.C., and Moss & Gilmore LLP, as class counsel.

On June 26, 2020, the Court granted final approval of the Settlement. As part of the Settlement, Argos agreed to certain injunctive relief which included never using this same concrete mix again for residential homes in the United States; performing rigorous strength and durability testing of concrete mixes with fly ash greater than 50% for residential flatwork; and notifying any purchaser of residential concrete if the concrete's fly ash is 45% or more.

Participating class members received compensation from the Settlement Fund based upon the amount of concrete poured at their respective property that had not been previously repaired or remediated by Argos or their agents. Participating class members received an average payment of \$20,757.29. Additionally, the Class Representatives received incentive awards for the substantial role they played in investigating, initiating, litigating, and settling this case.

"Without these four brave and very tenacious Class Representative homeowners stepping forward, Argos might never have been held accountable for what we contend was a defective and unsuitable concrete mix. The incentive award awarded to the Class Representatives is one of the highest ever awarded in the state of Georgia. It was a great privilege to represent the class and the Class Representatives," said co-counsel Raymond L. Moss of Moss & Gilmore LLP.

"Homes are typically the largest investment people have and there is an expectation that they are built with proper materials. After four years of contentious litigation including an appeal to the Eleventh Circuit, we are pleased to see this case come to a successful resolution that provides valuable relief to all class members," said Michael J. Moore, former US Attorney and shareholder at Pope McGlamry, P.C.

The Class was also represented by Wade ("Trip") H. Tomlinson, R. Timothy Morrison, Jay F. Hirsch, Kimberly J. Johnson, Courtney L. Mohammadi, and Mike Morrill of Pope McGlamry, P.C.

The case is captioned, McGaffin et al. v. Argos USA, LLC, Case No. 4:16-cv-00104-RSB-BKE, in the Southern District of Georgia, Savannah Division.

About Pope & McGlamry: Pope McGlamry, P.C. maintains offices in Atlanta and Columbus, Georgia. The firm represents clients in mass tort, class action, products liability, commercial litigation, catastrophic personal injury, and wrongful death litigation. Pope McGlamry, P.C. also represents whistleblowers who bring cases under the False Claims Act reporting fraud that has been committed against the government. The firm has extensive trial experience in state and federal courts throughout the United States. For more information, visit www.pmkm.com.

About Moss & Gilmore LLP: With offices in Atlanta and New York, Moss & Gilmore LLP also represents whistleblowers in the U.S. and worldwide in federal and state false claim whistleblower and related retaliation cases involving healthcare fraud and military procurement fraud. Moss & Gilmore LLP represents whistleblowers in cases under the False Claims Act and claims under the U.S. Securities and Exchange Commission, Commodity Futures Trading Commission involving securities and commodities fraud and IRS whistleblower reward programs. For more information, visit www.mossgilmorelaw.com

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