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8 *Attorneys for the People of the State of California*

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF SAN FRANCISCO

14 **THE PEOPLE OF THE STATE OF
15 CALIFORNIA,**

16 Plaintiff,

17 v.

18 **VITOL INC., SK ENERGY AMERICAS,
19 INC., SK TRADING INTERNATIONAL
20 CO. LTD.; AND DOES 1- 30, INCLUSIVE,**

21 Defendants.

Case No. CGC-20-584456

**SUPPLEMENTAL DECLARATION OF
ZACH COOLEY IN SUPPORT OF THE
MOTION FOR FINAL APPROVAL**

Date: February 28, 2025
Time: 10:00 A.M.
Dept: 606
Judge: The Honorable Jeffrey S. Ross

Action Filed: May 4, 2020

1 I, Zach Cooley, declare as follows:

2 1. I have personal knowledge of the matters set forth herein, and if called as a witness
3 I could and would testify competently to them.

4 2. I am a Director for Verita Global, LLC (“Verita”) f/k/a KCC Class Action
5 Services, LLC, a firm that provides comprehensive class action services, including legal
6 notification, email and postal mailing campaign implementation, website design, call center
7 support, data management, claims processing, check and voucher disbursements, tax reporting,
8 settlement fund escrow and reporting, and other related services critical to the effective
9 administration of class actions. Verita has developed efficient, secure and cost-effective methods
10 to properly handle the voluminous data and mailings associated with the noticing, claims
11 processing, and disbursement requirements of settlements to ensure the orderly and fair treatment
12 of claimants and all parties in interest.

13 3. As I stated in my previous declaration, the notice program was conducted as
14 described in the Plan of Allocation and Notice Program approved by the Court on September 4,
15 2024. It did not deviate from the approved Plan of Allocation and Notice Program in any way. I
16 described the notice in detail in my previous declaration ¶¶ 9-20.

17 4. The purpose of this declaration is to provide further information related to Verita’s
18 execution of the notice plan in this matter to date as well as the distribution proposal. This
19 declaration will also serve as Verita’s Distribution Plan, as required by Settlement Agreement 4.6
20 (Jorgenson Decl. Ex. A).

21 **CLAIM FORMS**

22 5. The postmark deadline for Eligible Consumers to file claims in this matter was
23 January 8, 2025. As of the date of this declaration, Verita has received 5,624,728 timely-filed
24 claim forms, which, after duplicative entries were removed, reflect 3,713,451 unique
25 name/address/email address combinations.

26 6. Verita has reviewed the submitted claims to determine the number of valid claims
27 submitted by unique individuals to identify claims in which the information provided disqualify
28

1 them from payment. Verita removed 86,252 claims because the answers provided to claim form
2 questions indicated that they were not eligible for payment.

3 7. Verita used a variety of proprietary methods to flag submissions as suspected
4 fraud. As stated in my previous declaration, Verita reviewed the claim data for patterns in
5 submission material. For example, Verita employs drivers license, name, email address, and
6 physical address data to support identifying unique individuals. Verita also employs various
7 technical and metadata analyses to identify potentially fraudulent claims.

8 8. Verita does not disclose specific analyses, to preserve the efficacy of those
9 analyses.

10 9. Claims identified as potentially fraudulent are not automatically excluded; rather,
11 they are evaluated further by Verita and counsel. Verita will make every effort to verify that each
12 unique individual receives only one payment.

13 10. This review has progressed significantly, allowing Verita to estimate the claims
14 rate with relative precision. The progress of this review indicates that Verita will have a finalized
15 list of unique, valid claims and will be prepared to commence distribution within 60 days of final
16 approval.

17 11. At this stage, Verita has determined that there are approximately 1,120,000-
18 1,400,000 valid claims. This represents an approximately 8-10% claims rate based on an
19 estimated count of 14,000,000 eligible consumers. While Verita anticipates further adjustments
20 to the list of claims to be paid, it is unlikely that these adjustments will cause the claims rate to
21 meaningfully deviate from this estimate.

22 12. In my experience as a claims administrator, a review such as this is both common
23 and appropriate in cases where, as in this case, a claims process does not require proof of
24 purchase. In such cases, it is impossible to fully deter fraud and duplication without deterring
25 people who are entitled to compensation from filing a claim. Accordingly, Verita has developed
26 review processes to identify and eliminate fraud and duplication from claims filed. The results of
27 Verita's review in this case, including the significant winnowing of claims, are typical of cases
28 which do not require proof of purchase and which receive a very high number of claims.

