

**NOTICE OF PROPOSED SETTLEMENT AND FINAL SETTLEMENT APPROVAL HEARING**

*The People of the State of California v. Vitol Inc., et al., Case No. CGC-20-584456*  
Superior Court of California, County of San Francisco

**THIS NOTICE MAY AFFECT YOUR RIGHTS — PLEASE READ IT CAREFULLY.**

**If you live in California and purchased gasoline at retail between February 20, 2015 and November 10, 2015 in ten Southern California counties, you may be eligible for payment from a settlement negotiated by the Attorney General of California.**

*A court has authorized this notice. This is not a solicitation from a lawyer, and you are not being sued.*

- A settlement has been reached in a lawsuit between the Attorney General of California and three defendants, Vitol Inc., SK Energy Americas, Inc., and SK Trading International Co. Ltd. (collectively, “Defendants”). The Attorney General brought this lawsuit in his law enforcement capacity and on behalf of natural persons who reside in California.
- The lawsuit alleges that Defendants manipulated gasoline price indices, causing inflated retail gas prices in California, in violation of California’s antitrust laws, the Cartwright Act and Unfair Competition Law.
- Under the settlement, Defendants have agreed to pay the total amount of \$50 million into two settlement funds to resolve these allegations. Of this total, \$37,500,000 will be distributed to consumers as compensation for violations of the Cartwright Act, subject to deductions for payments of taxes, administration costs, and attorneys’ fees and costs. \$12,500,000 is assessed as a penalty under California’s Unfair Competition Law and will be used by state and local government to enforce consumer protection laws.
- Your legal rights are affected whether you act or don’t act.
- You can learn more about this settlement, or a related settlement affecting businesses and non-California residents who purchased gasoline at retail, at [www.CalGasLitigation.com](http://www.CalGasLitigation.com).

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b>	
<b>SUBMIT A CLAIM FORM</b>	The only way to receive a payment.
<b>EXCLUDE YOURSELF</b>	Receive no payment but maintain the ability to bring a separate legal claim. This is the only option that allows you to ever be part of any other lawsuit against Defendants regarding the conduct covered by this settlement.
<b>MAKE A STATEMENT CONCERNING THE SETTLEMENT</b>	If you are affected by the settlement (and you do not exclude yourself), you may make a statement for the Court’s consideration in deciding whether to approve the settlement. You may write to the Court, or you may speak in court at the Settlement Approval Hearing.
<b>DO NOTHING</b>	Receive no payment. Give up your rights.

- You have until **January 8, 2025** to submit a claim form, exclude yourself, or submit a written statement concerning the settlement.
- The Court in charge of this case still has to decide whether to approve the settlement. Payments will be made if the court approves the settlement and after any appeals are resolved. Please be patient.

**Basic Information**

**1. Why did I get this notice?**

You received this notice either because you requested it, or because you have been identified as a California natural person who may be affected by this settlement.

**2. What is this lawsuit about?**

The Attorney General brought an action against Defendants alleging that Defendants manipulated gasoline price indices, causing inflated retail gas prices in California, in violation of state law. Defendants have agreed to the terms of this settlement but do not admit any law was violated. You can read the Complaint filed in this action, which includes more details about the conduct alleged, at [www.CalGasLitigation.com](http://www.CalGasLitigation.com). You may also inspect the entire Court docket for **free** on the Court’s website and in person at the Courthouse. Visit [www.CalGasLitigation.com](http://www.CalGasLitigation.com) for further instructions.

### **3. Why did the Attorney General file this lawsuit on my behalf?**

The Attorney General filed this case in *parens patriae*, on behalf of the state's residents, for violations of antitrust laws. The Attorney General is vested with this authority to safeguard the general and economic welfare of the state's residents and to assure that the benefits of these laws are not denied to the general population.

### **4. Why is there a settlement?**

The Court did not decide in favor of the Attorney General or Defendants. Instead, both sides agreed to a settlement. That way, they avoid the cost of a trial, and the people affected will receive compensation. The Attorney General thinks the settlement is the best way to resolve this litigation.

