

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

DONEL DAVIDSON and KEITH CHIN,
Derivatively on Behalf of NEXTERA
ENERGY, INC.,

Plaintiffs,

v.

ERIC E. SILAGY, JAMES L. ROBO,
SHERRY S. BARAT, JAMES L.
CAMAREN, KENNETH B. DUNN, KIRK
S. HACHIGIAN, NAREN K.
GURSAHANEY, AMY B. LANE,
DARRYL L. WILSON, DAVID L.
PORGES, RUDY E. SCHUPP, JOHN L.
SKOLDS, and LYNN M. UTTER,

Defendants,

-and-

NEXTERA ENERGY, INC., a Florida
corporation,

Nominal Defendant.

Case No. 50-2023-CA-012434-XXXX-MB

NOTICE AND SCHEDULING ORDER

WHEREAS, a shareholder derivative action is pending in this Court entitled *Davidson, et al. v. Silagy, et al.*, Case No. 50-2023-CA-012434-XXXX-MB (the “*Davidson Action*”);

WHEREAS, plaintiffs have made an unopposed motion, pursuant to Fla. Stat. Ann. § 607.0745, for an order: (i) approving the form and manner of the Notice of the Settlement; and (ii) scheduling the date and time for the Settlement Hearing;¹

WHEREAS, the Court having read and considered the Stipulation and the exhibits attached thereto; the Stipulation being sufficient to warrant notice to Current NEE Shareholders; and the

¹ Except as otherwise expressly provided below or as the context otherwise requires, all capitalized terms contained herein shall have the same meanings and/or definitions as set forth in the Stipulation.

Settling Shareholders and Defendants (collectively, the “Settling Parties”) having consented to the entry of this Order; and

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. The Court shall hold a hearing (the “Settlement Hearing”) on December 14, 2026, at 3:00 p.m. at the Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, Florida, Courtroom 9C, Judge Daniel T. K. Hurley Courthouse, 205 N. Dixie Hwy., West Palm Beach, Florida 33401, to determine: (i) whether the terms of the Stipulation should be approved as fair, reasonable, and adequate; (ii) whether the Notice fully satisfied the requirements of Fla. Stat. Ann. § 607.0745 and the requirements of due process; (iii) whether all Released Claims against the Released Persons should be fully and finally released; (iv) whether the agreed-to Fee and Expense Amount (including any service awards to be paid solely from the Fee and Expense Amount) should be approved; and (v) such other matters as the Court may deem appropriate. The Settlement Hearing will be in person only, and no remote appearances will be permitted.

2. The Court approves, in form and content, the proposed short-form and long-form Notice and finds that the giving of notice as specified therein meets the requirements, as applicable, of Fla. Stat. Ann. § 607.0745(2), and shall constitute due and sufficient notice to all persons and entities entitled to receive notice. Within twenty-eight (28) calendar days of the entry of this Notice and Scheduling Order, NEE shall file an appropriate affidavit or declaration attesting to compliance with the Notice provisions of this Order.

3. NEE shall, within fourteen (14) calendar days of this Order: (i) file an SEC Form 8-K by the Company, which shall include as attachments the approved Notice itself and the Stipulation along with its exhibits; (ii) publish the Summary Notice one time in *Investor’s Business Daily* or www.Investors.com; and (iii) issue a press release containing the Summary Notice. The

Summary Notice shall include a link to view the foregoing Form 8-K with its attachments. The Company shall pay for all costs associated with this notice program or any other form and manner of notice required by the Court regardless of whether the Settlement is not approved by the Court or the Effective Date otherwise fails to occur. At least one counsel for the Settling Shareholders will also post the Stipulation of Settlement and Summary Notice on their website.

4. All NEE shareholders shall be subject to and bound by the provisions of the Stipulation and the releases contained therein, and by all orders, determinations, and judgments in the *Davidson* Action concerning the Settlement, whether favorable or unfavorable to NEE shareholders.

5. Current NEE Shareholders may appear and show cause, if he, she, or it has any reason why the Settlement embodied in the Stipulation should not be approved as fair, reasonable, and adequate, or why a judgment should or should not be entered thereon, or the Fee and Expense Amount or service awards should not be awarded; provided, however, that no person or entity (other than counsel for the Settling Parties) shall be heard and no papers, briefs, pleadings or other documents submitted by any person or entity shall be considered by the Court unless the procedure set forth in the Notice and herein is followed. Such appearances must be in person at the date, time, and place specified in ¶1 above, and no remote appearances will be permitted.