1 13. In my experience as a claims administrator, this review is likely to identify such
2 claims without excluding valid claims from California natural persons.

3 14. As is our practice when a case receives a high number of duplicative or fraudulent
4 claims, Verita is investigating why such a volume of claims were received. This process will
5 both serve as a check on our above analysis and will further refine fraud and de-duplication
6 efforts going forward.

7 15. Verita will continue to have an active website, PO Box, email address, and phone
8 number, allowing claimants to reach out to Verita with questions about their payments. After
9 Verita commences payment, it will also place a notice on the Settlement Website advising
10 claimants to contact Verita if they have not received their payment in an appropriate time.

11 **REPORT ON EXCLUSION REQUESTS RECEIVED TO DATE**

12 16. The notices inform California Residents that requests for exclusion from the
13 Settlement must be postmarked no later than January 8, 2025.

14 17. As I stated in my previous declaration, Verita received 253 timely exclusion
15 requests. As of the date of this declaration, Verita has not received any additional timely
16 exclusion requests. A list of all requests for exclusion is attached to this declaration as Exhibit A.
17 I have reviewed the list of requests for exclusion attached to the People’s Proposed Order
18 attached to their Motion for Final Approval and have confirmed that Exhibit A to this declaration
19 contains identical content.

20 **REPORT ON OBJECTIONS TO THE SETTLEMENT RECEIVED TO DATE**

21 18. The notices inform California Residents that objections to the Settlement must be
22 postmarked no later than January 8, 2025. As of the date of this declaration, Verita has not
23 received any objections to the settlement.

24 **ADMINISTRATION COSTS**

25 19. Through December 31, 2024, Verita has incurred \$2,917,616.61 in administration
26 costs. \$2,724,523.28 of the administration costs incurred to date are expenses associated with
27 issuing notice, including the cost of postcards and postage. Assuming the scope of work does not
28

1 change, Verita estimates that the additional cost to complete claims administration is
2 approximately \$2,218,495.01. This includes \$1,381,348.18 in payment distribution expenses.

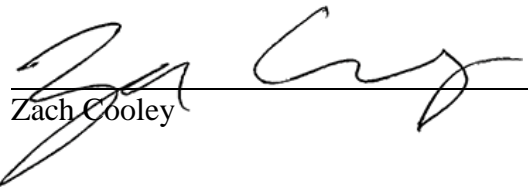
3 20. Verita's estimated fees and charges are based on certain information provided to
4 Verita by the parties as well as significant assumptions. Accordingly, the estimate is not intended
5 to limit Verita's actual fees and charges, which may be less or more than estimated due to the
6 scope of actual services or changes to the underlying facts or assumptions.

7 **DISTRIBUTION**

8 21. Verita estimates that \$22,215,821.02 will be available to distribute to the valid
9 claimants. This amount was determined, assuming the Court approves, after the following
10 deductions: 33% for attorneys' fee and costs totaling \$12.375¹ million and administration fees of
11 \$5,136,111.62. Verita estimates an individual payment amount of at least \$15.87. Payments will
12 be distributed via the payment method requested via the submitted claim form, or by paper check,
13 if a requested digital payment is unavailable.

14 22. Once all checks have expired, Verita will prepare a final report for Counsel and
15 will work with the escrow agent and Counsel to execute the *cy pres* process.

16
17 I declare under penalty of perjury under the laws of the United States and the State of
18 California that the foregoing is true and correct. Executed this 14th day of February 2025, at
19 Louisville, Kentucky.

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21 
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27 _____
28 ¹ This estimate includes both motions for attorneys' fees and costs pending in this action, including from the Attorney General and from class counsel in the parallel action, *In re California Gasoline Spot Market Antitrust Litigation* (N.D. Cal. 3:20-cv-03131-JSC).

