

Notice of Pending Class Action in *Bradford v. Chevron U.S.A., Inc.*
Contra Costa County Superior Court, Case No. MSC19-01155

This class action lawsuit may affect your rights if you worked as an Operator for Chevron USA, Inc. (aka “Chevron”) at Chevron’s refinery in Richmond, California at any time between November 26, 2019 and May 30, 2022.

A court authorized this notice. This is not a solicitation from a lawyer. You are not being sued.

- A group of Operators have sued Chevron U.S.A., Inc. (“Chevron”) alleging a failure to pay California “reporting time pay” for standby shifts at Chevron’s Richmond Refinery (the “Refinery”), a failure to timely pay all wages at the time of separation from employment, a failure to provide accurate itemized wage statements, violations of the Unfair Competition Law (“UCL”), and liability for civil penalties under the Private Attorneys General Act (“PAGA”).
- The lead Plaintiffs for the class action claims are Joann Bradford, Jason Rohrbach, and Brian White (collectively, “Plaintiffs”).
- The Court has allowed the lawsuit to proceed as a class action. This means that Plaintiffs assert their claims not just on behalf of themselves, but also on behalf of a class of all individuals employed by Chevron as Operators at Chevron’s refinery in Richmond, California who were assigned unpaid standby shifts during the period from November 26, 2019 through May 30, 2022 (the “Class”).
- The Court has also certified a subclass of all Operators who have separated from employment with Chevron at Chevron’s refinery in Richmond, California during the period from November 26, 2019 up to judgment in this case, and who were assigned unpaid standby shifts at any time from November 26, 2019 through May 30, 2022 (the “Subclass”).
- Chevron denies any wrongdoing and denies Plaintiffs or members of the Classes were owed any wages that Chevron did not compensate, or provided with non-compliant wage statements. The Court has not determined which side in the lawsuit is right. The Court’s order simply permits the case to proceed as a class action for the purpose of continuing the lawsuit. However, your legal rights are affected, and you have a choice to make now:

YOUR OPTIONS AND LEGAL RIGHTS IN THIS LAWSUIT	
DO NOTHING	Stay in the lawsuit. If you wish to stay a member of the Class and/or Subclass and be represented by Class Counsel, you do not have to do anything. You may direct any questions about the case to Class Counsel. The judgment, whether favorable or not, will bind all members of the Class and Subclass who do not choose to exclude themselves. If you do not exclude yourself from the Class and/or Subclass, you will give up the right to sue Chevron for legal claims that are the same or related to those alleged in the Lawsuit. You may also be called to testify at trial by either Plaintiff or Chevron, and/or to provide sworn deposition testimony in this matter.
ASK TO BE EXCLUDED (OPT-OUT)	Get out of the lawsuit. You have the right to exclude yourself from the Class(es) and the Lawsuit. If you do, you still have the right to pursue any claims you have with a lawyer of your choice at your own expense. You will not lose any claims you have by removing yourself, but you cannot share in any money recovered in the Lawsuit. You will not be bound by any judgment or settlement reached in the Lawsuit.

If you want to be excluded from the Class and Subclass in the Lawsuit, you must do either of the following **no later than January 20, 2024**:

- Log on to <https://www.bradfordvchevron.com> and follow the instructions to opt out of the Lawsuit;
 - Click “Submit Opt Out Form”
 - Enter your CPT ID & Passcode located at the top right corner of this Notice

OR

- Write or email the court-appointed administrator with a statement that you want to opt out of the Lawsuit The administrator’s contact information is:

Bradford v. Chevron U.S.A., Inc.
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
Email: BradfordvChevron@cptgroup.com

Chevron will not retaliate against you for any decision you make about this lawsuit, including your decision to remain a member of the class or opt out.

Any questions? Read on and visit <https://www.bradfordvchevron.com>. You may also contact the lawyers for Plaintiffs (their contact information is on the last page of this notice). You may hire a lawyer you choose, at your own cost, to represent you. If you choose to do that, you and your lawyer must provide a Notice of Appearance to the Court, Class Counsel and counsel for Chevron.

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2. BASIC INFORMATION

1. Why did I get this Notice?

Chevron's records show that you worked for Chevron in California as an Operator at the Refinery at some time from November 26, 2019 through May 30, 2022. The Court has allowed, or "certified," a class action lawsuit that may affect you. You have legal rights and options that you may exercise before the Court determines whether Plaintiffs can recover on the claims described in this Notice. The Honorable Charles S. Treat of the Superior Court of California for the County of Contra Costa is overseeing the class action. The lawsuit is known as *Bradford v. Chevron USA, Inc.*, Case No. MSC19-01155 (the "Lawsuit").

