

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

If you owned, resided in, or rented a property located in the Class Area of Delta Air Lines Flight DL89, you may be entitled to a payment from a \$78.75 million class action settlement.

*A federal court authorized this Notice. This is not a solicitation from a lawyer.
Visit www.DL89settlement.com to learn more or to file a Claim Form online.*

You have been identified as a potential member of a class action lawsuit that could affect your rights, and you may be eligible to receive a payment from a settlement.

- A settlement has been proposed in a class action lawsuit against Delta Air Lines, Inc. (“Defendant” or “Delta”) alleging that due to a mechanical problem, Delta Flight DL89 was forced to jettison fuel over parts of Southern California, thereby harming property owners and residents where liquid fuel fell. Delta contends that it has strong defenses in this matter and denies all allegations of liability and damages against it. Nevertheless, the parties have agreed to settle this matter on the terms set forth below and in the Settlement Agreement, recognizing the risks, expense and uncertainties of continuing litigation.
- **Who is included?** If, on January 14, 2020, you owned, resided in, or rented one of the properties included on the list of affected residences prepared by John A. Kilpatrick, you are included in this Settlement as a “Settlement Class Member.” The list of affected residences prepared by John A. Kilpatrick is available at www.DL89settlement.com. However, as set forth in more detail in the Court’s Order certifying the Class, you are NOT included in the Class if you sold your property after the January 14, 2020 fuel jettison incident without disclosing the fuel jettison to the purchaser in advance of the sale, or if you have filed a claim in court against Delta Air Lines, Inc. arising out of the January 14, 2020 fuel jettison incident.
- Settlement Class Members can file a Claim Form to receive a portion of the \$78.75 million settlement.
- **Your legal rights are affected regardless of whether you act or don’t act. Read this Notice carefully.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM	This is the only way you can get a payment from this Settlement.
EXCLUDE YOURSELF FROM THE SETTLEMENT	Do not get a settlement payment. This is the only option that allows you to be part of any other lawsuit against the Defendant for the legal claims made in this case and released by the Settlement.
OBJECT TO THE SETTLEMENT	Write to the Court with reasons why you do not agree with the Settlement.
GO TO THE FINAL APPROVAL HEARING	You may ask the Court for permission for you or your attorney to speak about your objection at the Final Approval Hearing.
DO NOTHING	You will not get a payment from this Settlement and you will give up certain legal rights.

- These rights and options—and the deadlines to exercise them—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. If the Court denies final approval, the Settlement will be null and void.

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BASIC INFORMATION

1. Why is this Notice being provided?

The Court directed that this Notice be provided because you have a right to know about a proposed settlement that has been reached in a class action lawsuit and about all of your options before the Court decides whether to grant final approval to the Settlement. If the Court approves the Settlement, and after objections or appeals, if any, are resolved, the Settlement Administrator appointed by the Court will distribute the benefits that the Settlement allows. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

Judge John A. Kronstadt of the United States District Court for the Central District of California is overseeing this class action. The case is known as *In Re: Delta Air Lines, Inc.*, No. 2:20-cv-00786 JAK, and is referred to as the “Action.” The people who filed the lawsuit are called Plaintiffs and the company they sued, Delta Air Lines, Inc., is called Delta or the Defendant.

The Action is the consolidation of the following cases: *Lomas v. Delta Air Lines, Inc.*; *Barajas v. Delta Air Lines, Inc.*; *Cotton v. Delta Air Lines, Inc.*; *Garcia v. Delta Air Lines, Inc.*; *Pait v. Delta Air Lines, Inc.*; *Castillo v. Delta Air Lines, Inc.*; and *Amah v. Delta Air Lines, Inc.*

2. What is this lawsuit about?

Plaintiffs allege that due to a mechanical problem, Delta Flight DL89 was forced to jettison fuel over parts of Southern California following an in-flight emergency on January 14, 2020, that occurred shortly after DL89 took off from LAX for Shanghai, China. Plaintiffs allege that the fuel jettison harmed property owners and residents where liquid fuel fell.

Delta contends it has strong defenses in this matter and denies and continues to deny all claims asserted against it, all allegations of wrongdoing, liability and damages, and all material allegations in the Action and any related cases. Nevertheless, the parties have agreed to settle this matter on the terms set forth below and in the Settlement Agreement, recognizing the risks, expense and uncertainties of continuing litigation, subject to approval by the Court.