Exhibit A

**LIST OF CALIFORNIA NATURAL PERSONS WHO HAVE SUBMITTED REQUESTS
FOR EXCLUSION AS OF FEBRUARY 14, 2025**

FIRST NAME	M.I.	LAST NAME
SANDRA		RODRIGUEZ
REGINA	L	HOFFMAN
FELIX		MARTINEZ
JANET		LAZARI
FREDY	D	MORALES
JULIE	L	BAN
SOHWY	R	MOORE
FERECHTE	A	MACKAY
RICKEY	C	JONES
ELISA	M	AMEZCUA
ABDUL	RAUF	SAEDU
MARY ANN		SERNA
LEROY		MARTIN JR.
LEDELL		JENKINS
ALBERTO		MANZANO
NANCY	B	TRAD
GREGORY	L	JACKSON
GAL	E	HUDSON
JEANETTE		WILLIAMS
EVA	S	CENTENO
ZAHIRA		GANCHAZ
JESUS	G	PIMENTED
ROBERT	L	ESTRADA
NEAL	A	JONES
ELYSEE	H	PARK
BASILIO	M	PEREZ
BASILIA	M	SOTO
CHRISTENE	L	MINIFIELD
DIANE	M	ALLEN
JAMIE		JOHNSON SMITH
ANNA	E	PINTO
LINH	K	TRAN
SHAHIN	A	SEMNANCY
THOMAS	L	RICHARDSON
MAX		MARZBAN
RICHARD	F	BOTLON
ALMA	E	REYES
TODD	E	HOSEY

GARY	T	MCELRATH
JAMES	H	CHERRY
VERONICA	M	ABREGO
ANDREW		CHAN
JERILYN		PHIPPENY
ROSLYN		HARRIS
STEVE		SEARS
SUN JEONG		PARK
PATRICIA		CASTILLO
RYAN		DUONG
VANNARINH		KIEN
CHRISTIE		CHAMBERS
SHANGRI-LA		TORRES
AUDREY		FREUDBERG
KIMBERLY		NEWSOM
SILVERIO		CHAIRES
SUSAN		HILLSETH
GRACE		OH
ANTHONY		NABONG
MARIA		REYES
ANDREW		HORWAY
KRISHNA		SINGH
PHAT		DIEP
PHILIP		KARNATSEVICH
MISIPOUENA		TAGALOA
BRIA		LAMOTHE
TYESHA		MARBURY
JAMAAL		REESE
JIAZI		LIU
JENNA		AVGERENOS
DANIJEL		STANKOVIC
CHARLES		COWAN
ANGELICA		MEDINA
HANNAH		NGUYEN
CHARLES		ACRES
NORMAN		RAMOS
NATALIA		ESTRADA
DANIELA		BRAMBILA
FEDERICO		VALADEZ
MICHELLE		BRAMBILA
GREG		NEWCOMB
KATHERINE		MORGAN
HUY		TRAN

ROSIO		MUNOZ
SUMUKH		RAY
INTREE		SUPHAMARK
SANDRA		RODRIGUEZ
AHMAD		ASIAD
IRIS		HSU
JORDYN		NGUYEN
KIET		YEN
PHUONG		LY
CHAU		AU
BRYAN		LAZO
JESSE		BRAZIER
LINDA		BRIGGS
DONALD		BERG
JAMES		BRANTLEY
STACY		CORONADO
JUSTIN		WONG
MICHAEL		MUCKLOW
EDUARDO		MENDOZA CORRAL
GARRETT		BAILEY
VICKY		BAILEY
GLORIA		MARTIN
CHRISTOPHER		VAN KIRK
MARJORIE		VAN KIRK
MOISES		CALIBO
JAMES		HOUSER
KENNETH		REED
JOHN		VELICKI
BRUCE		FORSBERG
FLORA		RSHTUNI
NGHIEP		DAO
ANTHONY		ZEPEDA
TIFFANY		JIANG
ROMAN		KARAS
MARTHA		MARTHA RAMOS
JENNA		AVGERENOS
THOMAS		LIEBHERR
BANG		HEANG
BRYAN		COBURN
DMITRIY		KAZARYAN
JOSE MANUEL		RICO
SO YOUNG		KIM
YONG		HAM

