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CATHERINE ANDERSON and the Proposed Class

(ADDITIONAL COUNSEL ON NEXT PAGE)

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

CATHERINE ANDERSON, as an
individual and on behalf of all others
similarly situated; JOSE RODRIGUEZ,
as an individual on behalf of himself
and all other similarly situated,

Plaintiffs,

vs.

KINDER MORGAN, INC., a Delaware
corporation; and DOES 1 through 100,
inclusive,

Defendants.

CASE NO. 23STCV25789

Assigned to the Hon. Laura A. Seigle, Dept.
SSC-17

**[PROPOSED] ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT & PAGA
SETTLEMENT**

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Attorneys for Plaintiff, JOSE RODRIGUEZ and the Proposed Class

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT on December 5, 2025, at 9:00 AM, the Motion for Preliminary Approval of Class Action and PAGA Settlement filed by Plaintiffs Catherine Anderson and Jose Rodriguez (collectively, “Plaintiffs”), on behalf of themselves and a Settlement Class, and not opposed by Defendant Kinder Morgan, Inc. (“Defendant”), came on for hearing in Department 17 of the Los Angeles Superior Court, located at 312 N. Spring St., Los Angeles, CA 90012

After full consideration of the evidence, the pleadings and papers filed by the parties in connection therewith, arguments of counsel and all other matters presented to the Court, and good cause having been shown, IT IS HEREBY ORDERED that Plaintiffs’ Motion for Preliminary Approval of Class Action and PAGA Settlement is GRANTED based on the conditions below.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. This Order incorporates by reference the definitions in the Settlement Agreement (“Agreement” or “Settlement Agreement”), and all terms defined therein shall have the same meaning in this Order as set forth in the Settlement Agreement.

2. The Court recognizes that the parties stipulate and agree to certification of a class for settlement purposes only. For settlement purposes only, the Court conditionally certifies the following settlement class (the “Class Members” or “Settlement Class”): “all persons currently or formerly employed by Defendant as non-exempt, hourly-paid employees during the Class Period.” The “Class Period” means the period from September 28, 2019 to January 6, 2025 or the date of preliminary approval, whichever is later.

3. The Class also includes “Aggrieved Employee,” which is defined as all persons employed by Defendant in California and classified as non-exempt who worked for Defendant during the PAGA Period. The “PAGA Period” means the period from

1 September 28, 2022 to January 6, 2025 or the date of preliminary approval, whichever is
2 later.

3 4. The Court finds, for settlement purposes only, the requirements of
4 California Code of Civil Procedure section 382 are satisfied. The term “Participating
5 Class Member” means a Class Member who has not requested exclusion from the
6 Settlement and also includes Aggrieved Employees.

7 5. Plaintiffs are hereby appointed and designated, for all purposes, as the
8 representatives of the Class, and the following attorneys are hereby appointed and
9 designated as counsel for Plaintiffs and the Class (“Class Counsel”):

10 SCOTT M. LIDMAN
11 TIARA GOSE-HARDY
12 MILAN MOORE
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17 GEORGE S. AZADIAN
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21 6. Class Counsel are authorized to act on behalf of Class Members with
22 respect to all acts or consents required by, or which may be given pursuant to, the
23 Settlement, and such other acts reasonably necessary to consummate the Settlement. Any
24 Class Member may enter an appearance through counsel of such Class Member’s own
25 choosing and at such Class Member’s own expense. Any Class Member who does not
26 enter an appearance or appear on his or her own will be represented by Class Counsel.

27 7. The Court hereby approves on a preliminary basis the Settlement
28 Agreement as appearing on its face to be fair, reasonable, and adequate and to have been

1 the product of serious, informed, and extensive negotiations among Plaintiffs, Defendant,
2 and their respective counsel.

3 8. A final approval hearing shall be held before this Court on
4 _____, at _____.m. [the Parties request a date that is 130 days after the
5 Court grants Preliminary Approval], in Department 17 of the Los Angeles Superior
6 Court, located at 312 N. Spring St., Los Angeles, CA 90012, to determine all necessary
7 matters concerning the Settlement, including: whether the proposed settlement of the
8 Action on the terms and conditions provided for in the Settlement Agreement is fair,
9 adequate and reasonable and should be finally approved by the Court; whether a
10 Judgment, as provided in the Settlement, should be entered herein; whether the plan of
11 allocation contained in the Settlement Agreement should be approved as fair, adequate
12 and reasonable to the Class Members; and to finally approve Class Counsel Fee Payment,
13 Class Counsel Litigation Expenses Payment, the Class Representative Service Payments,
14 the PAGA payment to the LWDA, and the settlement administration expenses. The Final
15 Approval hearing may be continued without further notice.

16 9. The Parties shall file a Motion for Final Approval on or before sixteen (16)
17 court days prior to the hearing.

18 10. The Court hereby approves, as to form and content, the Class Notice
19 attached as Exhibit A to the Settlement Agreement. The Court finds that the distribution
20 of the Class Notice substantially in the manner and form set forth in the Settlement
21 Agreement and this Order meets the requirements of due process, is the best notice
22 practicable under the circumstances, and shall constitute due and sufficient notice to all
23 persons entitled thereto.

24 11. Not later than thirty (30) days after this Order is signed, Defendant shall
25 deliver the Class Data to the Settlement Administrator.

26 12. The Court hereby appoints Phoenix Settlement Administrators, as
27 Administrator and hereby directs the Administrator to mail or cause to be mailed to Class
28

1 Members (including the Aggrieved Employee) the Class Notice by first class mail within
2 14 calendar days after the receipt of the Class Data from Defendant using the procedures
3 set forth in the Settlement Agreement. Class Members who do not opt out of the non-
4 PAGA portion of the settlement will become Participating Class Members and will
5 automatically receive their Individual Class Payment.

6 13. Any Class Member may choose to opt out of and be excluded from the
7 class portion of the settlement as provided in the Class Notice by following the
8 instructions for requesting exclusion from the class that are set forth in the Class Notice.
9 Class Members who are Aggrieved Employees may not request exclusion from the
10 PAGA Settlement and shall receive an Individual PAGA Payment regardless of their
11 exclusion from the Class.

12 14. Pending the final approval hearing, all proceedings in this action, other than
13 proceedings necessary to carry out or enforce the terms and conditions of the Settlement
14 and this Order, are stayed.

15 15. Counsel for the parties are hereby authorized to utilize all reasonable
16 procedures in connection with the administration of the Settlement which are not
17 materially inconsistent with either this Order or the terms of the Settlement.

18 16. The Court reserves the right to adjourn or continue the date of the Final
19 Approval Hearing, or any other dates provided for in the Settlement Agreement, without
20 further notice, and retains jurisdiction to consider all further applications arising out of or
21 connected with the proposed Settlement.

22 IT IS SO ORDERED.

23
24 Dated: _____

25 _____
26 Hon. Laura A. Seigle
27 Judge of the Superior Court
28