3. What is a class action?

In a class action, one or more people called named class representatives or Named Plaintiffs (in this Action, Frankie Lomas, Roxanda Yancor, Jose Alvarado, and Maria Alvarado are the Named Plaintiffs) sue on behalf of people who have similar claims. Together, all these people are called a class or class members. One court resolves the issues for all class members, except for those who exclude themselves from the settlement class.

4. Why is there a settlement?

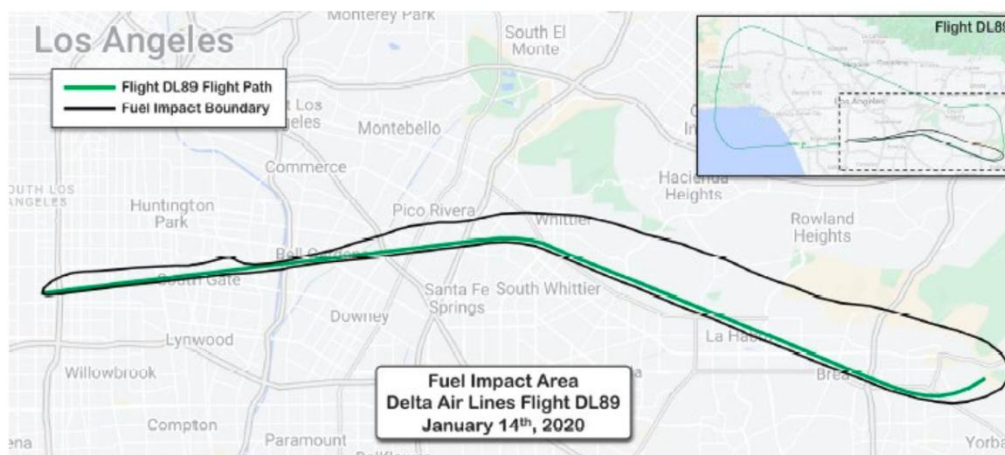
The Court did not decide in favor of the Plaintiffs or the Defendant. Instead, the Parties negotiated a settlement that allows them to avoid the risks and costs of lengthy and uncertain litigation and the uncertainty of a trial and appeals. It also allows Settlement Class Members to be compensated without further delay. The Named Plaintiffs and their attorneys think the Settlement is best for all Settlement Class Members.

WHO IS INCLUDED IN THE SETTLEMENT?

5. How do I know if I am part of the Settlement?

You are part of this Settlement as a Settlement Class Member if, on January 14, 2020, you owned, resided in, or rented one of the properties included on the list of affected residences prepared by John A. Kilpatrick. You may visit www.DL89settlement.com to see if your residence was affected.

The “Class Area” is shown below.



6. Are there exceptions to being included in the Settlement?

Yes, the Settlement does not include counsel representing the Class and all persons employed by said counsel, governmental entities, Delta Air Lines, Inc., its officers, directors, affiliates, legal representatives, employees, co-conspirators, successors, subsidiaries, and assigns, any judicial officer presiding over this matter, the members of their immediate families and judicial staff, and any other individual whose interests are antagonistic to other Class Members, including Settlement Class Members who sold their properties after the incident without disclosing it to the purchaser in advance of the sale.

The Settlement also excludes any person who has filed a claim in court against Delta Air Lines, Inc. arising out of the January 14, 2020 fuel jettison, other than the named plaintiffs in this action: Frankie Lomas, Roxanda Yancor, Jose Alvarado, and Maria Alvarado.

7. I am still not sure if I am included.

If you are still not sure whether you are included, call 1-833-419-4070 or visit www.DL89settlement.com for more information.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

8. What does the Settlement provide?

The Defendant has agreed to (1) pay a total of \$78,750,000 into a Settlement Fund, and (2) provide to the owners, residents and renters of affected properties a Joint Declaration by the parties' respective experts attesting to results of laboratory testing to evaluate whether the maximum amount of jet fuel reaching the ground during the emergency jettison incident would (a) be detectable and (b) persist beyond the jettison event. That Joint Declaration describing the results of the testing is enclosed with this Notice and also available on the settlement website above. After deducting the costs of notice and settlement administration, Court-approved attorneys' fees and costs, and Named Plaintiff service awards, the "Net Settlement Fund" of approximately \$50,590,000 will be divided into two parts: Owners' Settlement Fund and Residents' Settlement Fund. The Owners' Settlement Fund will equal 67% of the Net Settlement Fund. The Residents' Net Settlement Fund will equal 33% of the Net Settlement Fund.

The Owners' Settlement Fund will be divided equally on a per-property basis among all Owner Settlement Class Members who, (1) on January 14, 2020, owned one of the 1-4 unit residences within the Class Map, as identified on the list of residences prepared by John A. Kilpatrick, and (2) submit a valid Claim Form that is verified by the Settlement Administrator.