MARIAM		BABAYAN
SAM		ROD
NUNE		AVAGYAN
KRISTINE		ANTONIAN
MARILU		ARROYO MORALES
LEE		WATERWORTH
GERASIM		SAMVELYAN
GARRY		HARRIS
PAUL		FERLATTE
LIANA		MELKONYAN
KAREN		GROGAN
THOMAS		CROWE
MICHAEL		PAYNE
QIYU		YANG
RONALD		DAYAG
MICHELLE		LIANG-AYANGCO
DANIEL		HOWARD
EDWARD		DEROSIER
ANGELIQUE		NGUYEN
JUN YOUNG		YANG
DAVID		HANSEN
ISABELLE		CHUNG
CHRIS		CHANDLER
HAPPIE		JOUNG
HAN SEOL		RYU
DAVID		JONES
TODD		WHITING
DONG		PARK
JASON		NEAGLES
JIMMY		CHANG
ANAIT		MATEVOSYAN
LAURA		HAMMER
JONATHAN		ROUX
QUYNH		NGUYEN
BOB		RING
ANI		TOVMASIAN
VARUZHAN		MANUKIAN
GAYANE		MATEVOSYAN
HOVSEP		TOVMASYAN
FRED		ANSALDI
MICHAEL		UHLER
JAY		KO
JOE		SMITH

ANFREDERICK		TATE
FRANK		DRAKE
JIM		CONNOLLY
HAKOP		CHILINGARYAN
KARL		BECKER
JAMES		MCGREW
KATHY		TAK
CARIN		MANGASSARIAN
RON P.		MARTINEZ
KAREENA		RAMIREZ
DONNA		SHELTON
ALEXANDRA		STONE
ROSE MARIE		KASSLER
ELVIRA		AGUILAR
WINELL		MEDRANO
MARCUS		SMITH
FERNANDA		GAVINO
STEVEN		SANDERS
DEBORA		SANDERS
CAROLINE		SABO
YEN		PHAM
CYNDEE		HOLDERREAD
LEON		MCCARTY
SEONGHUN		YUN
YOUNG		WHANG
BRIANNA		DAU
MARIOS		KYPEROUNTAS
CHRYSTALLA		TRYFONOS
JAVIER		MARTINEZ
BRUCE		HADLEY
VONDA		COURTNEY
STEVEN		STRICKLAND
JIMMY		CHANG
RAVI		ADVANI
SAMMY		CHANG
MARSHALL		GLOS
KARINA		ZELAYA
JOSE		CORTEZ
JUANCARLOS		QUEZADA
NOSRAT		MOKHTARZADEH
DALE		RODRIGUEZ
DAVID		GRESHAM
JEFFREY		PETERSEN

ELBA		HERRARTE
ERIN		ALVARADO
MARSHA		HELLER
MARBELLA		ALVARADO
SUSAN		FLANAGAN
BIDWELL		TYLER
FREDERICK DOUGLAS		MUHAMMAD
LAFAYETTE		SWAIN
DANNY		CAMPBELL
SAVITA		NATARAJ
JESSICA		NORDAHL
TORRIE		PRICE
NANCY		SCHROEDER
JERRY		ROBINSON
KELLYE		SEALS
AIMEE		CALLEGARI
JOHN		TEMME
TIFFANY		BELLE
SHELIA		WHITE
HASSAN		MATEEN
LATANYA		HALL
ANTHONY		VALENTINO
KAYLYNN		BLAIN
JUSTIN		MERTEN
KEITRICK		CARTER
ANDREA		PATLAN
STEVEN D		SNAPP
DAVIE		SANDERS
ESVEIDI		B UROZA
ANAZIA		JONES
SHARON		HILL
ESMERALDA		ORTIZ
DULCE		ALDERETE
NICHOLE		MITCHELTREE
KARIESHA		CAMPBELL
MARY		GRANDBERRY
GLOSSIE		CARPENTER
ANDREA		WEBB
DONALD		BALLARD
JOSEPHINA		ANDRADE
GREGORY		JACKSON
OCTAVIO		LIZARRAGA CHIQUETE
ANA MARIA		CHIQUETE SANDOVAL

CERTIFICATE OF SERVICE

Case Name: **State of California v. Vitol,
Inc.; SK Energy Americas, Inc.;
SK Trading International Co.
Ltd., and Does 1-30, inclusive**

No. **CGC-20-584456**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member’s direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004. On February 14, 2025, I served the following document(s):

**SUPPLEMENTAL DECLARATION OF ZACH COOLEY IN SUPPORT OF THE
MOTION FOR FINAL APPROVAL**

on the parties through their attorneys of record, by electronic mail for service as designated below:

(F) **By File & Serve Xpress:** Correspondence that is submitted electronically is transmitted using the **File & Serve Xpress** electronic filing system. Participants who are registered with **File & Serve Xpress** will be served electronically.

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on February 14, 2025, at San Francisco, California.

Claudine Santos

Declarant

Claudine Santos

Signature