NOTICE OF CLASS ACTION SETTLEMENT

Maria Corral, et al. v. New Leaf Biofuel, LLC., et al., Case No. 37-2022-41841-CU-NP-CTL

SAN DIEGO SUPERIOR COURT

If you lived in a residential unit, either a house or apartment, within approximately one block of 2285 Newton Avenue in Barrio Logan (see map of area at the end of this Notice), during the period between October 01, 2021 and December 31, 2023, you may be entitled to a cash benefit from a proposed class action settlement.

A Court authorized this Notice. It is not a solicitation. Read this Notice carefully.
Your rights are affected whether you act or don't act.

- A proposed settlement ("Settlement") has been reached in a class action lawsuit against New Leaf Biofuel, LLC and Baker Commodities, Inc. (the "Defendants") that is currently pending in the San Diego County Superior Court. The lawsuit contends that the Defendants allowed the release of alleged nuisance odors from a biofuel manufacturing facility at 2285 Newton Avenue in Barrio Logan, San Diego (the "Facility"). The Defendants deny any wrongdoing. The Settlement is not an admission of wrongdoing.
- If the Court approves the Settlement, the Defendants will contribute $700,000.00 to a Settlement Fund which will be used to pay cash benefits to Settlement Class Members who submit valid claims, Notice and Settlement Administration Costs, class representative service awards, and class counsel's attorneys' fees and costs.
- You may be included in the Settlement as a "Settlement Class Member"[1] and entitled to a cash benefit if you lived in a residential dwelling within approximately one block of the Facility. This area and the criteria to be a Settlement Class Member are defined more exactly and shown in Section 5, below.
- The Settlement Awards will depend in part on the number of claims submitted. An explanation of how the Settlement Fund will be allocated is explained more fully in the answers to Question 8 below.
- The exact cash benefit available for each Settlement Class Member will therefore not be known until all of the settlement claims are submitted and verified and the Court approves the Settlement. These benefits depend in part on the distance from the Facility and the amount of time during the time period of October 1, 2021 to December 31, 2023 ("Class Period") that you lived in the Class Area, as well as on the total number of claims that are submitted.
- Your legal rights are affected whether you act or not. Please read this Notice carefully because it explains decisions you must make and actions you must take *now*.

- [1]AII capitalized terms that are not otherwise defined here are defined as set forth in the Settlement Agreement, which can be found on the Settlement Website identified in response to Question No. 11 below.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM	This is the only way to receive a cash benefit. By submitting a claim, you will give up any rights to sue the Defendants separately for the same claims that are part of the Settlement. The deadline to submit your claim is **December 19, 2025.**
DO NOTHING	If you do nothing, you will receive no cash benefits. You also give up your right to sue the Defendants separately for the same claims that are part of the Settlement.
ASK TO BE EXCLUDED (OPT OUT)	If you decide to opt out of the Settlement, you will not be eligible to receive a cash benefit, but you will reserve your rights to sue the Defendants separately for the same claims that are part of the Settlement. The deadline to opt out of the Settlement is **December 19, 2025.**
OBJECT OR COMMENT	If you do not opt out of the Settlement, you may write to the Court to explain why you do, or do not, like the Settlement or to object to the Settlement. The Exclusion/Objection Deadline to comment on or object to the Settlement is **December 19, 2025.**
ATTEND A HEARING	You may also ask to speak in Court about the fairness of the Settlement at the Final Approval Hearing on **February 6, 2026,** at **9:00 a.m. (Pacific time),** where the parties will request that the Court enter a Final Approval Order approving of the Settlement.

- These rights and options-and **the deadlines to exercise** them-are explained in this Notice.
- The Court overseeing this case still has to decide whether to approve the Settlement. Any cash benefits will be distributed only after the Settlement is approved and any appeals are resolved.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS NOTICE, THE SETTLEMENT, OR THE CLAIM PROCESS.

