

# Did You Work for or Did Your Business Supply an Offshore Oil Drilling Platform or Onshore Processing Facility Affected by the 2015 Santa Barbara Oil Spill?

## You Could Be a Class Member in a Class Action Lawsuit.

*A federal court has authorized this Notice. You are **not** being sued.*

- You could be affected by a class action lawsuit against Plains All American Pipeline, L.P. (“Plains Pipeline”). This lawsuit claims that workers and businesses that support the oil industry suffered financial losses due to the May 19, 2015 Santa Barbara oil spill.
- A Court has approved the lawsuit to proceed as a class action on behalf of individuals and businesses who were employed or contracted to work on or to provide supplies, personnel, or services for the operations of:
  - Offshore oil drilling platforms: Hidalgo, Harvest, Hermosa (FreeportMacMoRan), Heritage, Harmony, Hondo (ExxonMobil), and/or Holly (Venoco), off the Santa Barbara County coast, or
  - Onshore processing facilities at Las Flores/POPCO (ExxonMobil), Gaviota (FreeportMacMoRan), and/or Venoco/Ellwood (Venoco), as of May 19, 2015.
- The Court has not decided whether Plains Pipeline did anything wrong. Your rights are affected, and you have a choice to make now as to whether to participate in the class action lawsuit or to opt out of the class.
- Your options are explained in this notice. To ask to be excluded, you must act by **January 10, 2019**.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
<b>DO NOTHING</b>	<p><b>Stay in this lawsuit. Await the outcome. Get possible benefits including money. Give up certain rights to sue individually.</b></p> <p>By doing nothing, you keep the possibility of getting money or benefits that may result from a trial or settlement. But you give up any rights to sue Plains Pipeline on your own about the same legal claims and issues in this lawsuit.</p>
<b>EXCLUDE YOURSELF</b>	<p><b>Get out of this lawsuit. Get no benefits from it. Keep your right to pursue individual claims or to bring an individual lawsuit at your own expense.</b></p> <p>If you ask to be excluded from the lawsuit, you won't be eligible to receive any money or benefits that may result from a trial or settlement. But you keep any rights to sue Plains Pipeline on your own about the same legal claims and issues in this lawsuit.</p>

- Class Counsel still must prove their claims against Plains Pipeline at a trial. If money or benefits are obtained, you will be notified in the future about how to recover the amount owed to you, if any.
- **Please forward this information to any contractors or employees who performed or provided services for you.** Contact Class Counsel by calling 1-888-684-6801, writing to Santa Barbara Oil Spill

Class Action, PO Box 2820, San Francisco, CA 94111-3339, or writing an email to: info@plainsoilspill.com, if you need additional copies of this notice.

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## BASIC INFORMATION

### 1. Why was this notice issued?

Judge Philip S. Gutierrez, of the United States District Court for the Central District of California, is currently the Judge overseeing this case. The case is known as *Andrews et al. v. Plains All American Pipeline, L.P.*, No. 2:15-cv-04113. The people who filed the class action case are called the Plaintiffs. The Defendants in the lawsuit are Plains All American Pipeline, L.P. and Plains Pipeline, L.P. (“Plains Pipeline”).

This lawsuit has been “certified” as a Class Action. This means that the lawsuit meets the requirements for class actions under federal law. Plains disputes whether the Class should be certified. Plains Pipeline has filed an appeal with the Ninth Circuit Court of Appeals requesting that the oil industry subclass not be allowed to move forward as a Class. Please register at [www.PlainsOilSpill.com](http://www.PlainsOilSpill.com) or call 1-888-684-6801 to be kept informed about the progress of this appeal.

### 2. What is this lawsuit about?

On May 19, 2015, an underground pipeline known as Line 901 ruptured, resulting in a discharge of crude oil along the coast near Refugio State Beach in Santa Barbara County.

The Plaintiffs in the lawsuit claim that the oil spill (and subsequent pipeline shutdown) caused local oil and gas workers to be laid off from their jobs as platforms and processing facilities related to the pipeline shutdown and businesses that support the oil industry to lose revenue. In this lawsuit, Plaintiffs seek to recover all damages for the injuries suffered by class members resulting from the oil spill. Plains Pipeline denies any claims of wrongdoing and disputes Plaintiffs’ claims.

The Court has not decided whether Plaintiffs or Plains Pipeline is right. As in any case, the lawyers for Plaintiffs will have to prove their claims in Court.

### 3. Why is this a class action?

In a class action, one or more people called “class representatives.” In this case, the class representatives include: Keith Andrews; Tiffani Andrews; Baciu Family LLC; Robert Boydston; Captain Jack’s Santa Barbara Tours, LLC; Morgan Castagnola; Zachary Frazier; Alexandra B. Geremia; Jim Guelker; Jacques Habra; iSurf, LLC; Mark Kirkhart; Mary Kirkhart; Hwa Hong Muh (operates Mu’s Seafood Co.); Mike Gandall; The Eagle Fleet LLC; Richard Lilygren; Ocean Angel IV, LLC; Sarah Rathbone (owner of Community Seafood LLC); Southern Cal Seafood; Inc.; Pacific Rim Fisheries, Inc.; TracTide Marine Corp.; Stephen Wilson; Wei International Trading Inc.; and Santa Barbara Uni, Inc. These class representatives sued on behalf of a group of people who have similar legal claims. All of these people are members of a “class,” or “class members.” One court and one case resolve the issues for all class members, except for those who exclude themselves from the class.