The Residents' Settlement Fund will be divided equally among all Resident Settlement Class Members who, (1) on January 14, 2020, resided in one of the 1-4 unit residences within the Class Map, as identified on the list of residences prepared by John A. Kilpatrick, and (2) submit a valid Claim Form that is verified by the Settlement Administrator.

The Court in charge of this case still has to decide whether to approve the Settlement. If the Court denies final approval, the Settlement will be null and void.

9. What can I get from the Settlement?

Exact payment amounts are not known at this time. Payment amounts will depend on the number of Owners and Residents who submit valid Claim Forms and the amount available in each Settlement Fund.

The Owners' Settlement Fund will be divided equally on a per-property basis among all Owner Settlement Class Members who submit a valid Claim Form that is verified by the Settlement Administrator. If there is more than one owner of record on title for the property, the payment for that property will be divided equally among each owner.

The Resident's Settlement Fund will be divided equally among all Resident Settlement Class Members who submit a valid Claim Form that is verified by the Settlement Administrator. If a Resident Settlement Class Member is currently a minor under the age of 14, the minor's parent or legal guardian must submit the Claim Form on behalf of the minor.

HOW TO GET BENEFITS—SUBMITTING A CLAIM FORM

10. How do I get a payment?

To qualify for a payment, you must complete and submit a Claim Form and all required documentation to the Settlement Administrator by **February 6, 2026**. Claim Forms are available and may be filed with all required documentation online at www.DL89settlement.com. Claim Forms are also available by calling 1-833-419-4070, or by writing to: *Delta Air Lines* Settlement Administrator, P.O. Box 301132, Los Angeles, CA 90030-1132.

11. When will I get my payment?

The Court will hold a Final Approval Hearing at 8:30 a.m. on May 18, 2026, to decide whether to approve the Settlement. If the Court approves the Settlement, there may be appeals. It is always uncertain how any appeals will be resolved, and resolving them can take time, perhaps more than a year.

12. What am I giving up to get a payment or stay in the Settlement?

Unless you exclude yourself from the Settlement, you will give up your right to sue, continue to sue, or be part of any other lawsuit against the Released Parties for any claim related to the Action or released by the Settlement Agreement. You will be legally bound by all of the Court's orders, as well as the "Released Claims," below.

"Released Parties" means Defendant Delta Air Lines, Inc., The Boeing Company, Rolls-Royce plc., Rolls-Royce North America, Inc., and their respective past or present parent companies, subsidiaries, divisions, related or affiliated companies, and each of their respective shareholders, officers, partners, joint ventures, consultants, advisors, directors, employees, agents, operators, attorneys, insurers, co-insurers, reinsurers, and the heirs, successors, and assigns of any such person or entity, and any individual or entity which could be jointly liable with Delta Air Lines, Inc., The Boeing Company, Rolls-Royce plc., and/or Rolls-Royce North America, Inc.

13. What are the Released Claims?

“Released Claims” means any and all Claims, rights, duties, obligations, counterclaims, defenses, actions, causes of action, expenses, attorneys’ fees, costs or liabilities (including penalties of every kind or nature whatsoever), whether known or unknown, suspected or unsuspected, asserted or unasserted, foreseen or unforeseen, accrued or unaccrued, actual or contingent, liquidated or unliquidated, punitive or compensatory as of the date of the Final Approval Order/Judgment: (a) that were or could have been brought by Plaintiffs in the Action; or (b) that arise out of or are related to the fuel jettison incident and/or the facts alleged in the Action. More information about the Released Claims can be found in the Settlement Agreement, available at www.DL89settlement.com.

EXCLUDING YOURSELF FROM THE SETTLEMENT

14. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a letter to the Settlement Administrator containing:

- 1) your full name, current address, email address, and telephone number;
- 2) a clear statement indicating your request to be excluded from the Settlement, such as “I request to be excluded from the class action settlement regarding *In Re: Delta Air Lines, Inc.*, Lead Case No. 2:20-cv-00786 JAK (SKx)”;
- 3) a document attesting to your ownership of, or residence in, one of the properties included on the list of affected residences prepared by John A. Kilpatrick as of January 14, 2020 (as applicable); and
- 4) your signature.

You must mail your request to be excluded so that it is postmarked no later than **February 6, 2026**, to:

Delta Air Lines Settlement Administrator
P.O. Box 301132
Los Angeles, CA 90030-1132

15. If I exclude myself, can I still get a payment from the Settlement?

No. If you exclude yourself from the Settlement, do not send in a Claim Form to ask for a payment because you will no longer be eligible for one.

