

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE FAIRLIFE MILK PRODUCTS
MARKETING AND SALES PRACTICES
LITIGATION**

MDL No. 2909

Master Case No. 19-cv-3924

Judge Robert M. Dow, Jr.

This Document Relates To:

ALL CASES

PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

Pursuant to Federal Rule of Civil Procedure 23(e)(2), Plaintiffs respectfully seek the Court's final approval of a \$21-million non-reversionary class action Settlement¹ to resolve the above-captioned multidistrict litigation. Under the Settlement, Claimants are eligible to receive up to \$20 for claims without Valid Proof of Purchase, and up to \$80 for claims with Valid Proof of Purchase, for a total of \$100 in possible relief, subject to *pro rata* increases or decreases depending on the number of claims filed. The Settlement also includes meaningful injunctive relief, and none of the \$21 million Settlement Fund will be used to fund the injunctive relief.

Plaintiffs believe that the Settlement is an excellent result for the Class, and that it provides fair, adequate, and reasonable relief to resolve this Litigation. They respectfully request that the Court enter the proposed Order granting final approval of the Settlement.

¹ All capitalized terms herein have the same meaning as defined in the Settlement Agreement (ECF No. 153-1).

Dated: July 21, 2022

Respectfully submitted,

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SIGNATURE ATTESTATION

Pursuant to the United States District Court for the Northern District of Illinois' General Order on Electronic Case Filing, General Order 16-0020(IX)(C)(2), I hereby certify that authorization for the filing of this document has been obtained from the signatories shown above and that each signatory concurs in the filing's content.

/s/ Amy E. Keller

Amy E. Keller

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed using this Court's CM/ECF service, which will send notification of such filing to all counsel of record this 21st day of July 2022.

/s/ Amy E. Keller

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NORTHERN DISTRICT OF ILLINOIS
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**PLAINTIFFS' MEMORANDUM OF LAW IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

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I. INTRODUCTION¹

On April 22, 2022, the Court preliminarily approved a \$21 million, non-reversionary cash Settlement² with Defendants The Coca-Cola Company, fairlife, LLC, Fair Oaks Farms, LLC, Mike McCloskey and Sue McCloskey, and Select Milk Producers, Inc (collectively, “Defendants”), which would resolve the pending claims in this multidistrict case. Beyond providing cash to Settlement Class Members, the Parties also negotiated meaningful injunctive relief that goes to the heart of the claims in the Litigation for the benefit of members of the Settlement Class. *See* Settlement Agreement, ECF No. 153-1.

In its Preliminary Approval Order, the Court found that the Settlement fell within the range of reasonableness and ordered Class Notice to begin. *See* Preliminary Approval Order, Apr. 27, 2022, ECF No. 163 (hereinafter referred to as “Preliminary Approval Order”) at 4, 7. Class Counsel³ and Epiq Class Action & Claims Solutions, Inc., the Court-appointed Claims Administrator (*id.* at 7), have executed the Class Notice in accordance with the Court’s Preliminary

¹ Plaintiffs have filed an unopposed motion for leave to file excess pages, seeking leave to file memoranda in support of their Motion for Final Approval of the Class Action Settlement and Petition for Attorneys’ Fees and Costs, and Service Awards of up to 25 pages, each. ECF No. 169. The Court has yet to rule on the motion. Plaintiffs are prepared to file shorter memoranda for final approval and their fee application in the event the Court denies this motion.

² All capitalized terms herein have the same meaning as defined in the Settlement Agreement. The term “Class” or “Settlement Class” is consistent with the definition of the term in the Court’s Preliminary Approval Order: “All Persons in the United States, its territories, and the District of Columbia who purchased, for personal use and not for resale, any Covered Product on or before the Preliminary Approval Date [April 27, 2022]. Excluded from the Settlement Class are the following persons: i. Defendants and their respective subsidiaries and affiliates, members, employees, officers, directors, agents, and representatives and their family members; ii. Class Counsel; iii. The judges who have presided over the Litigation; iv. Local, municipal, state, and federal government agencies; and v. All persons who have timely elected to become Opt-Outs from the Settlement Class in accordance with the Court’s Orders.”

³ Class Counsel are Amy E. Keller (DiCello Levitt Gutzler LLC), Michael R. Reese (Reese LLP), and Melissa S. Weiner (Pearson, Simon & Warshaw, LLP). *See* Preliminary Approval Order at 6-7.

