

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA

3 GREY FOX, LLC, *et al.*,

4 Plaintiffs,

5 v.

6 PLAINS ALL AMERICAN PIPELINE,
7 L.P. *et al.*,

8 Defendants.
9

Case No. 2:16-CV-03157-PSG-JEM

**DECLARATION OF GINA
INTREPIDO-BOWDEN REGARDING
COMPLIANCE WITH THE CLASS
ACTION FAIRNESS ACT, 28 USC §
1715**

Honorable Philip Gutierrez

10
11 I, Gina Intrepido-Bowden, declare as follows:

12 1. I am a Vice President at JND Legal Administration (“JND”). This
13 Declaration is based on my personal knowledge, as well as upon information
14 provided to me by experienced JND employees and, if called upon to do so, I could
15 and would testify competently thereto.

16 2. I previously submitted the Declaration of Gina Intrepido-Bowden re:
17 Settlement Notice Program (“Intrepido-Bowden Decl.”) filed April 9, 2024, ECF
18 No. 303-2, the Declaration of Gina Intrepido-Bowden Regarding Settlement Notice
19 Program Implementation (“Notice Decl.”) filed July 5, 2024, ECF No. 365 and the
20 Supplemental Declaration of Gina Intrepido-Bowden Regarding Class Notice
21 Implementation filed August 9, 2024, ECF No. 371-6.

22 3. Plaintiff’s Motion for Preliminary Approval of Class Action Settlement
23 and Direction of Notice Under Rule 23(e) was filed with the Court on April 9, 2024,
24 EFC No. 303. Pursuant to the Class Action Fairness Act, 28 USC § 1715 (“CAFA”),
25 JND was asked by Attorneys for Defendants to provide CAFA Notice of the motion
26 to the recipients identified in Article VI.C of the Settlement Agreement. JND
27

1 maintains a list of the federal and state officials with contact information for the
2 purpose of providing CAFA Notice. The list of officials is regularly reviewed to
3 ensure that the mailing information is up to date.

4 4. On April 19, 2024, JND duly mailed CAFA Notices to the Attorney
5 General of the United States, the California Public Utilities Commission, the
6 California Department of Forestry and Fire Protection Office of the State Fire
7 Marshal, the California Department of Fish and Wildlife Office of Spill Prevention
8 and Response, and the Attorneys General of each state and U.S. territory in which
9 Class Members may reside. A true and correct copy of the CAFA Notice and
10 accompanying service list is attached hereto as **Exhibit A**. Fifty-eight (58) of the
11 CAFA Notices were mailed via Federal Express (“FedEx”), and five (5) of the
12 CAFA Notices were mailed via USPS Priority Mail Express. As noted on Exhibit
13 A, each recipient of the CAFA Notice was provided with an electronic copy of the
14 documents required by 28 U.S.C. § 1715(b) (the specific documents provided are
15 described on Exhibit A), together with information about where to locate each of
16 those documents on the Court’s docket.

17 5. As of the date of this Declaration, JND has confirmed that all 63 of the
18 CAFA Notices have been delivered and none has been returned undeliverable.

19
20 I declare under penalty of perjury under the laws of the United States of
21 America that the foregoing is true and correct.

22 Executed on August 28, 2024 in Stone Harbor, New Jersey.

23
24 

25
26 _____
GINA INTREPIDO-BOWDEN

EXHIBIT A



April 19, 2024

United States Attorney General
and the Appropriate Officials
Identified in Attachment A¹

RE: CAFA Notice of Proposed Class Action Settlement

Dear Sir or Madam:

This Notice is being provided to you in accordance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715 on behalf of Pacific Pipeline Company (“PPC”), the settling defendant in the below-referenced class action (“the Action”) and Sable Offshore Corp., the proposed settlement payor (collectively with PPC, “Settling Parties”). Plaintiffs’ Notice of Motion and Motion for Preliminary Approval was filed with the Court on April 9, 2024. The Court has scheduled an approval hearing to take place on May 10, 2024 at 1:30 p.m., Pacific.

Case Name: *Grey Fox, LLC et al. v. Plains All American Pipeline, L.P. et al.*
Case Number: 2:16-cv-03157-PSG-JEM
Jurisdiction: United States District Court for the Central District of California
Date Settlement filed with Court: April 9, 2024

Copies of all materials filed in the above-named actions are electronically available on the Court’s Pacer website found at <http://www.cacd.uscourts.gov>. Additionally, in compliance with 28 U.S.C. § 1715(b), the enclosed CD-ROM contains the following documents filed in the Action:

01 – Complaint.pdf

Plaintiffs’ Class Action and Individual Complaint for Damages and Declaratory Relief, filed on May 6, 2016 (ECF No. 1).