### **5. What rights am I releasing by participating in this settlement?**

Upon the Settlement Agreement becoming final as set out in Section 7.2 of the Settlement Agreement, the Plaintiff Releasor and Defendant Releasees shall be fully, finally, and forever released as follows:

a. Plaintiff Releasor, on the one hand, and Defendant Releasees, on the other hand, hereby completely release, acquit, and forever discharge each other from the claims and cross-claims asserted in the Action, or that could have been asserted in the Action, or that relate to the facts and conduct alleged in the Action. For the avoidance of doubt, this Release includes claims or cross-claims for violation of any federal or state antitrust, commodities, market manipulation, price gouging, unfair competition, unfair practices, price discrimination, unitary pricing, or trade practice law (the "Relevant Laws"), whether known or unknown, and arising from or relating to Defendants' conduct concerning trading, selling, buying, or importing Relevant Products in California. This Release includes a release of claims on behalf of natural persons on whose behalf this Action was brought to the fullest extent permitted under Cal. Bus. & Prof. Code, section 16760.

b. Notwithstanding the foregoing paragraph, the Release specifically does not include environmental claims or claims related to tax liability.

c. With respect to the Released Claims, the Plaintiff Releasor expressly waives and releases any and all provisions, rights, and benefits conferred by § 1542 of the California Civil Code, which states: "A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party" and all provisions, rights and benefits conferred by any law of any state or territory of the United States, or principle of common law or foreign law, that is similar, comparable or equivalent in effect to Section 1542 of the California Civil Code.

### **Who is affected by the Settlement?**

### **6. How do I know if I am affected by the settlement?**

If you are a natural person living in California, your rights are affected by this settlement.

If you purchased gasoline at retail in Los Angeles, San Diego, Orange, Riverside, San Bernardino, Kern, Ventura, Santa Barbara, San Luis Obispo, and/or Imperial counties in California between February 20, 2015 and November 10, 2015, you may be eligible for monetary benefits.

If you are not sure whether you are affected by the settlement, you may contact the Settlement Administrator by calling 1-877-725-7523 or emailing PeoplesInfo@CalGasLitigation.com. Please do not contact Defendants or the Court.

### **7. What is a "natural person"? If I am not a natural person, am I eligible for monetary benefits?**

A natural person is someone who is a human being, as distinguished from a corporate entity (a business, partnership or other corporate organization). Only natural persons are covered by the settlement and you must be a natural person to participate in any distribution. Businesses, corporations, partnerships, etc. are not included in the settlement. However, if you purchased gas on behalf of a business entity, you may be eligible for compensation through a settlement in a related litigation. Please visit [www.CalGasLitigation.com](http://www.CalGasLitigation.com) for more information.

### **8. If I am not a California resident, am I eligible for monetary benefits?**

If you are not currently a California resident, you may still be eligible for monetary benefits under this settlement if you previously lived in California. If you have never lived in California but you purchased gas while visiting California, you may be eligible for compensation through a settlement in a related litigation. Please visit [www.CalGasLitigation.com](http://www.CalGasLitigation.com) for more information.

## The Settlement Benefits—What You Get

### 9. What benefits are available?

All people who file a valid claim will receive a payment out of the \$37,500,000 portion of the Settlement Fund allocated to the Cartwright Act claim. After deductions for payments of taxes, administration costs, attorneys' fees, costs, and expenses, the remaining amount will be divided equally among all claimants who timely submit a claim. The amount of the payment will depend on how many valid claims are received. Each claimant will be limited to a single recovery.

Separately, \$12,500,000 is allocated to the Unfair Competition Law ("UCL") claim. Half of the amount, less any administrative costs, will be provided by the Attorney General to the City and County of San Francisco pursuant to Bus. & Prof. Code, § 17206(c)(1) for the enforcement of consumer protection laws. The other half of the amount will be deposited in the Attorney General's fund for UCL enforcement by the Antitrust Section of the California Department of Justice (DOJ). Such funding may be used for the costs of the DOJ's investigation, filing fees and other court costs, attorney's fees and expenses, payment to expert witnesses and technical consultants, and other costs necessary to pursue unfair competition matters.

### 10. What happens to any unclaimed funds?

If, following the distribution to eligible consumers and the deduction of taxes, attorneys' fees, costs, and expenses, and administration costs, any funds remain for the portion of the Settlement Payment allocated to the Cartwright Act claim, the funds will be distributed *cy pres* to a public California university or universities to further study the California gas and transportation energy market with a goal of lowering costs to consumers and/or to develop analytical tools to detect and deter future market manipulation.

