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15 **UNITED STATES DISTRICT COURT**  
16 **CENTRAL DISTRICT OF CALIFORNIA**

18 KEITH ANDREWS, an individual, et  
al.,

19 Plaintiffs,

20 v.

21 PLAINS ALL AMERICAN  
22 PIPELINE, L.P., a Delaware limited  
23 partnership, et al.,

24 Defendants.

Case No. 2:15-cv-04113-PSG-JEMx

**SUPPLEMENTAL DECLARATION  
OF ROBERT J. NELSON IN  
SUPPORT OF MOTIONS FOR FINAL  
SETTLEMENT APPROVAL,  
APPROVAL OF THE PLANS OF  
DISTRIBUTION, AND APPROVAL  
OF ATTORNEYS' FEES AND COSTS**

Date: September 20, 2022  
Time: 1:30 p.m.  
Judge: Hon. Philip S. Gutierrez  
Courtroom: 6A

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1 I, Robert J. Nelson, declare:

2 1. I am a partner in the law firm of Lief, Cabraser, Heimann &  
3 Bernstein, LLP (“LCHB”), and serve as Court appointed Class Counsel for the  
4 Plaintiffs in this action. I have personal knowledge of the facts set forth in this  
5 Declaration based on my day-to-day participation in the prosecution and settlement  
6 of this case, and, if called as a witness, could and would testify competently to  
7 them.

8 2. I submit this supplemental declaration in support of Plaintiffs’ motions  
9 for final approval of the proposed Settlement and for approval of the Plans of  
10 Distribution for the Fisher and Property Classes, as well as Class Counsel’s motion  
11 for an award of attorneys’ fees, expenses, and Class Representative service awards.

12 3. As a part of the ongoing efforts on behalf of the Classes, Class  
13 Counsel have held weekly telephone conferences with the Settlement Administrator  
14 since the Court granted preliminary settlement approval to ensure that the Notice  
15 program was fully implemented and that the claims administration process was  
16 proceeding smoothly.

17 4. The claims administration program was opened at the end of July and  
18 the online portal for submission of claims went live on August 24, 2022. The  
19 Settlement Administrator has received completed claim forms, both paper claims  
20 and through the online portal, and both the Settlement Administrator and Class  
21 Counsel have fielded questions and provided support to those preparing their  
22 claims.

23 5. Additionally, on August 30, 2022, Class Counsel were invited to  
24 attend an in-person meeting hosted by the Commercial Fishermen of Santa Barbara  
25 (“CFSB”), during which Class Counsel explained the history of the litigation, the  
26 essential Settlement terms, the Fisher Plan of distribution, and how to file a claim,  
27 among other things. CFSB also arranged videoconferencing for those unable to  
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1 attend in person. Those attending in-person and remotely were able to participate  
2 and ask questions.

3 6. If the Court finally approves the proposed Settlement, Class Counsel  
4 will issue a press release advising that the Settlement has been finally approved,  
5 and reminding Class members of the October 31, 2022 deadline for filing claims.  
6 Class Counsel, working with the Settlement Administrator, will continue to monitor  
7 the claims submission rates to help ensure that Class members are adequately  
8 informed about the process and are aware of relevant deadlines.

9 7. Class Counsel received one objection to the Property Plan of  
10 Distribution submitted by a Property Class member. The Class member objects that  
11 the beach that fronts her property was classified to have “moderate” rather than  
12 “heavy” oiling. Class Counsel have reached out to the Class member to explain that  
13 both “moderate” and “heavy” oiling classifications entitle claimants to participate  
14 in the 10% Fixed Share portion of the Property Plan of Allocation, and that the  
15 oiling category difference between “moderate” and “heavy” does not impact her  
16 potential recovery under the Property Plan of Distribution. A copy of the Objection  
17 has been filed under seal by this Court. ECF No. 969. Out of consideration for the  
18 Class member’s personal and private information and Fed. R. Civ. P. 5.2, and in  
19 light of the Court’s decision to seal the Objection in its entirety, Class Counsel have  
20 not attached the Objection to this declaration, and have not revealed any personal or  
21 confidential information in our response to the Objection.

22 I declare under penalty of perjury under the laws of the State of California  
23 that the foregoing is true and correct.

24 Executed on September 2, 2022, in San Francisco, California.

25 /s/ Robert J. Nelson  
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