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BASIC INFORMATION

1. Why was this Notice sent to me?

You have received this Notice because the Class Administrator's records indicate that you may have lived in the Class Area, within approximately one block of the Facility, during the Class Period and may therefore be included as a Settlement Class Member in a proposed Settlement of a class action lawsuit against the Defendants and eligible to receive a cash benefit.

A California State Court authorized this Notice to let you know about the proposed Settlement. You have legal rights and options that you may act on before the Court decides whether to approve the proposed Settlement. This Notice explains the lawsuit, the Settlement, and your legal rights.

The Honorable J. Wohlfeil of the San Diego Superior Court is overseeing the proposed class action lawsuit and proposed Settlement. The case is entitled *Maria Corral, et al. v. New Leaf Biofuel, LLC.,* Case No. 37- 2022-41841-CU-NP-CTL. The people who sued (in this case, Maria Corral, Roberto Corral, and Miguel Espinosa) are called the Plaintiffs. The companies they sued, New Leaf Biofuel, LLC and Baker Commodities, Inc., are called the Defendants.

2. What is a class action?

In a class action, one or more people called "Settlement Class Representatives" (in this case, Maria Corral, Roberto Corral, and Miguel Espinosa) sue on behalf of people who they believe have similar claims against the same defendant or defendants. All of the people who the Settlement Class Representatives believe have similar claims are called the "Settlement Class" or "Settlement Class Members." The attorneys representing the Settlement Class are called "Settlement Class Counsel." In a class action, the Court resolves the issues for all Settlement Class Members, except for those who exclude themselves or "opt out" of the Settlement Class.

3. What is the lawsuit about?

The Settlement Class Representatives in this lawsuit allege, among other things, that the Defendants emitted odors or allowed odors to be emitted from manufacturing operations at the Facility and that as a result, people who lived close by the Facility experienced extended periods of nuisance-level odors during the Class Period.

The Defendants maintain that they did nothing wrong and assert numerous defenses to the allegations and claims in this lawsuit. The proposed Settlement is not an admission of guilt or any wrongdoing of any kind by Defendants**,** nor is it an admission by the Defendants of the truth of any of the allegations in the lawsuit.

4. Why is there a Settlement?

The Court has not decided the case in favor of the Class or Defendants. Instead, the Settlement Class Representatives and the Defendants have agreed to a settlement. The Settlement is a compromise, whereby both the parties avoid the cost, burden, and uncertainty of a trial. The Settlement Class Representatives and their attorneys think the proposed Settlement is the best result for all Settlement Class Members.

WHO IS INCLUDED IN THE SETTLEMENT

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

The Settlement Class includes all individuals who lived in the Class Area, which is within approximately one block from the Facility and is called the "Class Area," between October 1, 2021 and December 31, 2023, which is called the "Class Period." A map and list of addresses defining the Class Area is provided in Exhibit 1. If you lived in the Class Area at any time during the Class Period you are a member of the Settlement Class and are included in the Settlement.

You are excluded from the Settlement Class if any of the following apply to you:

- You are an employee of the Defendants;
- You are a judicial officer presiding over the Action or a member of the immediate family or judicial staff of a judicial officer presiding over the action; or
- You are an attorney representing any party to the lawsuit, or an employee who works for one of the attorney's law firms.

If you received a Notice via email or mail about the Settlement, you may be a Settlement Class Member.

6. I'm still not sure if I am included in the Settlement Class.

If you are still not sure whether you are included in the Settlement Class, you can visit the website https://apexclassaction.com/newleafbiofuel/ or write to the Settlement Administrator at claims@apexclassaction.com Apex Class Action LLC for more information. You may also write or call Settlement Class Counsel. The contact information for Settlement Class Counsel is provided in the answer to Question 16 below.

SETTLEMENT BENEFITS

7. What does the Settlement provide?

As part of the Settlement, the Defendants have agreed to contribute $700,000.00 to a Settlement Fund. The Settlement Fund will be used to pay cash benefits to Settlement Class Members (described below), the costs of administering the Settlement, service awards to the Settlement Class Representatives, and attorneys' fees and costs to Settlement Class Counsel. The costs of administering the Settlement, the service awards to the Settlement Class Representatives, and the attorneys' fees and costs to Settlement Class Counsel, as authorized by the Court, will be paid from the Settlement Fund along with the Settlement Awards distributed to the Settlement Class Members.