## How You Get a Payment—Submitting a Claim Form

### 11. How can I get a payment?

**To qualify for payment, you must submit a claim.** You can submit a claim online or download a claim form at [www.CalGasLitigation.com](http://www.CalGasLitigation.com). You may also request a claim form by contacting the Settlement Administrator at: 1-877-725-7523 or write to *California v. Vitol* Settlement Administrator, P.O. Box 301177, Los Angeles, CA 90030-1177. Read the instructions carefully, fill out the form, sign, and mail the claim in its entirety. Claim forms must be postmarked or submitted electronically no later than **January 8, 2025**.

You may receive payment through an electronic payment account (PayPal, Venmo, or Zelle) or via a paper check. You will have 180 days to cash a paper check. If your selected form of payment is unsuccessful, delivery will automatically be attempted a second time.

### 12. When would I get my payment?

The Court will hold a hearing on **February 28, 2025**, to decide whether to approve the settlement. If the Court approves the settlement, there may be appeals. It's always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. Payments will be made following the conclusion of any appeal.

### 13. What am I giving up to get a payment or stay in the settlement?

Unless you exclude yourself, you will remain in the settlement. All of the court's Orders will apply to you and bind you to the Court's decision. You will give up the right to sue Defendants later for any claims this settlement resolves. If you have a pending lawsuit or are considering one, speak to your lawyer immediately.

## Excluding Yourself from the Settlement

### 14. How do I get out of the settlement?

To exclude yourself from the settlement, you must respond by letter or online form saying that you want to be excluded from *The People of the State of California v. Vitol Inc., et al.* settlement. To be valid, each written request for exclusion must set forth the name of the individual seeking exclusion and be signed or submitted physically or electronically by the individual seeking exclusion (or his or her individual legal representative, but not counsel purporting to act collectively on behalf of capable individuals who have not consented to such representation). You must submit the online form or mail your exclusion request postmarked no later than **January 8, 2025**, to:

California v. Vitol Settlement Administrator  
P.O. Box 301177  
Los Angeles, CA 90030-1177

The online form can be found at [www.CalGasLitigation.com](http://www.CalGasLitigation.com).

You cannot exclude yourself on the phone or by email.

**15. If I do not exclude myself, can I sue the Defendants for the same thing later?**

If you do not exclude yourself now, you will give up the right to sue Defendants later for any claims this settlement resolves. If you have a pending lawsuit or are considering one, speak to your lawyer immediately.

**16. If I exclude myself, can I get money from this settlement?**

No. If you exclude yourself, you are choosing not to be a part of this lawsuit and will not receive benefits from this settlement. However, you may sue, continue to sue, or be part of a different lawsuit against the Defendants.

**Make a Statement Concerning the Settlement**

**17. How do I tell the Court that I like or do not like the settlement?**

If you are affected by the settlement, you can comment on it or protest it if you do not like any part of it. To do so, you must send a letter commenting on or protesting the proposed settlement in *The People of the State of California v. Vitol Inc., et al.* Be sure to include your name, address, telephone number, your signature, and the reasons you like or dislike the settlement. Mail the statement, postmarked no later than **January 8, 2025**, to the Settlement Administrator at:

California v. Vitol Settlement Administrator  
P.O. Box 301177  
Los Angeles, CA 90030-1177

**18. What is the difference between making a statement or asking to be heard on the settlement and excluding one's self?**

Making a statement protesting the settlement is telling the Court that you like or do not like something about the settlement but do not wish to be excluded from it. By excluding yourself, you are telling the Court that you do not want to be a part of the settlement. If you exclude yourself, you will not be bound by the settlement and will not receive any money under it.

**The Court's Final Approval Hearing**

**19. When and where will the Court decide whether to approve the settlement?**

The Court will hold a Final Approval Hearing at **10:00 a.m.**, on **February 28, 2025**, at Department 613, 400 McAllister St., San Francisco, CA 94102. At this hearing the Court will consider whether the settlement should be approved. If there are statements, the Court may consider them. The presiding judge may listen to people who have asked to speak at the hearing. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take.

**20. Do I have to come to the hearing?**

No, but you are welcome to come at your own expense. If you send a written statement, you do not have to come to court to talk about it. You may also pay your own lawyer to attend, but it is not necessary to do so.

**21. May I speak at the hearing?**

You may appear at and speak at the hearing **without providing any notice**.

**If You Do Nothing**

**22. What happens if I do nothing at all?**

If you do nothing, you will receive no monetary benefit from the settlement. Unless you exclude yourself, you may not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendants about the legal issues in this case ever again.

## The Lawyers Representing You

### 23. Who are the lawyers in this case?

The People of the State of California are represented by Rob Bonta, Attorney General of California. The Attorney General has brought this action in his law enforcement capacity and as *parens patriae* on behalf of natural persons who are residing in California.

