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**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

JUDY JIEN, et al.,

Plaintiffs,

v.

PERDUE FARMS, INC., et al.,

Defendants.

Case No. 1:19-cv-02521-SAG

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL
OF SETTLEMENT WITH PERDUE FARMS, INC. AND PERDUE FOODS, LLC,
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 the settlements reached between Plaintiffs and Defendants Perdue Farms, Inc. and Perdue Foods, LLC (“Settling Defendant” or “Perdue”). The settlement terms are memorialized in a written agreement entered into by Perdue and Plaintiffs on October 31, 2022 (“Settlement Agreement”).

Plaintiffs respectfully request that the Court:

- a) Grant preliminary approval of the Settlement Agreement;
- b) Certify the proposed Settlement Class;
- 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 Class;
- d) Appoint the law firms Handley Farah & Anderson PLLC, Cohen Milstein Sellers & Toll, PLLC, and Hagens Berman Sobol Shapiro LLP (which currently serve 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 Agreement 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 Agreement; and
- f) Grant a stay of all proceedings in this litigation against the Released Parties (as defined in the Settlement Agreement) except as necessary to effectuate the Settlement Agreement or as otherwise agreed to by the settling parties.

This motion is made on the grounds that the Settlement Agreement, which provide a total of \$60,650,000 (sixty million, six hundred fifty thousand U.S. dollars) cash payment for the Settlement Class and material cooperation by the Settling Defendant in the litigation against the remaining Defendants, are 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 Agreement; the Memorandum in Support of Motion for Preliminary Approval of Settlement with Perdue Farms, Inc., Certification of Settlement Class, and Appointment of Settlement Class Counsel; and the Declaration of Brent W. Johnson (all of which accompany this motion).

Dated: March 14, 2023

Respectfully submitted,

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*Interim Co-Lead Counsel for Plaintiffs and the
Proposed Settlement Class*

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice to counsel for all parties that have appeared in this case.

/s/ Brent W. Johnson