

Legal Notice

If you were subject to the Evacuation Order resulting from the Superior Refinery explosion and fire on April 26, 2018, you may be eligible to receive \$150 in a class action settlement

A federal court authorized this Notice. This is not a solicitation.

A proposed settlement has been reached in the case of *Jasen Bruzek, Hope Koplín, and Christopher Peterson v. Husky Oil Operations LTD and Superior Refining Company LLC*, Case No. 18-cv-697. This notice provides a summary of your rights and options.

What is this about? On April 26, 2018, an explosion and fire occurred at the Superior Refinery in Superior, Wisconsin and a mandatory evacuation order was issued by the local government to the community surrounding the Refinery. Plaintiffs (also known as the Class Representatives), who are persons affected by the evacuation order resulting from the explosion and fire, claim that Husky Oil Operations Limited and Superior Refining Company LLC (collectively “Defendants”), were negligent in their operation of the Superior Refinery on April 26, 2018 and did not adequately compensate community members for the evacuation. Defendants maintain they have done nothing wrong and already provided adequate compensation to community members through the voluntary Reimbursement Program. The Court has not decided who is right or wrong. Instead, Plaintiffs and Defendants have agreed to a settlement to avoid the risk, cost, and time of further litigation.

Who is affected? You are a Class Member if you were over the age of 18 and subject to the Evacuation Order of April 26, 2018 as a result of the Superior Refinery explosion and fire, and seek compensation for economic loss and loss of use and enjoyment of your property, excluding personal injury damages.

What does the settlement provide? Defendants have agreed to establish a \$1.05 million Fund to pay Class Members’ claims, the cost associated with class notice and settlement administration (at a maximum of \$169,000), and Class Representatives’ service payments (\$2,000 per named Plaintiff, for a total payment of \$6,000).

What can I get? If you are a Class Member who timely submits a valid claim, you may receive \$150 per claimant, not to exceed \$300 per household. If the SRC Reimbursement Program made payments to you or on your behalf, that amount will be deducted from any amount you may qualify for under this settlement.

Payments are subject to a possible *pro rata* adjustment (upwards or downwards) depending on the number of timely and valid claims submitted. Amounts will be increased *pro rata* up to a maximum of \$200 per claimant (with an offset for amounts already paid through the Reimbursement Program), not to exceed \$400 per household (“Claim Maximum”), if funds are available in the Fund after (i) payment of notice and administrative costs, and (ii) service payments to the Class Representatives. Amounts will be reduced on a *pro rata* basis if the amount sought in

claims exceeds the total amount remaining in the Fund after (i) payment of notice and administration costs, and (ii) service payments to the Class Representatives. If there are any amounts in the Fund after all payments, up to \$75,000 will be paid to Superior Douglas County Family YMCA, a beneficiary designated by the Court.

Defendants have also agreed that Class Counsel is entitled to reasonable attorneys' fees and expenses separate and apart from the \$1.05 million Fund. Provided, however, that any attorneys' fees and expenses awarded will be paid in whole or in part from the Fund if funds remain in the Fund after service awards, notice and administration costs, payments to Class Members, including potential *pro rata* increases, and a \$75,000 payment to Superior Douglas County Family YMCA.

How do I file a claim? To receive a cash payment, go to www.SuperiorRefinerySettlement.com to file or download a Claim Form. You can also write: Superior Refinery Settlement, c/o JND Legal Administration, P.O. Box 91339, Seattle, WA 98111 or email: info@SuperiorRefinerySettlement.com. All Claim Forms must be submitted online or postmarked by **November 3, 2021**.

What are my other options? If you are a Class Member, you have the option to do nothing, exclude yourself, or object to the settlement.

Do Nothing: If you do nothing, you will not get a payment and you will give up your right to sue or continue to sue Defendants for the claims released by the settlement.

Exclude Yourself: If you exclude yourself or remove yourself from the Class, you will not receive a payment. You will keep your right to sue or continue to sue Defendants for the claims released by the settlement. Exclusion requests must be sent to the Claim Administrator and postmarked by **November 3, 2021**.

Object: If you do not exclude yourself from the settlement, you may object to it, or tell the Court what you don't like about the settlement. Objections must be filed via the Court's ECF system or delivered to the Clerk of the Court by mail, express mail, or personal delivery by **November 3, 2021**.

For details about your rights and options and how to exclude yourself or object, go to www.SuperiorRefinerySettlement.com.

What happens next? The Court will hold a Final Approval Hearing on December 22, 2021, at 11:00 a.m., at the United States District Court Western District of Wisconsin Courthouse, 120 North Henry Street, Room 320, Madison, Wisconsin 53703. At the Final Approval Hearing, the Court will consider whether to approve the settlement and service award to the Plaintiffs. If there are objections, the Court will consider them prior to or at the Final Approval Hearing. The law firm of Zimmerman Reed LLP is Class Counsel and will also ask the Court to award attorney's fees and expenses in addition to the \$1.05 million Fund. Class Counsel will answer any questions that the Court may have. You or your attorney may ask to speak at the Final Approval Hearing at your own cost, but you don't have to.

How do I get more information? For more information and to view the full notice and other information related to the case including Class Counsel's application for attorney's fees and expenses (to be filed on November 24, 2021), go to www.SuperiorRefinerySettlement.com, or contact the Claim Administrator by writing Superior Refinery Settlement, c/o JND Legal Administration, P.O. Box 91339, Seattle, WA 98111, emailing info@SuperiorRefinerySettlement.com, or calling 1-833-677-1092.

PLEASE DO NOT CONTACT THE COURT ABOUT THIS NOTICE