#### **4. Who is a member of the Class?**

You are included in the Class if you are an individual or business who was employed or contracted to work on or to provide supplies, personnel, or services for the operations of:

- Offshore oil drilling platforms: Hidalgo, Harvest, Hermosa, Heritage, Harmony, Hondo, and/or Holly, off the Santa Barbara County coast, or
- Onshore processing facilities at Las Flores/POPCO, Gaviota, and/or Venoco/Ellwood, as of May 19, 2015.

The lawsuit does not include any entity or division in which Plains Pipeline has a controlling interest; Plains Pipeline's legal representatives, officers, directors, employees, assigns, and successors; the judge assigned to this case, the judge's staff, and any member of the judge's immediate family; and businesses that contract directly with Plains Pipeline for use of the Pipeline.

Previously, notice was provided to the Fisher and Fish Industry Subclass that generally includes individuals and businesses (and their employees) that fished for seafood in certain areas off the Central California Coast ("Commercial Fishers") or that purchased and re-sold such seafood ("Fish Sellers") who claim they suffered financial losses due to the May 19, 2015 Santa Barbara oil spill.

Notice was also provided to the Real Property Subclass that generally includes anyone who owned or leased a residential beachfront property or property with a private easement to a beach where oil from the 2015 Santa Barbara oil spill washed up and the oiling was categorized as heavy, moderate, or light. A map of those properties is available at [www.PlainsOilSpill.com](http://www.PlainsOilSpill.com).

#### **5. Is there any money available now?**

No money or benefits are available now, as neither the Court, nor a jury has decided whether Plains Pipeline did anything wrong, and the two sides have not settled the case. The case has not yet been set for trial. There is no guarantee that the case will be successful. If the Class recovers money or benefits, you will be notified how to recover the money owed to you, if any.

### **YOUR RIGHTS AND OPTIONS**

You have to decide whether to stay in the Class or to exclude yourself by **January 10, 2019**.

#### **6. What happens if I do nothing?**

If you do nothing, you will automatically remain in the Class. You will be legally bound by all Court orders, good or bad.

#### **7. What if I don't want to be in the Class?**

If you decide not to participate in the lawsuit, you must exclude yourself—this is sometimes referred to as "opting out." If you exclude yourself, you will not receive any benefit that may be

obtained as a result of this lawsuit, including any money awarded by the Court or Jury. You will not be bound by any Court orders, and you keep your right to sue Plains Pipeline on your own regarding the issues in this case.

If you want to be excluded from the Class, you must either (1) submit an opt-out request through the website, [www.PlainsOilSpill.com](http://www.PlainsOilSpill.com), no later than **January 10, 2019**, or (2) send a letter that includes the following:

- Your name, address, and telephone number;
- The name of the case (*Andrews v. Plains All American Pipeline*, No. 2:15-cv-04113);
- A statement that you want to be excluded from this class action; and
- Your signature and date.

Mail your exclusion request postmarked no later than **January 10, 2019** to:

Santa Barbara Oil Spill Class Action  
PO Box 2820  
San Francisco, CA 94111-3339

**THE LAWYERS REPRESENTING YOU**

**8. Do I have a lawyer in the case?**

Yes. The Court has appointed the following law firms to represent you and other class members as “Class Counsel”:

Robert J. Nelson Lieff, Cabraser, Heimann & Bernstein, LLP 275 Battery Street, 29th Floor San Francisco, CA 94111	Lynn L. Sarko Keller Rohrback L.L.P. 1201 Third Avenue, Suite 3200 Seattle, Washington 98101  Juli E. Farris Keller Rohrback L.L.P. 801 Garden Street, Suite 301 Santa Barbara, CA 93101
A. Barry Cappello Cappello & Noël LLP 831 State Street Santa Barbara, CA 93101	William M. Audet Audet & Partners LLP 711 Van Ness Ave #500 San Francisco, CA 94102

You will not be charged for these lawyers. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

## **9. How will the lawyers be paid?**

Attorneys' fees in the class action lawsuit will be decided by the Court. Typically, lawyers are paid a percentage of the recovery obtained on behalf of the class or that amount is separately negotiated by the parties. The Court must approve of any request for attorneys' fees by the lawyers in the case. No matter what happens, you will not have to pay any attorney fees or expenses out of pocket to the lawyers representing the class.

## **A TRIAL**

## **10. How and when will the Court decide who is right?**

If the case is not dismissed or settled, Plaintiffs will have to prove their claims at a trial at the First Street Courthouse, 350 West 1st Street, Courtroom 6A, 6th Floor, Los Angeles, California 90012. During the trial, either the Judge or a jury will hear all of the evidence so that a decision can be reached about whether the Plaintiffs or Plains Pipeline is right about the claims in the lawsuit. No trial date has been set at this time.

## **11. Will I get money after the trial?**

If the Plaintiffs obtain money or benefits as a result of a trial or settlement, you will be notified about how to recover the amount owed to you, if any. Important information about the case will be posted on the website, [www.PlainsOilSpill.com](http://www.PlainsOilSpill.com), as it becomes available.

## **GETTING MORE INFORMATION**

## **12. How do I get more information?**

You can get more information at [www.PlainsOilSpill.com](http://www.PlainsOilSpill.com), by calling toll free at 1-888-684-6801, writing to Santa Barbara Oil Spill Class Action, PO Box 2820, San Francisco, CA 94111-3339, or writing an email to [info@plainsoilspill.com](mailto:info@plainsoilspill.com), or liking the Facebook page [www.facebook.com/plainsoilspill](http://www.facebook.com/plainsoilspill).