6. Any objections must be presented in writing and must contain the following information: (i) the objector's name, legal address, and telephone number; (ii) the case name and number (*Davidson, et al. v. Silagy, et al.*, Case No. 50-2023-CA-012434-XXXX-MB); (iii) proof of being a NEE shareholder as of the Record Date, June 11, 2026; (iv) the date(s) the objector acquired his/her NEE shares; (v) a statement of each objection being made; (vi) notice of whether the objector intends to appear at the Settlement Hearing; and (vii) copies of any papers the objector

intends to submit to the Court, along with the names of any witness(es) the objector intends to call to testify at the Settlement Hearing and the subject(s) of their testimony. The Court may not consider any objection that does not substantially comply with these requirements.

7. Any written objection, together with copies of all other papers and briefs supporting the objection, must be mailed to Clerk of the Court, Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, Florida, Judge Daniel T. K. Hurley Courthouse, 205 N. Dixie Hwy., West Palm Beach, Florida 33401, or filed in person at any location of the Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, so that it is filed or postmarked no later than fourteen (14) calendar days prior to the Settlement Hearing. Any written objection, together with copies of all other papers and briefs supporting the objection, must also be served on each of the following Settling Parties' counsel so that they are received on or before fourteen (14) calendar days prior to the Settlement Hearing:

Counsel for Plaintiffs in the *Davidson* Action:

Stephen J. Oddo, Esq.
Robbins LLP
5060 Shoreham Pl., Suite 300
San Diego, CA 92122

Defendants' Counsel:

Daniel J. Kramer
Audra J. Soloway
Joshua J. Hill
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of The Americas
New York, NY 10019

Matthew D. Stachel
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1313 N. Market Street, Suite 806
Wilmington, Delaware 19801

8. Any Person or entity who fails to object or otherwise request to be heard in the manner prescribed above will be deemed to have waived the right to object to any aspect of the Settlement as incorporated in the Stipulation or otherwise request to be heard (including the right to appeal) and will be forever barred from raising such objection or request to be heard in this or any other action or proceeding, and, unless otherwise ordered by the Court, shall be bound by the Judgment to be entered and the releases to be given.

9. Settling Shareholders' Counsel shall file and serve the opening papers in support of the proposed Settlement no later than twenty-eight (28) calendar days prior to the Settlement Hearing; and reply papers, if any, shall be filed and served no later than seven (7) calendar days prior to the Settlement Hearing.

10. Neither this Order nor the Settlement, nor any of the negotiations or proceedings connected with it, shall be construed as an admission or concession by any party of the truth of any of the allegations asserted in the Derivative Matters, or of any liability, fault, or wrongdoing of any kind.

11. All proceedings in the *Davidson* Action are stayed until further order of this Court, except as may be necessary to implement the Settlement or to comply with the terms of the Settlement.

12. Pending the Effective Date of the Settlement or the termination of the Settlement according to its terms, Settling Shareholders shall not commence or prosecute against any of the Released Persons any action or proceeding in any court or tribunal asserting any of the Released Claims.

13. Nothing in this Order shall prevent the Released Persons from filing the Stipulation and/or the Order and Final Judgment in any action that may be brought against them in order to

support a defense or counterclaim based on principles of *res judicata*, collateral estoppel, full faith and credit, release, standing, good-faith settlement, judgment bar or reduction, or any other theory of claim preclusion or issue preclusion or similar defense or counterclaim, and any of the Settling Parties may file the Stipulation and documents executed pursuant and in furtherance thereto in any action to enforce the Settlement.

14. The Court reserves: (i) the right to approve the Settlement, with such modifications as may be agreed to by counsel for the Settling Parties consistent with such Settlement, without further notice to NEE shareholders; and (ii) the right to continue or adjourn the Settlement Hearing from time to time or by oral announcement at the hearing or at any adjournment thereof, without further notice to NEE shareholders.

DONE AND ORDERED in West Palm Beach, Palm Beach County, Florida

 502023CA012434XXXMB 09/22/2026

Carolyn Bell, Circuit Judge
ADMINISTRATIVE OFFICE OF THE COURT

502023CA012434XXXMB 09/22/2026
Carolyn Bell
Circuit Judge