| Ca | se 2:15-cv-04113-PSG-JEM Document 981 F | Filed 05/18/23 Page 1 of 6 Page ID #:46060 | | | |
|---|---|---|--|--|--|
| 1 2 3 4 5 6 7 8 9 10 11 12 13 | Juli E. Farris (CSB No. 141716) jfarris@kellerrohrback.com KELLER ROHRBACK L.L.P. 801 Garden Street, Suite 301 Santa Barbara, CA 93101 Telephone: (805) 456-1496 Robert J. Nelson (CSB No. 132797) rnelson@lchb.com LIEFF CABRASER HEIMANN & BERNSTEIN, LLP 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415)956-1000 <i>Plaintiff Class Counsel</i> A. Barry Cappello (CSB No. 037835) abc@cappellonoel.com CAPPELLO & NOËL LLP 831 State Street | HENRY WEISSMANN (CSB No. 132418) henry.weissmann@mto.com MUNGER, TOLLES & OLSON LLP 350 South Grand Avenue, 50th Floor Los Angeles, California 90071-3426 Telephone: (213) 683-9100 <i>Attorneys for Defendants</i> PLAINS ALL AMERICAN PIPELINE, L.P. and PLAINS PIPELINE, L.P. | | | |
| 14 15 16 | Santa Barbara, CA 93101-3227 Telephone: (805)564-2444 <i>Plaintiffs' Lead Trial Counsel</i> | | | | |
| 17 18 | (additional counsel listed at signature) | | | | |
| 19 | UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA | | | | |
| 20 21 | KEITH ANDREWS, an individual, et al., | Case No. 2:15-cv-04113-PSG-JEMx | | | |
| 22 23 | Plaintiffs, v. | STIPULATION TO EXTEND DEADLINE TO DISTRIBUTE SETTLEMENT FUNDS | | | |
| 24 25 | PLAINS ALL AMERICAN PIPELINE, L.P., a Delaware limited partnership, et al., | | | | |
| 26 27 28 | Defendants. | | | | |

The parties to the above-entitled action, by and through their respective counsel of record, hereby stipulate as follows:

Whereas, on September 20, 2022, this Court granted Final Approval of the Settlement of this Action on behalf of the Fisher Class (Dkt. 951-1) and Property Class and separately approved Plans of Distribution for each Class;

Whereas the Plans of Distribution contemplate that the Settlement Administrator "shall complete all work required to allow or deny each Claim" within 180 days of the deadline for filing claims "or as otherwise directed by Class Counsel or this Court," and that "this period may be extended if necessary, subject to Court approval" (Dkt 951-1 ¶60, Dkt 951-2 ¶56);

Whereas, the deadline for submission of claims expired on October 31, 2022, meaning that the 180 day period described above expires on May 18, 2023;

Whereas, the Plans of Distribution also state that Claimants whose claims are rejected shall be given 30 days after receiving notice of the rejection to contest the decision and provide any supporting designation may contest the rejection;

Whereas, the Plans of Distribution also contemplate that "after expiration of the 180-day period set forth above, including review of contested claims" the Settlement Administrator shall determine the total number of Verified Claims, the Fixed and Variable share allocations and recovery for each Claim;

Whereas, the Settlement Administrator has been reviewing claims and supporting documentation diligently as claims were submitted, has determined the current number of Verified Claims, has issued notice to claimants whose submissions appear deficient, and is still in the process of receiving and reviewing contested claims and supplemental materials submitted by Claimants;

Whereas, as of May 18, 2023, the thirty day deadline to respond to the notice of deficiency has not yet expired for some Claimants;

Whereas, the deadline for distribution of funds after review of contested claims is not clearly defined in the Plans of Distribution;

Whereas, Class Counsel is advised that some Claimants can easily cure the remaining deficiencies (such as failure to sign the claim form, confirmation of addresses or verification of names of business or property owners), and are in the process of conducting additional outreach to the affected Claimants to ensure their claims are validated prior to distribution;