Approval Order. *See* Joint Declaration of Class Counsel in support of Plaintiffs’ Motion for Final Approval of Class Action Settlement (“Final Approval Decl.”) (attached hereto as Exhibit 1), ¶ 11. The notice process has confirmed that the Settlement is fair, reasonable, and adequate, and should be granted final approval by the Court: the reaction of the Settlement Class members has been uniformly positive, and, with months remaining before the December 27, 2022 deadline to file a claim, *over 321,000* potential Settlement Class Members have filed claims to receive a portion of the proceeds from the Settlements. *See* Declaration of Cameron R. Azari, Esq., On Implementation of Class Notice Program and Class Notice (“Azari Decl.”) (attached hereto as Exhibit 2), ¶ 33. Although the Settlement Class Members can file objections or opt-out requests until August 25, 2022, to date, no objections have been filed and only five unaudited exclusion requests have been received. *See* Preliminary Approval Order at 13; Azari Decl. ¶ 35. Therefore, the initial reaction to the Settlement is extremely favorable.

Although the Court-approved claims process is ongoing, it is clear that the Settlement represents an outstanding result for the Class and warrants final approval. Plaintiffs therefore respectfully request that the Court enter the Final Order and Judgment and award Plaintiffs Attorneys’ Fees and Costs and the Service Awards.

II. LITIGATION BACKGROUND

While Class Counsel’s investigations into animal welfare have been ongoing for years, in June 2019, Animal Recovery Mission, an animal rights organization, released video footage purporting to show abuse of dairy cows which produced fairlife Milk Products at the “flagship” location of Fair Oaks Farms. *See* Class Counsel’s Declaration in Support of Plaintiffs’ Motion for Preliminary Approval of Settlement, ECF No. 153-2 (“Preliminary Approval Decl.”), ¶¶ 3-4. Soon thereafter, a number of lawsuits were filed against Defendants in various federal courts throughout the country alleging, generally, that Defendants’ purportedly false and deceptive marketing

practices regarding the humane treatment of their cows induced Plaintiffs to pay a premium for Defendants' Milk Products, and thereby caused them harm. *Id.* ¶ 3. After eight putative class actions were transferred to this District by the Judicial Panel on Multidistrict Litigation ("JPML"), this Court appointed Amy E. Keller of DiCello Levitt Gutzler LLC; Melissa S. Weiner of Pearson, Simon & Warshaw, LLP; and, Michael R. Reese of Reese LLP as Co-Lead Interim Counsel on behalf of the putative classes. *Id.* ¶¶ 6-7. On June 25, 2020, Co-Lead Interim Counsel filed (i) a Consolidated Class Action Complaint on behalf of all actions then-transferred into the MDL; and (ii) a Class Action Complaint, on behalf of certain new Plaintiffs, denominated as a related case to the Litigation, and captioned *Cantwell et al. v. The Coca-Cola Company et al.*, Case No. 1:20-cv-03739 (N.D. Ill.). *Id.* ¶ 7; ECF No. 100.⁴

Rather than spend months—and potentially years—in litigation that may or may not have resulted in a trial, and which would have likely led to appeals, the Parties decided to engage in settlement discussions. The Court, in support of the Parties' shared interest in exploring settlement discussions with an esteemed mediator who previously served as a federal judge for the Northern District of Illinois, provided Defendants with several extensions to respond to the Consolidated Complaint. Ultimately, the Parties reached agreement on terms for the terms of relief for the Class that led to the Settlement now before the Court. *See id.* ¶ 10.

III. SUMMARY OF THE SETTLEMENT NEGOTIATIONS AND TERMS

A. Settlement Negotiations

The Parties engaged in intense, hard-fought settlement discussions and negotiations for over two years, during which they participated in four, full-day mediation sessions conducted by

⁴ A separate, ninth class action was filed by Plaintiff Paula Honeycutt on March 12, 2020, against Fair Oaks Farms, which was later transferred to this Court by the JPML and will also be resolved as part of the Settlement. Preliminary Approval Decl. ¶ 8.