2. What is the Lawsuit about?

On June 7, 2019, Joann Bradford, Liza Mosqueriola, Jason Rohrbach, and Brian White filed the Lawsuit on behalf of themselves and other Operators who worked at the Refinery. It affects Operators who worked at Chevron's Richmond Refinery at any point from November 26, 2019 through May 30, 2022 who were assigned unpaid standby shifts during that time frame.

The Lawsuit alleges five claims: (1) Chevron failed to pay "reporting time pay" for standby shifts that were not activated (i.e., when Operators on standby were not required to report in person to the Refinery); (2) Chevron failed to provide accurate itemized wage statements due to its alleged failure to pay "reporting time pay"; (3) Chevron failed to pay all wages including reporting time pay timely upon separation from employment, which triggered an obligation to pay waiting time penalties to former Operators; (4) Chevron violated California's Unfair Competition Law; and (5) Chevron is liable for civil penalties under PAGA. The Lawsuit seeks lost wages, as well as penalties, interest, and attorneys' fees.

3. What is a class action and who is involved?

In a class action lawsuit, one or more people called "Class Representatives" (in this case, Joann Bradford, Jason Rohrbach, and Brian White) sue on behalf of themselves and other people who have similar claims. The group of people together are called the "Class" or "Class Members." The Class Representatives and the Class Members are collectively called the Plaintiffs. The company they sued (in this case, Chevron) is called the Defendant. People may choose to exclude themselves from the Class.

4. Why is the Lawsuit a class action?

The Court decided that this lawsuit can be a class action and move towards trial because it meets the requirements of Code of Civil Procedure § 382. Specifically, the Court found that:

- There were approximately 566 Operators in the Class and approximately 100 who would fall within the Subclass during the relevant time period;
- There are questions of law or fact that are common to Class Members;
- The common questions of law or fact predominate over the questions that affect only individuals;
- The Class Representatives' claims are typical of the claims of the rest of the Class;
- The Class Representatives and Class Counsel will fairly and adequately represent the Class's interests;

More information about why the Court has allowed this lawsuit to proceed as a class action is in the [Court's Order Certifying the Class](https://www.bradfordvchevron.com), which is available at <https://www.bradfordvchevron.com>.

3. THE CLAIMS IN THE LAWSUIT

5. How does Chevron respond to these allegations?

Chevron contends that it has not violated California law. Specifically, Chevron contends that it was not required to pay Operators who were on standby but did not physically report to the Refinery because Operators were on standby and not

actually legally reporting for work. Chevron also further contends that Operators are not entitled to pay statement or waiting time penalties because it paid Operators correctly in accordance with the applicable collective bargaining agreements and California law. You can read [Chevron's Answer to Plaintiffs' Complaint](https://www.bradfordvchevron.com) at <https://www.bradfordvchevron.com>.

6. Has the Court decided who is right?

No. The Court has not decided whether Plaintiffs or Chevron is correct.

7. How and when will the Court decide who is right?

Unless this case is resolved by a settlement or by the Court's ruling(s) on one or more motions, Class Counsel will have to prove the Plaintiffs' claims at a trial. The trial will take place in the Contra Costa County Superior Court. No date has been set for trial yet. During the trial, a jury or the Judge will hear evidence to help them reach a decision about whether the Plaintiffs or Chevron are right about the claims in the Lawsuit.

8. What are the Plaintiffs asking for?

The class period runs from November 26, 2019 through May 30, 2022 for the claim involving unpaid reporting time pay. For this claim, Plaintiffs are seeking damages equal to the unpaid reporting time pay wages, that they claim was owed for each shift during which an Operator was assigned to standby and was not required to physically report to the Refinery for work in person.

In addition, for Operators whose employment terminated after November 26, 2019, Plaintiffs are also seeking to recover 30 days of pay as a "waiting time penalty" for failure to pay reporting time pay at the time of separation from employment and pay statement penalties of \$50 to \$100 per pay period for failure to list reporting time pay was "wages earned" on Operators' pay stubs.

9. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether Chevron did anything wrong, nor have the two sides settled the case. There is no guarantee that money or benefits will be obtained. If you do not exclude yourself from this Lawsuit and money or benefits are obtained, you will be notified about how to ask for a share of the recovery.

4. WHO IS IN THE CLASS?

10. Who is in the Class?

The Court decided that as to Plaintiffs' claims for reporting time pay, wage statements, and unfair business practices, the Class includes:

All individuals employed by Defendant Chevron USA, Inc. as Operators at Chevron's oil refinery in Richmond, California who were assigned unpaid standby shifts during the period of November 26, 2019 through May 30, 2022.

As for Plaintiffs' claim for waiting time penalties, the Court certified the following Subclass:

All Operators separated from employment with Chevron USA, Inc. (either by involuntary termination or resignation) at Chevron's oil refinery in Richmond, California during the period November 26, 2019 up to judgment in this case, and who were assigned unpaid standby shifts at any time from November 26, 2019 through May 30, 2022.