16. If I do not exclude myself, can I sue the Released Parties for the same thing later?

No. If you stay in the Settlement (*i.e.*, do nothing or do not exclude yourself from the Settlement), you give up any right to separately sue the Released Parties for the claims released by the Settlement Agreement.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

Yes. The Court appointed The X-Law Group, P.C. to represent you and other Settlement Class Members. These lawyers are called Class Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

18. How will Class Counsel be paid?

If the Settlement is approved and becomes final, Class Counsel will ask the Court to award attorneys' fees of up to 33% of the Settlement Fund (or up to \$24,000,000) plus up to \$2,000,000 in litigation costs, as well as a \$60,000 total Service Award to the four Named Plaintiffs. If approved, these amounts, as well as the costs of notice and settlement administration, will be deducted from the Settlement Fund before making payments to Settlement Class Members who submit valid Claim Forms.

OBJECTING TO THE SETTLEMENT

19. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class Member, you can object to the Settlement if you do not like it or a portion of it. You can give reasons why you think the Court should not approve the Settlement. The Court will consider your views before making a decision. To object, you must file a written objection with the Settlement Administrator by mail by **February 6, 2026**.

Your objection must include:

- 1) the case name and number (*In Re: Delta Air Lines, Inc.*, Lead Case No. 2:20-cv-00786 JAK (SKx));
- 2) your full name, current address, telephone number, and email address;
- 3) a sworn statement or documentation indicating that you are a member of the Settlement Class, including the affected property address and approximate dates of ownership or residency;
- 4) the reasons why you object to the Settlement, including any documents supporting your objection;
- 5) the name, address, and telephone number of your attorney (if any) representing you in your objection;
- 6) a statement indicating whether you or your attorney intend to appear at the Final Approval Hearing;
- 7) if you have retained an attorney and your attorney will appear at the Final Approval Hearing,
 - a. the name, address, telephone number, and email address of your attorney;
 - b. a list of all persons who will be called to testify in support of the objection;
 - c. copies of any papers, briefs, or other documents upon which the objection is based;
 - d. a list of all other class actions in which you or your attorney has presented objections over the last five years (whether or not you or your attorney appeared in the matter); and
 - e. your attorney's signature; and
- 8) your signature.

Your objection must be mailed to the below address, postmarked by **February 6, 2026**:

Delta Air Lines Settlement Administrator
P.O. Box 301132
Los Angeles, CA 90030-1132

20. What is the difference between objecting to and excluding myself from the Settlement?

Objecting is telling the Court that you do not like something about the Settlement. Excluding yourself is telling the Court that you do not want to be part of the Class in this Settlement. If you exclude yourself from the Settlement, you have no basis to object or file a claim because the Settlement no longer applies to you.

THE COURT'S FINAL APPROVAL HEARING

21. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing at 8:30 a.m. on May 18, 2026, at the United States District Court for the Central District of California, First Street Courthouse, 350 W. First Street, Courtroom 10C, Los Angeles, California 90012. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court will take into consideration any properly-filed written objections and may also listen to people who have asked to speak at the hearing (*see* Question 23). The Court will also decide whether to approve payments of fees, costs, Service Awards, and settlement administration fees and expenses.

22. Do I have to come to the Final Approval Hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to come at your own expense. If you file an objection, you do not have to come to Court to talk about it. You may also hire your own lawyer to attend, at your own expense, but you are not required to do so.

23. May I speak at the Final Approval Hearing?

Yes, but only if you ask the Court for permission to speak at the Final Approval Hearing. To do so, you must follow the instructions provided in Question 19 above. You cannot speak at the hearing if you exclude yourself from the Settlement.

IF YOU DO NOTHING

24. What happens if I do nothing?

If you do nothing, you will not receive a payment from this Settlement. If the Court approves the Settlement, you will be bound by the Settlement Agreement, including the Released Claims against any of the Released Parties. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Defendant or the Released Parties about the issues released by the Settlement Agreement.

GETTING MORE INFORMATION

25. How do I get more information?

More details are available in the Settlement Agreement, which is available at www.DL89settlement.com. You may also call 1-833-419-4070, or write to the *Delta Air Lines* Settlement Administrator, P.O. Box 301132, Los Angeles, CA 90030-1132.

***Please do not call the Court or the Clerk of the Court for additional information.
They cannot answer any questions regarding the Settlement or the Action.***