the Honorable Wayne R. Andersen (Ret.), a skilled mediator with extensive experience mediating and resolving complex class action lawsuits like this Litigation. *Id.* ¶¶ 5, 11-14. In addition to the full-day mediation sessions on October 28, 2020, November 20, 2020, June 3, 2021, and July 8, 2021, the parties participated in dozens of conference calls between each session and solicited the assistance of Judge Andersen throughout the entirety of the settlement process as the Parties encountered significant impediments to resolution of the many features of the Settlement. *Id.* ¶¶ 12-14. In support of these discussions, the Parties exchanged various written discovery requests, produced voluminous documents in response on several occasions, submitted multiple rounds of mediation briefs to Judge Andersen in advance of each mediation session, and exchanged a multitude of settlement positions, proposals, counterproposals, correspondence (including numerous rounds of letters and emails), and settlement demands through Judge Andersen. *Id.* ¶ 13

While the Parties made progress during each respective mediation, the Settlement was not reached until just before the filing of the motion for preliminary approval. *Id.* ¶ 14. Pursuant to the terms of the Settlement achieved by Class Counsel based upon the significant assistance of Judge Andersen, Defendants agree to: (i) pay \$21 million into a non-reversionary common fund that would be used to pay all timely and valid claims made by Settlement Class Members, Service Awards to the Class Representatives, Plaintiffs' Attorneys' Fees and Costs, and the costs of Notice and Administration; and (ii) provide significant injunctive relief. *Id.* ¶¶ 15-16.

B. Settlement Terms

1. Monetary Relief

Defendants have agreed to pay \$21,000,000.00 to create a non-reversionary Settlement Fund for the benefit of Settlement Class Members to receive Cash Awards for filing Valid Claims (per the Plan of Allocation described below). Settlement Agreement, ECF 153-1 (hereinafter "Settlement Agreement") §§ I(73), IV(1), IV(3)(a)-(b). Cash Awards will be determined following

the proposed notice and claims process and after the deduction of settlement-related costs, including the expenses of the Claims Administrator and Notice and Administrative Costs, Attorneys' Fees and Costs, and Service Awards to be determined by this Court.⁵ *Id.* § V.

Subject to certain caps and *pro rata* increases or decreases, Claimants will receive 25% of the purchase price for the Covered Products, which—based upon the experience of Class Counsel and compared to other products available on the market—is the full amount (or 100%) of the alleged calculated price premium consumers paid for the Products based upon the allegedly false and misleading Animal Welfare Promises. *See* Amended Class Action Complaint, ¶ 143. Claimants will be eligible to receive up to \$20 for claims without Valid Proof of Purchase, and up to \$80 for claims with Valid Proof of Purchase, for a total of \$100 possible relief. Settlement Agreement § IV(3)(b). Claims will be subject to a *pro rata* adjustment—upward or downward—depending upon the number of Valid Claims filed. *Id.* § V(3). Class Counsel estimates that, given the amount available to Claimants combined with any *pro rata* adjustment, the Settlement Fund will be exhausted. Final Approval Decl. ¶ 13; *see also* Azari Decl. ¶ 39.⁶

⁵ Class Counsel's Petition for an Award of Attorneys' Fees and Costs, and Service Awards is filed concurrently with this Motion.

⁶ The Parties have negotiated potential *cy pres* recipients, subject to Court approval, including the U.S. Dairy Education & Training Consortium and the Center for Food Safety, which were selected by the Parties after researching the core work of the organizations and conducting multiple interviews of their representatives. Both organizations' work is nationwide in scope and furthers the legitimate objectives underlying the Litigation. The U.S. Dairy Education & Training Consortium is dedicated to providing model dairy management training—framed through the lens of animal welfare, humane treatment of dairy cows, and environmental issues—to the next generation of dairy managers and owners. *See* Declaration of Dr. Robert Hagevoort, attached hereto as Exhibit 3. The Center for Food Safety ("CFS") is a public interest organization focused on transparency in the food system and protecting the public's right to know. CFS is a public interest leader in important food labeling arenas and campaigns, including ensuring accuracy in food labeling. *See* Declaration of Rebecca Spector, attached hereto as Exhibit 4. Because Epiq anticipates that the Settlement Fund will be exhausted, it is more likely than not that the proposed *cy pres* recipients will only receive money if Settlement Class Members request checks and those checks are not negotiated. Settlement Agreement ¶ I.26.