### 24. How will the lawyers be paid?

The Attorney General will seek reimbursement of attorneys' fees and costs up to 25% of the \$37,500,000 allocated to the Cartwright Act claim. Pursuant to Bus. & Prof. Code, § 17206(c)(1), half of the \$12,500,000 assessed as a penalty under the Unfair Competition Law will be deposited in the Attorney General's fund for Unfair Competition Law enforcement for future enforcement of consumer protection laws by the Antitrust Section of the California Department of Justice (DOJ). Counsel in *In re California Gasoline Spot Market Antitrust Litigation*, a related case discussed below, plan to request a fee award of up to \$3,000,000 out of the Cartwright Act Settlement Fund. That planned request will not result in duplicative payments of fees to Counsel in the related case.

The Attorney General will use a Settlement Administrator to provide notice of the settlement and distribute settlement funds, also to be paid out of the Cartwright Act Settlement Fund. Depending on the number of claims, the Settlement Administrator estimates notice and distribution will cost between \$3,072,622—\$3,349,780.

Lawyers' fees and expenses will only be awarded if approved by the Court as a fair and reasonable amount. You have the right to object to the lawyers' fees and expenses even if you think the settlement is fair, using the procedures described above.

**You will not be charged for this lawyer.** If you want to be represented by your own lawyer, you may hire one at your own expense.

## Getting More Information

### 25. Are there more details about the settlement?

This notice summarizes the proposed settlement. The Settlement Agreement and all court documents related to this matter are available on the settlement website at [www.CalGasLitigation.com](http://www.CalGasLitigation.com). **PLEASE DO NOT CONTACT THE COURT, JUDGE, OR CLERK OF COURT WITH QUESTIONS REGARDING THIS MATTER.**

### 26. How do I get more information?

You can call 1-877-725-7523 toll-free, write to *California v. Vitol* Settlement Administrator, P.O. Box 301177, Los Angeles, CA 90030-1177, or visit the website at [www.CalGasLitigation.com](http://www.CalGasLitigation.com) where you will find answers to common questions about the settlement, a claim form, plus other information to help you determine your eligibility and options.

**Notice Regarding Related Case: *In re California Gasoline Spot Market Antitrust Litigation***

**27. How does this settlement impact any rights or recovery I might be entitled to in the *In re California Gasoline Spot Market Antitrust Litigation* class action?**

Following the Attorney General's filing of this case, a number of other cases were filed in federal district court in the Northern District of California bringing claims against the Defendants on behalf of all individuals (whether California residents or not) and business entities that purchased gasoline at retail in California in 2015-2017. The federal cases were consolidated into a single case captioned *In re California Gasoline Spot Market Antitrust Litigation*, Civil Case No.: 3:20-cv-03131. California natural persons who purchased gasoline in California and were affected by Defendants' conduct had claims for damages made on their behalf in this action, as well as the federal class action.

A settlement in *In re California Gasoline Spot Market Antitrust Litigation* has also been reached, and a court is similarly deciding whether to approve it. The settlement reached in that case does not provide any benefits for California natural persons, but does cover business entities and non-California residents, and specifically those that purchased gasoline in California at retail, for their own use and not for resale, between February 18, 2015 and May 31, 2017. Please refer to the settlement website, which also contains information about this parallel settlement, at [www.CalGasLitigation.com](http://www.CalGasLitigation.com) for further details.

**28. How else might *In re California Gasoline Spot Market Antitrust Litigation* impact the settlement and distribution of funds in this case?**

The Attorney General understands that counsel for the federal class action will seek a fee award out of the Cartwright Act Settlement Fund in this case for legal work performed that materially contributed to fact and expert development and that benefitted the California natural persons whose claims will be released by the settlement. Any such fee award would need to be approved by the Court. Documents concerning any future fee request will be made available on the settlement website at [www.CalGasLitigation.com](http://www.CalGasLitigation.com). In the event the Court awards a fee to federal class counsel, such an award may decrease the amount of money that is available to be distributed to California natural persons.

**Addresses for Notice**

If you wish to contact the Attorney General or Defendants concerning this settlement, you may use the following addresses:

*For the Attorney General:*

PAULA L. BLIZZARD  
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MICHAEL JORGENSON  
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*For Defendants:*

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Counsel for Defendant *Vitol Inc.*

Counsel for Defendants *SK Energy Americas Inc. and SK Trading International Co. Ltd.*