8. How much will my cash benefit be?

The exact amount of Settlement Awards will not be known until all claims have been submitted and verified. The amount of each individual settlement award depends in part on the number of valid claims submitted, as well as on the distance from the Facility and amount of time you lived in the Class Area. Individual awards are therefore unknown at this time and are not guaranteed but are estimated to average in the range of $2,000. Settlement Awards will vary based on proximity to the source of the alleged odors as well as time lived in the Class Area. If you are an eligible Settlement Class Member and submit a valid claim, you may receive an award in this range, but no specific amount is guaranteed. Because of their proximity to the alleged source, some residents may have been exposed to more concentrated and more frequent odors. Settlement Class Members who lived in residential dwelling units directly adjacent to the Facility will accordingly receive larger awards.

If, after all Notice and Administration Costs, Settlement Class Representative Service Awards, and attorneys' fees and costs are paid, and valid claims are calculated, the total claimed cash benefits are less than the remaining Settlement Funds, any remaining funds will be distributed to Class members *pro rata* and individual payment amounts will increase.

9. When will the Cash benefit amounts be known?

The cash benefit amounts must be adjusted if the total valid claims submitted by eligible Settlement Class Members are less than or exceed the Settlement Fund minus any Notice and Administration Costs, Settlement Class Representative Service Awards, and Settlement Class Counsel Attorneys' Fees and Costs Award.

The exact amount of individual cash settlement benefits will therefore not be known until all valid claims have been submitted and verified. The Court will determine the final benefit awards at the Final Approval Hearing.

HOW TO GET A CLASS PAYMENT

10. How do I get a cash benefit?

To receive a cash benefit, you must submit a Claim Form online at https://apexclassaction.com/newleafbiofuel/, or by requesting that a physical claim form be mailed to you by contacting the Settlement Administrator:

Corral, et al. v. New Leaf Biofuel, LLC, et al.
Apex Class Action, LLC
P.O. Box 54668
Irvine, CA 92619

All Claim Forms must be submitted online or postmarked no later than **December 19, 2025.** To be valid, a Claim Form must properly identify the following:

- Your name, current mailing address, email address, and telephone number;
- You home address during the Class Period and the dates when you lived at that address;
- The unique Class Member ID found in the email Notice or Short Form Notice that was sent to you; and
- If you wish to be paid by ACH (bank) transfer, your bank account information.

If you did not receive a mailed Notice with a unique Class Member ID, you must provide the address or addresses that you lived in during the Class Period and the exact dates that you lived at each address. The Settlement Administrator will verify that information and use it to determine if you are a Settlement Class Member and eligible to receive a cash benefit.

11. When will I receive my cash benefit?

The Court will hold a Final Approval Hearing on **February 6, 2026, at 9:00 a.m.** (Pacific), to decide whether to grant final approval of the Settlement. At the Final Approval Hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If the Court grants final approval of the Settlement, cash benefits will begin to be distributed soon thereafter. If there are objections, the Court will consider them. If there are objections, it may take some time to resolve them. If there is an appeal, the cash benefits will not be distributed to the Settlement Class until any appeal is resolved.

Please note the date and time of the Final Approval Hearing is subject to change without further notice to the Settlement Class. Please regularly check the Settlement Website, https://apexclassaction.com/newleafbiofuel/, or the Court's website to confirm that the date has not been changed.

OPTING OUT OF THE SETTLEMENT

12. Why would I ask to opt out of the Settlement?

If you exclude yourself or "opt out" of the Settlement, you will not be entitled to receive any cash benefit from the Settlement. However, you will not be bound by any orders and judgments of the Court with respect to the lawsuit or the Settlement. You may be able to separately sue or be part of another lawsuit against the Defendants and related entities for the same claims that are being resolved by the Settlement.