2. Injunctive Relief

Plaintiffs allege that Defendants’ marketing and labels (“Brand Promises”) were important to them when they purchased the Milk Products, and that they paid a price premium for the Milk Products based upon the Brand Promises. Preliminary Approval Decl. ¶ 3. Given the importance of the Brand Promises to the issues in this Litigation, Class Counsel worked on what measures should be taken to ensure that the dairy cows which produce Defendants’ Milk Products are treated humanely. *Id.* ¶¶ 4, 22. Class Counsel negotiated incredibly hard-fought injunctive relief that would create a monitoring and compliance program, aimed at ensuring their cows receive humane treatment.⁷ *Id.* ¶ 22. This is significant relief—the value of which is not at all included in the Settlement Fund—that provides additional relief to the Settlement Class Members and consuming public.

IV. THE SETTLEMENT SATISFIES THE STANDARD FOR FINAL APPROVAL

There is an overriding public interest in settling litigation, and this is particularly true in class actions. *See Isby v. Bayh*, 75 F.3d 1191, 1196 (7th Cir. 1996)⁸ (“Federal courts naturally favor the settlement of class action litigation.”); *E.E.O.C. v. Hiram Walker & Sons, Inc.*, 768 F.2d 884, 888-89 (7th Cir. 1985), *cert. denied*, 478 U.S. 1004 (1986) (noting that there is a general

⁷ Pursuant to Section VI.3 of the Settlement Agreement, Validus Verification Services will serve as Auditor in accordance with the terms of the Settlement Agreement and the Stipulated Injunction. The costs of the audits, including all auditor fees and expenses, shall be borne by Defendants and shall not be paid from the Settlement Amount. Further, pursuant to Section VII of the Settlement Agreement, the Honorable Wayne R. Andersen (Ret.), who also served as the Mediator, shall be appointed as the independent third party to serve as the Court-appointed Monitor to monitor compliance with the Stipulated Injunction. The costs of the Monitor, including all Monitor fees and expenses, shall be borne by Defendants and shall not be paid from the Settlement Amount.

⁸ As with Plaintiffs’ prior briefs filed with this Court, although Federal Rule of Civil Procedure 23 was amended in 2018, Plaintiffs have cited to pre-amendment cases to the extent they were consistent with amended Rule 23.

policy favoring voluntary settlements of class action disputes); *Armstrong v. Bd. of Sch. Dirs. of City of Milwaukee*, 616 F.2d 305, 312 (7th Cir. 1980) (“It is axiomatic that the federal courts look with great favor upon the voluntary resolution of litigation through settlement.”), *overruled on other grounds*, *Felzen v. Andreas*, 134 F.3d 873 (7th Cir. 1998). Class action settlements minimize the litigation expenses of the parties and reduce the strain such litigation imposes upon already scarce judicial resources. *Armstrong*, 616 F.2d at 313. However, a class action may be settled only with court approval. Fed. R. Civ. P. 23(e).

Any dismissal, compromise, or settlement of a class action is subject to court approval. Rule 23 jurisprudence has led to a defined procedure and specific criteria for class action settlement approval, namely: certification of a settlement class and preliminary approval of the proposed settlement; dissemination of notice of the settlement to all affected class members, including an opportunity to object to the proposed settlement; and a fairness hearing at which class members may be heard regarding the settlement, and counsel may present evidence and argument concerning the fairness, adequacy, and reasonableness of the settlement. *See* 4 Newberg on Class Actions, §§ 13:39, *et seq.*, Final Judicial Approval of Proposed Class Action Settlements (5th ed.). This procedure safeguards class members’ due process rights and enables the Court to fulfill its role as the guardian of class interests. *See id.*

A. The Settlement Class Meets the Requirements of Rule 23, and Should be Certified

Certification of a settlement class must satisfy each requirement set forth in Rule 23(a), as well as at least one of the separate provisions of Rule 23(b). *See, e.g., Amchem Prods., Inc. v. Windsor*, 521 U.S. 591, 613-14 (1997). Rule 23(a) requires that (1) the proposed settlement class is so numerous that joinder of all individual class members is impracticable (numerosity); (2) there are questions of law or fact common to the proposed settlement class (commonality); (3) Plaintiffs’

