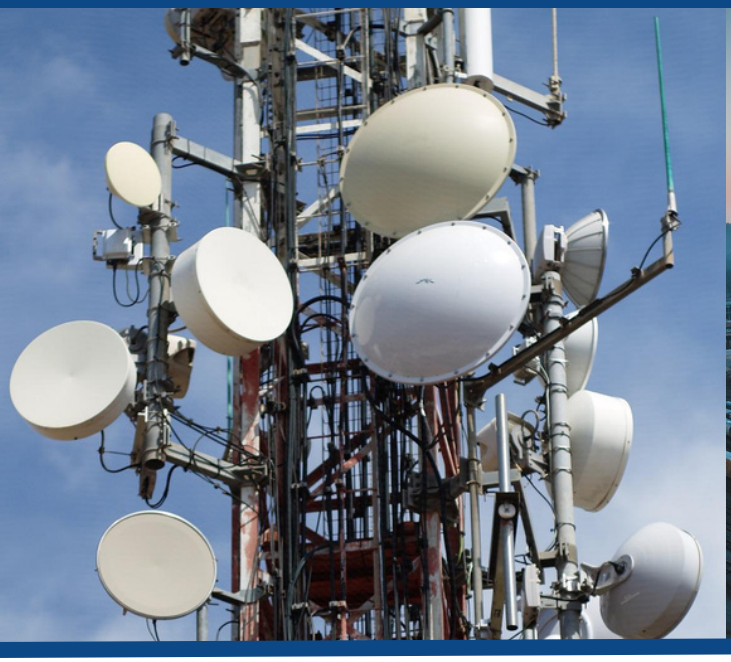
5G, CELL TOWERS AND WIRELESS

LEGAL & LIABILITY ISSUES



When a new cell tower is proposed, the first question to ask is: "Do you have insurance for damages from long-term exposure to the radiofrequency radiation (RFR)?"

Usually the answer is "No." Why? Insurance companies rank the risk as "HIGH."

5G and Cell Towers Are an Uninsurable Risk

- Insurers rank wireless, cell tower, and 5G RFR non-ionizing electromagnetic field (EMF) radiation as a "high" risk, comparing the issue to lead and asbestos.
- Most insurance plans have "electromagnetic field exclusions" and do not insure for long-term RFR damages.
- Additionally, some insurance plans will not provide a defense for any supervision instruction or recommendation given *"or which should have been given"* in connection to EMFs.
- Wireless RFR and non-ionizing electromagnetic radiation are defined as a type of "pollution" by wireless companies themselves.
- U.S. mobile operators have been unable to get insurance to cover liabilities related to damages from long-term RFR exposure.
- Wireless companies warn their shareholders of RFR risk but do not warn users of their products, nor do the companies warn the people exposed to emissions from their infrastructure.

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Cell Tower Companies Warn Shareholders of Risk From Cell Tower Radiation

Why Don't They Warn Families Living Near Cell Towers?

Verizon 10-K Report
"Our wireless business also faces personal injury and wrongful death lawsuits relating to alleged health effects of wireless phones or radio frequency transmitters. We may incur significant expenses in defending these lawsuits. In addition, we may be required to pay significant awards or settlements."

Crown Castle 10-K Report
"We cannot guarantee that claims relating to radio frequency emissions will not arise in the future or that the results of such studies will not be adverse to us...If a connection between radio frequency emissions and possible negative health effects were established, our operations, costs, or revenues may be materially and adversely affected. We currently do not maintain any significant insurance with respect to these matters."

AT&T 10-K Report
"In the wireless area, we also face current and potential litigation relating to alleged adverse health effects on customers or employees who use such technologies including, for example, wireless devices. We may incur significant expenses defending such suits or government charges and may be required to pay amounts or otherwise change our operations in ways that could materially adversely affect our operations or financial results."

T- MOBILE 10-K Report
"Our business could be adversely affected by findings of product liability for health or safety risks from wireless devices and transmission equipment, as well as by changes to regulations or radio frequency emission standards."

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Cell Tower Companies Warn Shareholders of Risk From Cell Tower Radiation

Why Don't They Warn Families Living Near Cell Towers?

American Tower 10-K
"If a scientific study or court decision resulted in a finding that radio frequency emissions pose health risks to consumers, it could negatively impact our tenants and the market for wireless services, which could materially and adversely affect our business, results of operations or financial condition. We do not maintain any significant insurance with respect to these matters."

Nokia 10-K
"Although our products are designed to meet all relevant safety standards and other recommendations and regulatory requirements globally, we cannot guarantee we will not become subject to product liability claims or be held liable for such claims, which could have a material adverse effect on us."

Qualcomm 10-K
"If wireless handsets pose health and safety risks, we may be subject to new regulations, and demand for our products and those of our licensees and customers may decrease."

Ericsson Annual Report
"Any perceived risk or new scientific findings of adverse health effects from mobile communication devices and equipment could adversely affect us through a reduction in sales or through liability claims."