13. How do I request to opt out of the Settlement?

To opt out of the Settlement, you must send a letter with all of the following information:

(1) Your full name and address;

(2) The case name, *Maria Corral, et al. v. New Leaf Biofuel, LLC., et al.,*

and Case Number: Case No. 37-2022-41841

(3) A clear statement that you wish to opt out of the Settlement Class (such as "I wish to be excluded from the Class"); and

(4) Your signature.

You must mail your opt-out request no later than **December 19, 2025** to:

Corral, et al. v. New Leaf Biofuel, LLC, et al.
Apex Class Action, LLC
P.O. Box 54668
Irvine CA, 92619

14. If I opt out, can I still get a cash benefit from this Settlement?

No. If you opt out, you are telling the Court that you do not want to be part of the Settlement Class in this Settlement and you give up any right to receive a cash benefit from the Settlement. You can only get a cash benefit if you remain in the Settlement Class. See the answer to Question 10 above.

15. If I do not opt out, can I sue the Defendants for the same claims asserted in this lawsuit later?

No. Unless you opt out, you are giving up the right to sue the Defendants and related entities for the alleged claims being resolved by this Settlement.

THE LAWYERS REPRESENTING THE CLASS

16. Do I have a lawyer in this case?

Yes. The Court appointed attorney David Elliot and Elliot Law Office PC to represent you and other members of the Class. These attorneys are called "Settlement Class Counsel." In addition, the Court appointed Maria Corral, Roberto Coral, and Miguel Espinosa, to serve as the Settlement Class Representatives. They are Settlement Class Members like you. You may contact Settlement Class Counsel at Elliot Law Office PC, or by email at davidelliot@elliotlawoffice.com.

17. How will the lawyers be paid?

Class Counsel may ask the Court for Settlement Class Counsel Attorneys' Fees not to exceed $157,000 and reimbursement of Costs that have already been expended in this Action, such as expert fees, sampling and laboratory analysis costs, and mediation fees, not to exceed $70,000, and Settlement Class Representative Service Awards not to exceed $5,000 per Settlement Class Representative. Settlement Class Counsel will request both the attorneys' fees and costs and service awards at the Final Approval Hearing, and the Court will determine the amounts to be awarded. The Court may award less than the amounts requested, and any money not awarded from these requests will stay in the Settlement Fund and be distributed to the Settlement Class.

18. May I get my own lawyer?

If you are in the Settlement Class and do not opt out of the Settlement, you are not required to hire your own lawyer because Settlement Class Counsel is working on your behalf. However, if you want your own lawyer, you may hire one at your own expense. For example, you can hire a lawyer to appear in Court for you if you want someone other than Settlement Class Counsel to speak on your behalf.

OBJECTING TO THE SETTLEMENT

19. How do I tell the Court that I object to the Settlement?

If you are a Settlement Class Member, you can ask the Court to deny approval of the proposed Settlement by filing an objection. You can't ask the Court to order a different settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no cash benefits will be sent out to the Settlement Class Members, and the lawsuit will continue. If that is what you want to happen, you should object. You can also object to Settlement Class Counsel's requests for attorneys' fees and costs and/or to the service awards requested by the Settlement Class Representatives.

Any objection to the proposed Settlement must be in writing. If you file a timely written objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney. II written objections and supporting papers must (a) clearly identify the case name and number (Maria Corral, et al. v. New Leaf Biofuel, LLC., et al., Case No. 37-2022-41841-CU-NP-CTL), (b) be submitted to the Court either by filing them electronically or in person at San Diego Superior Court or by mailing them to the Court Clerk, San Diego Superior Court, 330 W. Broadway San Diego, CA 92101, and (c) be filed or postmarked on or before **December 19, 2025.**

20. What is the difference between objecting and opting out?

Objecting is simply telling the Court that you object to something in the Settlement. You can object only if you stay in the Settlement Class (i.e., you don't opt out of the Settlement). Opting out is telling the Court that you don't want to be part of the Settlement Class. If you opt out, you cannot object because the Settlement no longer affects 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 on **February 6, 2026, at 9:00 a.m. (Pacific),** at the San Diego Superior Court, Department 73.

