IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA

Larry Patton, Jr., on behalf of himself and all others similarly situated, Plaintiff, v. Trinity Operating (USG), LLC, Defendant.	Case No. CIV-25-27-JAR

INITIAL PLAN OF ALLOCATION ORDER

This Initial Plan of Allocation Order sets forth the manner in which the Net Settlement Fund will be administered and distributed to Class Members. The Net Settlement Fund for distribution will be allocated to each Class Member based on the factors and considerations set forth in the Initial Plan of Allocation (Doc. 42-2) and the Settlement Agreement (Doc. 35-1 at 22–24, ¶¶ 6.2–6.3).

INITIAL PLAN OF ALLOCATION

The Net Settlement Fund for distribution will be allocated among individual Class Members based upon the factors set forth in the Declaration of Adam R. W. Farr, CPA (Doc. 42-2), which are consistent with the factors set forth in the Settlement Agreement (Doc. 35-1 at 22–24, ¶¶ 6.2–6.3) and approved by the Court. Pursuant to the Settlement Agreement, the Plan of Allocation reduces the amount available for distribution for estimates of Plaintiff's Attorneys' Fees, Litigation Expenses, Administration, Notice, and Distribution Costs, and a Case Contribution Award, which amounts were ultimately determined by the Court at the Final Fairness Hearing and which will be implemented in the Final Plan of Allocation. See id. at 24–25, ¶¶ 6.3–6.4.

The Court reserves the right to modify this Initial Plan of Allocation Order without further notice to any Class Members who have not entered an appearance. The allocation of the Net Settlement Fund among Class Members and the Allocation Methodology is a matter separate and apart from the proposed Settlement between Class Members and Defendant, and any decision by the Court concerning allocation and distribution of the Net Settlement Fund among Class Members shall not affect the validity or finality of the Settlement or operate to terminate or cancel the Settlement. See SA, Doc. 35-1 at 22, ¶ 6.1.

TIME FOR ALLOCATION AND DISTRIBUTION

The allocation and distribution of the Net Settlement Fund for distribution shall be under the direct supervision of the Court and shall be consistent with the Final Plan of Allocation submitted by Class Counsel and approved by the Court. Furthermore, the timing, manner, and process for any distributions shall be consistent with the timing and process provided for in the Settlement Agreement (Doc. 35-1 at 24–25, ¶ 6.4), which is incorporated herein by reference.

IT IS SO ORDERED this 8th day of October, 2026.

JASON A. ROBERTSON
United States Magistrate Judge
Eastern District of Oklahoma