02 – First Amended Complaint.pdf

Plaintiffs’ First Amended Class Action and Individual Complaint for Damages and Declaratory Relief, filed on December 18, 2018 (ECF No. 71).

03 – [Corrected] Second Amended Complaint.pdf

Plaintiffs’ [Corrected] Second Amended Class Action and Individual Complaint for Damages and Declaratory Relief, filed on April 7, 2020 (ECF No. 108-1).

04 – Motion for Preliminary Approval.pdf

Notice of Motion and Motion for Preliminary Approval of Class Action Settlement and Direction of Notice Under Rule 23(e), filed on April 9, 2024 (ECF No. 303). The Notice

¹ In an effort to ensure that potentially relevant entities are provided with notice, this list may be overinclusive and should not be treated as an admission that all served entities have regulatory authority over defendant.

of Motion provides notice for the preliminary approval hearing scheduled for May 10, 2024, at 1:30 p.m.

05 – Nelson Declaration.pdf

Declaration of Robert J. Nelson in Support of Motion for Preliminary Approval of Class Action Settlement and Direction of Notice Under Rule 23(e), filed April 9, 2024 (ECF No. 303-1).

- This declaration contains a copy of the signed Settlement Agreement (Exhibit 1), which provides details of the settlement, including the size of the Settlement Fund (\$70 million).
- This declaration also includes the [Proposed] Plan of Allocation (Exhibit 4) and the proposed mail and email notices to class members regarding the settlement (Exhibits 1-B through 1-E).
- This declaration also includes two side letters that are part of the Settlement Agreement, one of which, the Property Restoration Side Letter (Exhibit 2) is attached and the other of which, the Opt-Out Threshold Side Letter (Exhibit 3) is sealed per the Court order referenced below.

06 – Intrepido-Bowden Declaration.pdf

Declaration of Gina Intrepido-Bowden re: Settlement Notice Program, filed April 9, 2024 (ECF No. 303-2). This declaration also includes the proposed email and publication notices to class members regarding the settlement (Exhibits B through D).

07 – Order Sealing Side Letter.pdf

Court Order granting Plaintiffs' Application to Seal the Parties' Opt Out Threshold Side Letter Under Seal, filed on April 11, 2024 (ECF No. 305).

Pursuant to 28 U.S.C. § 1715 (b)(7)(B), below is an estimate of the number of class members who reside in each state and the estimated proportionate share of the claims of such class members to the settlement. This information was provided by Class Counsel:

Class Counsel estimate that there are approximately 86 Settlement Class Members, and that approximately 92 percent of the Settlement Class Members reside in California; approximately 2 percent reside in Florida; approximately 1 percent reside in Iowa; approximately 2 percent reside in Texas; approximately 2 percent reside in Washington; and approximately 2 percent reside in Wyoming.² Based on current estimates, California residents' proportional share of the net settlement is 96.2%, Florida residents' proportional share is 1.2%, Iowa residents' proportional share is .3%, Texas residents' proportional share is .8%, Washington residents' proportional share is .2%, and Wyoming residents' proportional share is 1.3%.

There are no other settlements or agreements made between Counsel for the parties related to the class defined in the proposed settlement apart from the Opt-Out Threshold Side Letter filed Under Seal with the Court. As of the date of this Notice, no Final Judgment or Notice of Dismissal has been entered in this case.

If you have any questions regarding the details of the case and settlement, please contact Defense

² Totals for these figures may exceed 100% due to rounding.

Counsel's representative:

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Email: jessica.stebbinsbina@lw.com

For questions regarding this Notice, please contact JND at:

JND Class Action Administration
1100 2nd Ave, Suite 300
Seattle, WA 98101
Phone: 800-207-7160

Regards,

JND Legal Administration

Enclosures

CAFA Notice - Attachment A - Service List

Treg R. Taylor
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Steve Marshall
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Kwame Raoul
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CAFA Notice - Attachment A - Service List

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Bismarck, ND 58505

CAFA Notice - Attachment A - Service List

Mike Hilgers
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Lincoln, NE 68509

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NH Department of Justice
1 Granite Place South
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CAFA Notice - Attachment A - Service List

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Domingo Emanuelli Hernández
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CAFA Notice - Attachment A - Service List

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Pohnpei State, FM 96941

Richard Hickson, Attorney General
C/O Marshall Islands Embassy
2433 Massachusetts Ave NW
Washington, DC 20008

Ernestine K. Rengiil
Office of the Attorney General
P.O. Box 1365
Koror, PW 96940

California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

California Department of Forestry and Fire Protection
Attn Ofc of the State Fire Marshal
P.O. Box 944246
Sacramento, CA 94244

California Department of Fish and Wildlife
Attn: Ofc of Spill Prevention and Response
P.O. Box 944209
Sacramento, CA 94244