At the hearing, the Court will decide whether to approve the Settlement, the service awards to the Settlement Class Representatives, and Settlement Class Counsel's request for attorneys' fees and costs. If there are objections, the Court will consider them. The Court may elect to move the Final Approval Hearing to a different date or time in its sole discretion, without providing further notice to the Class. You should check https://apexclassaction.com/newleafbiofuel/ or the Court's docket https://www.sdcourt.ca.gov/sdcourt/generalinformation/accesscourtrecords to confirm the date and time has not been changed.

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

No. Settlement Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you file your written objection on time and meet the other criteria described above *(see* answer to Question 19), the Court will consider it. You may also pay your own lawyer to attend, but it is not required.

23. May I speak at the Final Approval Hearing?

Yes, if you object to the Settlement and have not opted out and excluded yourself from the Class, you may ask the Court for permission to speak at the Final Approval Hearing. You can also have your own lawyer speak for you, but you will have to pay for the lawyer yourself.

IF YOU DO NOTHING

24. What happens if I do nothing at all?

Unless you exclude yourself or "opt out" of the Settlement Class, you will remain in the Settlement Class. If the Settlement is approved and becomes final, all of the Court's orders will apply to you and legally bind you. You will give up any rights to sue the Defendants separately for the same claims that are part of the Settlement, and you will not be able to be part of any other lawsuit against the Defendants that is related to the subject matter of the claims being released in the Settlement Agreement. To review a copy of the Settlement Agreement, please visit https://apexclassaction.com/newleafbiofuel.

GETTING MORE INFORMATION

25. How do I get more information?

This Notice is only intended to provide a summary of the proposed Settlement. For the precise terms of the Settlement or to change your address, please visit https://apexclassaction.com/newleafbiofuel/, where you will find a copy of the Settlement Agreement and other documents related to the Settlement. You may also contact the Settlement Administrator by calling (800)355-0700, by emailing claims@apexclassaction.com, or writing to:

Corral, et al. v. New Leaf Biofuel, LLC, et al.

Apex Class Action, LLC
P.O. Box 54668
Irvine, CA 92619

You may also contact Settlement Class Counsel, whose contact information is listed under Question 16 above.

You may also access the Court records in this case through Court's docket https://www.sdcourt.ca.gov/sdcourt/generalinformation/accesscourtrecords or by visiting the Office of the Clerk 330 W. Broadway San Diego, CA 92101 between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays. For reference, the case is *Maria Corral, et al. v. New Leaf Biofuel, LLC., et al.,* Case No. 37-2022- 41841-CU-NP-CTL.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS NOTICE, THE SETTLEMENT, OR THE CLAIM PROCESS.

