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Judge won't make the state resume bottled water distribution in Flint

By Rebecca Karuth | April 21, 2018



A federal judge won't force the state to immediately resume giving out bottled water to Flint residents affected by the city's lead-tainted tap water crisis.

Credit Steve Carmody/Michigan Radio

The decision Friday concerns the case of Flint resident Allen Bryant Jr. A recently filed lawsuit says that Bryant and other residents still have dangerous levels of lead in their tap water. It asks a judge to compel the state to continue funding bottled water distribution.

The state [announced it was ending the program](#) earlier this month and closed its remaining distribution sights last week. Gov. Rick Snyder cited tests showing lead levels in Flint drinking water well within federal and state guidelines as grounds to discontinue the program.

In an emergency hearing in Ann Arbor on Friday, U.S. District Judge Judith Levy denied a request for a preliminary injunction and temporary restraining order that would've forced the state to immediately resume

water distribution. She said that Bryant's case wasn't strong enough to warrant emergency relief.

Levy said that Bryant isn't currently living at the affected residence and doesn't seem likely to return until he can afford repairs to the property, many of which are unrelated to water. She also pointed out that he's eligible to receive a free water filter from the state.

Following the hearing, Hunter Shkolnik, the plaintiff's lead attorney, said he felt that the judge had looked at the facts and determined that Bryant may not be "the right plaintiff" to request the injunction.

"But there are a lot of other people [in Flint] that have homes that have lead levels that are hundreds of times higher than they should be," Shkolnik said. "What's important is that those plaintiffs can come back to court and bring a request for a temporary restraining order or a temporary injunction at that time."

Shkolnik said that a lot of people in Flint don't trust the filters that the state has provided.

However, attorneys for the state argued that there's "submitted proof" that the filters are effective for lead removal. They said state had the right to stop providing bottled water.

Earlier this week, Flint Mayor Karen Weaver said [she was exploring "legal options"](#) following an unsuccessful meeting with Gov. Snyder about restarting the water distribution program. She says that bottled water should remain available until home water lines are replaced, a job that will last until 2020.

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