11. Am I part of the Class?

You are part of the Class if you were employed as an Operator by Chevron at the Richmond, California Refinery at any time from November 26, 2019 through May 30, 2022 and were assigned unpaid standby shifts. You received this Notice because Chevron's records indicate that you were employed as an Operator during this time period.

If you are still not sure whether you are included, you can get free help at <https://www.bradfordvchevron.com> or by calling or writing to the lawyers in this case (the lawyers' contact information is listed in question 20 on pages 7 and 8).

5. YOUR RIGHTS AND OPTIONS

You have to decide whether to stay in the Class or ask to be excluded before the trial, and you have to decide this now.

12. What happens if I do nothing at all?

By doing nothing, you are staying in the Class. If you stay in the Class and the Plaintiffs obtain money or benefits, either as a result of trial, motion, or a settlement, you will be notified about how to receive a share.

Keep in mind that if you do nothing now, regardless of whether the Plaintiffs win or lose, you will not be able to sue, or continue to sue, Chevron as part of any other lawsuit about the same legal claims that are the subject of this lawsuit. You will also be legally bound by all of the Orders the Court issues and the final judgment in this class action.

13. Why would I ask to be excluded?

People elect to exclude themselves from class actions for many reasons. Some people wish to pursue their own claims instead of as part of a class action. Other people do not wish to be in the lawsuit at all. If you exclude yourself from the Class – which is sometimes called “opting-out” – you will not get any money or benefits from this lawsuit if the Plaintiffs obtain them as a result of the trial, motion, or from any settlement. However, you may then be able to sue or continue to sue Chevron for reporting time pay and related relief, with the exception of a claim brought under the California Private Attorneys General Act. If you exclude yourself, you will *not* be legally bound by the Court's orders or the final judgment in this class action.

If you start your own lawsuit against Chevron after you exclude yourself, you will have to pursue your claims separately from this case and you may need to hire and pay your own lawyer. If you do exclude yourself so you can have your own lawsuit against Chevron, you should talk to your own lawyer soon, because your claims may be subject to a time limit (the “statute of limitations”).

14. How do I ask the Court to exclude me from the Class?

To ask to be excluded, you must do either of the following **no later than January 20, 2024**:

- Log on to <https://www.bradfordvchevron.com> and follow the instructions to opt out of the Lawsuit;
 - Click “Submit Opt Out Form”
 - Enter your CPT ID & Passcode located at the top right corner of this Notice

OR

- Write or email the court-appointed administrator with a statement that you want to opt out of the Lawsuit The administrator's contact information is:

Bradford v. Chevron U.S.A., Inc.
c/o CPT Group, Inc.
50 Corporate Park
Irvine, CA 92606
Email: BradfordvChevron@cptgroup.com

15. Would I have to attend the trial if I stay in the Class?

You are not required to attend the trial, but you may do so if you desire. However, as a Class Member you may be subpoenaed to appear as a witness and may be required to testify at the trial. At this time, no decisions have been made as to whether or not you will be required to testify at trial. You are not required to have a lawyer to attend the trial, but it is your right to hire a lawyer at your own expense.

16. Will I receive money and benefits after the trial?

It is unknown at this time. If the Plaintiffs obtain a favorable verdict at trial or if there is a settlement, you will be notified. It is not known how long this may take.

6. THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

Yes. The Court decided that the law firms of Weinberg, Roger & Rosenfeld, A.P.C. (Emeryville, CA) and Leonard Carder, LLP (Oakland, CA) are qualified to represent you and all Class Members in this lawsuit. Together the law firms are called "Class Counsel." They are experienced in handling similar cases against employers. More information about these law firms, their practices, and their lawyers' experience is available at www.unioncounsel.net and www.leonardcarder.com. You may also contact Class Counsel at the information provided in section 6, below.

18. How will the lawyers be paid?

If Class Counsel gets money or benefits for the Class, they may ask the Court for fees and expenses. You would not have to pay these fees and expenses directly. If the Court grants Class Counsel's request, the fees and expenses would either be deducted from any money obtained for the Class or paid separately by Chevron.

19. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. You may hire your own lawyer if you would like to but, if you do, you will have to pay that lawyer.

7. GETTING MORE INFORMATION

20. Are more details available?

Visit the website, <https://www.bradfordvchevron.com>, where you will find important documents from the case. You may also contact the lawyers for Plaintiffs:

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If you exclude yourself from the Classes, you may contact counsel for Chevron. The attorneys representing Chevron are:

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Keahn N. Morris (kmorris@sheppardmullin.com; 415-774-2934)

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San Francisco, CA 94111

Phone: (415) 434.9100/ Fax: (415) 434-3947

You should not contact counsel for Chevron unless you opt out of the Class or Subclass.

Please do not contact the Court for more information regarding this lawsuit.