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T-Mobile Warns of the Risk of 5G and Lawsuits
The Data on Risk Could Change, Impacting Cash Flow

T-Mobile advertises to the public about going "live" but omits the warnings they give to shareholders regarding 5G, regulatory changes and risk perception.

T Mobile

T-Mobile 10-K Report 2/2023

"Negative public perception of, and regulations regarding, the perceived health risks relating to 5G networks could undermine market acceptance of our 5G services" (page 13)

"We, along with equipment manufacturers and other carriers, are subject to current and potential future lawsuits **alleging adverse health effects arising from the use of wireless handsets or from wireless transmission equipment such as cell towers."**

"In addition, **the FCC has from time to time gathered data regarding wireless device emissions, and its assessment of the risks associated with using wireless devices may evolve based on its findings.** Any of these allegations or changes in risk assessments could result in customers purchasing fewer devices and wireless services, could result in significant legal and regulatory liability, and could have a material adverse effect on our business, reputation, financial condition, cash flows and operating results." (T- Mobile 10-K Report page 21)

Mobile Telecommunications and Health

Review of the Current Scientific Research in view of Precautionary Health Protection

Commissioned by

T-Mobil
DeTeMobil Deutsche Telekom MobilNet GmbH

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Hannover, April 2000

A 2000 Ecolog Institute Report commissioned by T-Mobile and DeTeMobil Deutsche Telekom MobilNet recommended an RF exposure limit 1000x lower than the FCC's current power density limit after reviewing the research on biological effects, including impacts to the immune system, central nervous system, hormones, cancer, neurotransmitters and fertility.

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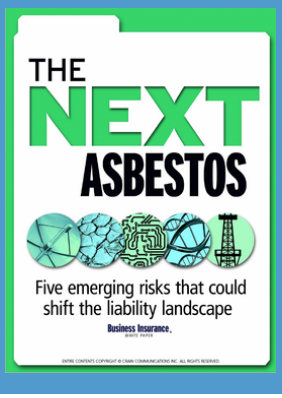
5G, CELL TOWERS AND WIRELESS

LEGAL & LIABILITY ISSUES SHAREHOLDER WARNINGS



"Some research has shown biological effects from lower -level "non thermal" exposure and people exposed at lower levels have reported headaches, dizziness, nausea, mood disorders, mental slowing and memory loss."
Business Insurance White Paper, The Next Asbestos: Five Emerging Risks That Could Shift the Liability Landscape

Insurance Authorities Rate 5G as "High Risk."
5G mobile networks are classified as a "high," "off-the-leash" risk. "Existing concerns regarding potential negative health effects from electromagnetic fields (EMF) are only likely to increase. An uptick in liability claims could be a potential long-term consequence" and "as the biological effects of EMF in general and 5G in particular are still being debated, potential claims for health impairments may come with a long latency." — Swiss Re Institute (2019)

Insurance Companies Have Electromagnetic Field Exclusions As the Industry Standard
Electromagnetic field exclusions" are clear and common in most insurance companies. It is applied as a market standard. This exclusion serves to exclude cover for illnesses caused by long-term EMF (non-ionizing radiation) exposure." — Complete Markets

"Exclusions: This insurance does not apply to: Bodily injury, personal injury, advertising injury, or property damage arising directly or indirectly out of, resulting from, caused or contributed to by electromagnetic radiation, provided that such loss, cost or expense results from or is contributed to by the hazardous properties of electromagnetic radiation.
— Portland Oregon Public School Insurance (page 30)

Insurance Plans Not Only Exclude EMF Damages, But Some Even Exclude Defending Decision Makers From Actions

"This policy does not apply to and we will not provide a defense for: a. bodily injury... arising out of ... exposure to or contact with electromagnetic radiation... b. costs of abatement .. of EMF" or c. any supervision, instruction, recommendation, warning or advice given or which should have been given in connection with a or b. above."- City of Ann Arbor Michigan Insurance Policy page 14.

Wireless Companies Rank EMF as a Risk with High Impact
"Electro-magnetic signals emitted by mobile devices and base stations may be found to pose health risks, with potential impacts including: changes to national legislation, a reduction in mobile phone usage or litigation." — Vodaphone 2017 Report ranks EMF as a "Principal Risk with "High" impact.

Wireless Companies Warn Shareholder About Risk But Not People Living Near Their Wireless Infrastructure

Crown Castle says:
"We cannot guarantee that claims relating to radio frequency emissions will not arise in the future or that the results of such studies will not be adverse to us...If a connection between radio frequency emissions and possible negative health effects were established, our operations, costs, or revenues may be materially and adversely affected. We currently do not maintain any significant insurance with respect to these matters."

Wireless Companies Define Pollution in Their Own Policies as Including EMFs, Microwaves and Non-ionizing Radiation.

