

UNITED STATES DISTRICT COURT  
THE DISTRICT OF MARYLAND

JUDY JIEN, *et al.*,

Plaintiffs,

v.

PERDUE FARMS, INC., *et al.*,

Defendants.

Civil Action No. SAG-19-2521

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENTS  
BETWEEN PLAINTIFFS AND DEFENDANTS CASE FOODS, INC., CASE FARMS,  
LLC, AND MOUNTAIRE FARMS INC., CERTIFICATION OF SETTLEMENT CLASS,  
AND APPOINTMENT OF SETTLEMENT CLASS COUNSEL**

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Plaintiffs Judy Jien, Kieo Jibidi, Elaisa Clement, Glenda Robinson, Emily Earnest, and Kevin West (collectively, Plaintiffs) hereby move for an Order granting preliminary approval of settlements reached between Plaintiffs and the following Defendants: Case Foods, Inc.; Case Farms, LLC; and Mountaire Farms Inc. (collectively, Settling Defendants). The settlement terms are memorialized in written agreements entered into by Case Foods, Inc., and Case Farms, LLC (collectively, Case) and Plaintiffs on February 20, 2024; and by Mountaire Farms, Inc., and Plaintiffs on March 26, 2024.

Plaintiffs respectfully request that the Court:

- (a) Grant preliminary approval of the Settlement Agreements;
- (b) Certify the proposed Settlement Classes;
- (c) Appoint the Named Plaintiffs in this litigation—Judy Jien, Kieo Jibidi, Elaisa

Clement, Glenda Robinson, Emily Earnest, and Kevin West—as class representatives of the Settlement Classes;

(d) Appoint the law firms Hagens Berman Sobol Shapiro LLP, Cohen Milstein Sellers & Toll PLLC, and Handley Farah & Anderson PLLC (collectively serving as Interim Co-Lead Counsel) as Settlement Class Counsel;

(e) Direct Settlement Class Counsel to submit a motion to approve a plan of notice of the Settlement Agreements at an appropriate time, *i.e.*, after Defendants have produced contact information regarding Settlement Class members and prior to Plaintiffs moving for final approval of the Settlement Agreements; and

(f) Grant a stay of all proceedings in this litigation against the Case Released Parties and the Mountaire Released Parties (as defined in the Settlement Agreements) except as necessary to effectuate the Settlement Agreements or as otherwise agreed to by the settling parties.

This motion is made on the grounds that the Settlement Agreements, which provide a total of \$22,000,000 (twenty-two million U.S. dollars) cash payment for the Settlement Class and material cooperation by the Settling Defendants in the litigation against the remaining Defendants, is fair, reasonable, and adequate, thereby satisfying the requirements of Rule 23(e) of the Federal Rules of Civil Procedure. This motion is based on the Settlement Agreements, the memorandum in support of the motion for preliminary approval, and the declaration of Shana E. Scarlett—all of which accompany this motion.

Dated: April 1, 2024

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*Additional Counsel for Plaintiffs and  
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**CERTIFICATE OF SERVICE**

The undersigned attorney of record hereby certifies that on April 1, 2024, a true and correct copy of the foregoing was filed electronically using the Court's CM/ECF system which will cause notice and a copy of this filing will be served upon all counsel of record.

Dated: April 1, 2024

/s/ Shana E. Scarlett  
SHANA E. SCARLETT