

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION-CLASS ACTION

WILLIAM KENNEY, on behalf of)
himself and all others similarly)
situated,)
)
Plaintiff,)
)
vs.)
)
AESCIT CORPORATION,)
AESCIT SERVICES CORPORATION,)
and, MATTHEW FANELLI,)
)
Defendants.)

Judge Alan D. Hertzberg
Case No. GD-21-014479

ORDER

AND NOW, this 18 day of February 2025, IT IS HEREBY ORDERED that Plaintiff's Unopposed Motion for Preliminary Approval of Class Action Settlement is GRANTED.

The Court hereby orders that:

1. The Settlement Agreement is preliminarily approved because: (a) The Court will likely be able to approve the Settlement Agreement because it appears to be fair, reasonable, and adequate; and (b) the Court will likely be able to certify a settlement class consisting of "Plaintiff, William Kenney, and 128 other non-exempt employees who worked for Defendants at the petrochemical facility in Monaca, Pennsylvania being constructed for Shell Chemical Appalachia LLC during any workweek from January 12, 2021 through June 17, 2022."

1. The Proposed Class Notice attached to the Settlement Agreement as Exhibit B and the notice procedures described in Paragraph 6 of the Settlement Agreement are approved. The Class Notice shall be distributed by mail to all class members listed in Exhibit A to the Settlement Agreement. *The notice also shall be distributed by email to class members with email addresses available to Plaintiff.*

2. Individuals who wish to file a claim for their portion of the settlement proceeds must follow the process described in Section 9 of the Settlement Agreement and the Class Notice.

3. Individuals who wish to exclude themselves from the settlement must follow the process described in Section 8 of the Settlement Agreement and the Class Notice.

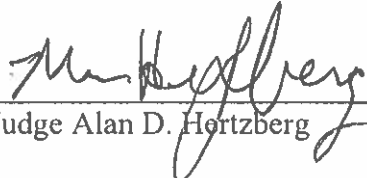
4. Individuals who wish to object to the settlement must follow the process described in Section 7 of the Settlement Agreement and the Class Notice.

5. Jubelirer, Pass & Intrieri, P.C. is appointed as Class Counsel.

6. A hearing addressing final approval of the settlement will be held on June 18, 2025¹ at 3:00 a.m./p.m. in Courtroom 816 of the City-County Building, 414 Grant Street, Pittsburgh, PA 15219. During this hearing, the Court will hear from any objectors or other class members who wish to address the Court and will argument from Class Counsel regarding the following issues: whether the Settlement Agreement warrants final approval, whether the service award to William Kenney should be approved, and whether the attorneys' fees and costs sought by Class Counsel under the Settlement Agreement should be approved. This hearing shall be subject to adjournment by the Court without further notice to class members other than that which may be posted by the Court.

7. Seven calendar days prior to the final approval hearing, Class Counsel shall file all papers in support of the final approval of the Settlement Agreement and the issues described in Paragraph 7 above.

IT IS SO ORDERED.



Judge Alan D. Hertzberg

¹ **NOTE:** Class Counsel requests that the final hearing occur **approximately 120 days** after the Order granting preliminary approval is filed by the Court. This will ensure sufficient time to distribute the Class Notice and complete the process for Class Members to file claims, exclusions, and objections (if any), in advance of the final hearing.