Verizons Total Mobile Protection Plan says: "Pollution" is defined as "any solid, liquid, gaseous, or thermal irritant or contaminant including smoke, vapor, soot, fumes, acid, alkalis, chemicals, artificially produced electric fields, magnetic field, electromagnetic field, sound waves, microwaves, and all artificially produced ionizing or non-ionizing radiation and/or waste."

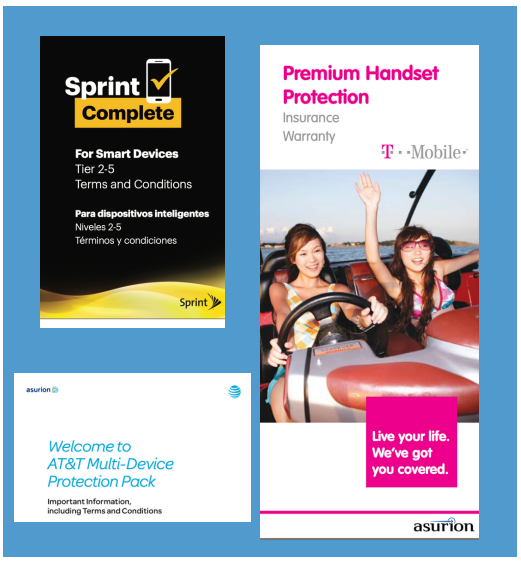
Verizon Total Mobile Protection Plan Defines Non-ionizing Radiation as "Pollution"

16. Pollution

The discharge, dispersal, seepage, migration or escape of pollutants. Pollutants means any solid, liquid, gaseous, or thermal irritant or contaminant including smoke, vapor, soot, fumes, acid, alkalis, chemicals, artificially produced electric fields, magnetic field, electromagnetic field, sound waves, microwaves, and all artificially produced ionizing or non-ionizing radiation and/or waste. Waste includes materials to be recycled, reconditioned or reclaimed.

AT&T, Sprint and T -Mobile also have similar "pollution" definitions and they refuse to cover damages.

Click on image to view the policy.



Insurance Companies Exclude EMF As Industry Standard

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ELECTROMAGNETIC RADIATION EXCLUSION

This endorsement modifies insurance provided under the following:

GENERAL LIABILITY COVERAGE PART
PUBLIC RISK GENERAL LIABILITY RETAINED LIMIT COVERAGE FORM
LAW ENFORCEMENT COVERAGE PART
LAW ENFORCEMENT LIABILITY RETAINED LIMIT COVERAGE FORM
PUBLIC OFFICIALS COVERAGE PART
PUBLIC OFFICIALS LIABILITY RETAINED LIMIT COVERAGE FORM
EMPLOYMENT PRACTICES LIABILITY COVERAGE PART
EMPLOYMENT PRACTICES LIABILITY RETAINED LIMIT COVERAGE FORM

The following **Exclusion** is added:

This policy does not apply to and we will not provide a defense for:

a. "Bodily injury," "property damage", "personal and advertising injury", "employee benefits wrongful acts", "personal injury", "law enforcement wrongful acts", "public officiels wrongful acts", "educator's legel wrongful acts", or "employment practices wrongful acts" arising out of, or which result in, the actual, alleged, threatened, perceived, latent, sudden and accidental or incidental exposure to or contact with electromegnetic radiation in any form, from any source.

b. The costs of abatement or mitigation of:

(1) Electromagnetic radiation; or

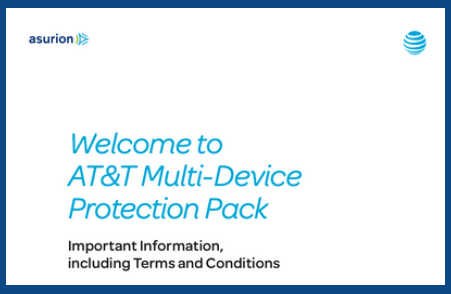
(2) Exposure to electromagnetic rediation.

c. Any supervision, instruction, recommendation, waming or advice given or which should have been given in connection with **a.** or **b.** above.

Electromagnetic radiation includes but is not limited to, magnetic energy, waves, fields or forces generated, produced, transmitted or maintained by the charges, currents, frequencies, energy or forces of electricity that is generated, flowing or otherwise transmitted through or via the medium, methods and equipment designed to generate, produce, distribute, trensport or transmit the electrical charges, currents, frequencies, energy or forces.

ENVIRONMENTAL HEALTH TRUST

Click to Download Insurance Terms That Define Pollution as Including Wireless Electromagnetic

16. Pollution

The discharge, dispersal, seepage, migration or escape of pollutants. Pollutants means any solid, liquid, gaseous, or thermal irritant or contaminant including smoke, vapor, soot, fumes, acid, alkalis, chemicals, artificially produced electric fields, magnetic field, electromagnetic field, sound waves, microwaves, and all artificially produced ionizing or non-ionizing radiation and/or waste. Waste includes materials to be recycled, reconditioned or reclaimed.