Whereas, the recovery for each Claimant depends in part on the number of valid claims submitted, and confirmation of the actual number of valid claims before the initial distribution will reduce the likelihood of multiple distributions to those who have submitted valid claims;

Whereas, additional time to review contested claims will allow a more accurate and complete initial distribution to all claimants, without significant delay to receipt of funds for those whose claims have already been verified;

Whereas, Class Counsel have conferred with Counsel for Defendants via email on May 16th and 18th and confirmed that Defendants do not object to this request;

THEREFORE, IT IS HEREBY STIPULATED between Plaintiffs and Defendants, by and through their undersigned attorneys, that subject to this Court's approval:

The deadline to distribute settlement funds to Verified Claimants in the Fisher Class and Property Class Settlements shall be July 31, 2023, except by further Order of this Court.

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Respectfully submitted, KELLER ROHRBACK L.L.P. By: <u>/s/ Juli E. Farris</u>

Dated: May 18, 2023

STIPULATION TO EXTEND DEADLINE TO DISTRIBUTE SETTLEMENT FUNDS

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|------------------|--------------------------|--|
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| 5 | | Class Counsel |
| 6 | | MUNGER, TOLLES & OLSON LLP |
| 7 | | |
| 8 | Dated: May 18, 2023 | By: <u>s/ Daniel B. Levin</u> |
| 9 10 | | Henry Weissmann (CSB No. 132418) Daniel B. Levin (CSB No. 226044) |
| 10 | | Grant A. Davis-Denny (CSB No. 229335) Colin A. Devine (CSB No. 315801) Robyn K. Bacon (CSB No. 251048) |
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| 15 | | Attorneys for Defendants Plains All American Pipeline, L.P. and Plains Pipeline, L.P. |
| 16 | | Tipeune, L.I. una Tiuins Tipeune, L.I. |
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| 20 | | 4 STIPULATION TO EXTEND DEADLINE TO DISTRIBUTE SETTLEMENT FUNDS |

In accordance with Local Rule 5-4.3.4(A)(2)(i), the filer attests that each of the above signatories has concurred in the filing of this document.

Dated May 18, 2023.

By: /s/ Juli E. Farris

CERTIFICATE OF SERVICE

I, Juli Farris, hereby certify that on May 18, 2023, I electronically filed the foregoing with the Clerk of the United States District Court for the Central District of California using the CM/ECF system, which shall send electronic notification to all counsel of record.

/s/ Juli E. Farris

| | Case 2:15-cv-04113-PSG-JEM Document 981 #:4606 | -1 Filed 05/18/23 Page 1 of 1 Page ID | | |
|---|--|---|--|--|
| 1 2 3 4 5 6 7 8 9 | | DISTRICT COURT | | |
| 10 | CENTRAL DISTRICT OF CALIFORNIA | | | |
| 11 12 | KEITH ANDREWS, an individual, et al., TIFFANI ANDREWS, an individual, | Case No. 2:15-cv-04113-PSG-JEMx | | |
| 13 | Plaintiffs, | [PROPOSED] ORDER GRANTING | | |
| 14 | V. | EXTENDING DEADLINE TO | | |
| 15 16 | PLAINS ALL AMERICAN PIPELINE, L.P., a Delaware limited partnership, et al., | DISTRIBUTE SETTLEMENT FUNDS | | |
| 17 | Defendants. | Judge: Hon. Philip S. Gutierrez | | |
| 18 | | | | |
| 19 | TO ALL PARTIES AND THEIR ATTORNI | EYS OF RECORD: | | |
| 20 | After consideration of the parties' stip | ulation and good cause appearing therefore, | | |
| 21 | IT IS HEREBY ORDERED as follows: | | | |
| 22 | The deadline to distribute settlement funds to Verified Claimants in the Fisher Class | | | |
| 23 | and Property Class Settlements shall be July 31, 2023, except by further Order of this | | | |
| 24 | Court. | | | |
| 25 26 | IT IS SO ORDERED. | | | |
| 20 | | | | |
| 28 | Dated: Honorable Philip S. Gutierrez | | | |
| | | Tonorable Thinp D. Gutterrez | | |
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