Figure 1: Settlement Class Area

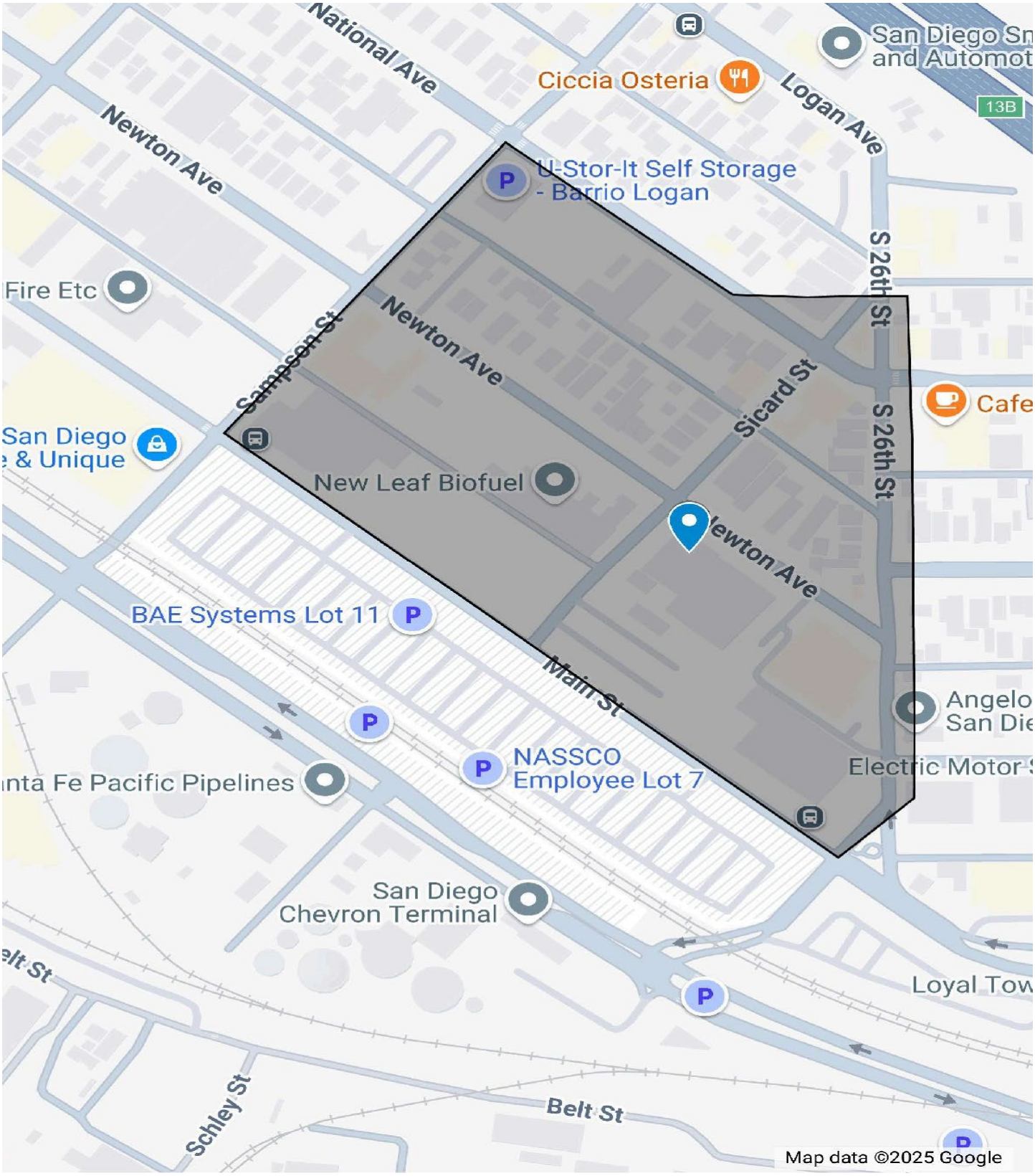

EXHIBIT 1: CLASS AREA BY ADDRESS

The Class is defined as:

All persons over the age of 18 residing at a residential property in the geographic area defined by the following addresses during the Class period, either by right of ownership or with permission from the property owner, or under the terms of a valid lease or rental agreement in force during that time:

The Class Area

- Newton Avenue, all residential addresses between Sampson & South 26th Street; (2200 to 2399 Newton Avenue, plus 2602 Newton which fronts on South 26th Street)
- Sicard Avenue, all residential addresses between Newton & South 26th Street; (1025 to 1038 Sicard Avenue)
- National Avenue, all residential addresses on the south side of National between Sampson & South 26th Street;

(2200 to 2399 National Avenue, south side only, plus 2604 National (fronts on S. 26th))

- South 26th Street, all residential addresses between Boston Avenue and Sicard Street, on both sides of S. 26th;
- Sampson Street, all residential addresses between Newton Avenue and National Avenue, on the east side of Sampson Street only.

In addition, the Administrator will review the geographic area bounded by Sampson Street, Newton Avenue, Main Street, and South 26th Street included in the Class area as shown on Figure 1, for the possible presence of any legal residential units. Although this area is not considered residential and is not known to include any residential units, it is theoretically possible that one of the commercial properties in this area includes a legal incidental or accessory residential unit; if so, any lawful resident of that unit during the Class period would be a member of the Class. The Class Administrator will determine this.