claims are typical of those of the Class (typicality); and (4) Plaintiffs and Class Counsel will adequately protect the interests of the Class (adequacy). Fed. R. Civ. P. 23(a)(1)-(4); *In re AT & T Mobility Wireless Data Servs. Sales Litig.*, 270 F.R.D. 330, 344 (N.D. Ill. 2010). Once Rule 23(a)'s four prerequisites are met, Plaintiffs must show that—for purposes of a settlement providing cash relief—the proposed Settlement Class satisfies Rule 23(b)(3) by showing that “questions of law or fact common to class members predominate over any questions affecting only individual members, and that a class action is superior to other available methods for fairly and efficiently adjudicating the controversy.” As to predominance, “[c]onsiderable overlap exists between the court’s determination of commonality and a finding of predominance. A finding of commonality will likely satisfy a finding of predominance because, like commonality, predominance is found where there exists a common nucleus of operative facts.” *Saltzman v. Pella Corp.*, 257 F.R.D. 471, 484 (N.D. Ill. 2009).

As more fully set forth in Plaintiffs Motion for Preliminary Approval (ECF No. 153, Section III) and as acknowledged by the Court in granting that motion (ECF No. 163, ¶¶ 12-20), Plaintiffs and the Settlement Class satisfy the requirements of Rule 23 for certification as follows:

Rule 23(a)(1), Numerosity. Rule 23(a)(1) provides that the class be so “numerous that joinder of all members is impracticable.” Fed. R. Civ. P. 23(a)(1). Plaintiffs allege that Defendants sold millions of units of the Covered Products to Settlement Class Members throughout the United States, and the Parties believe that there are millions of Settlement Class Members, which greatly exceeds the threshold requirement for numerosity in the Seventh Circuit. *Cox v. Joe Rizza Ford, Inc.*, No. 94-5688, 1996 WL 65994, at *8 (N.D. Ill. Feb. 9, 1996) (“Courts have granted class certification to groups of less than thirty”); *see also McCabe v. Crawford & Co.*, 210 F.R.D. 631,

643 (N.D. Ill. 2002) (“Courts have [] found the numerosity requirement satisfied where the putative class would number less than forty individuals”).

Rule 23(a)(2), Commonality. Rule 23(a)(2) requires that there be “questions of law or fact common to the class.” “Commonality requires the plaintiff to demonstrate that the class members ‘have suffered the same injury,’” and that the claims arising from that injury depend on a “common contention . . . of such a nature that it is capable of classwide resolution.” *Wal-Mart Stores, Inc. v. Dukes*, 564 U.S. 338, 359 (2011). Here, all Settlement Class Members purchased Covered Products that were allegedly falsely advertised, mislabeled, and/or sold based upon Defendants’ false and deceptive representations and warranties and omitted material information about the Covered Products or the manner in which the Covered Products were produced and, thus, suffered the same alleged injury. Central questions of fact and law common to all Settlement Class Members include: (1) whether Defendants misrepresented or failed to disclose the subject practices with respect to the purported animal welfare representations associated with the Covered Products; (2) whether Defendants had a duty to disclose the material facts to Plaintiffs and the Members of the Settlement Class; and (3) whether Defendants’ purported conduct constituted a breach of warranty. With more than one common question capable of class-wide resolution, the Settlement Class satisfies Rule 23(a)(2).

Rule 23(a)(3), Typicality. Rule 23(a)(3) requires that the class representatives’ claims be “typical” of class members’ claims. Plaintiffs’ claims are typical of the claims of other Class members, because Plaintiffs and all Class members claim injury resulting from the same alleged misconduct.

Rule 23(a)(4), Adequacy. Rule 23(a)(4) requires that, for a case to proceed as a class action, the court must find that “the representative parties will fairly and adequately protect the interests

of the class.” First, the interests of the Settlement Class Members are aligned with those of the representative Plaintiffs. Plaintiffs, like all Settlement Class Members, share an overriding interest in obtaining the largest possible monetary recovery. Second, Class Counsel are qualified, experienced, and thoroughly familiar with consumer food and beverage class action litigation, and they have diligently represented the interests of the Class throughout this litigation and will continue to do so.

Rule 23(b)(3), Predominance and Superiority. Plaintiffs must show that—for purposes of a settlement providing cash relief—the proposed Settlement Class satisfies Rule 23(b)(3) by showing that “questions of law or fact common to class members predominate over any questions affecting only individual members, and that a class action is superior to other available methods for fairly and efficiently adjudicating the controversy.” *Bell v. PNC Bank, Nat. Ass’n*, 800 F.3d 360, 376 (7th Cir. 2015). This requirement “tests whether proposed classes are sufficiently cohesive to warrant adjudication by representation.” *Barnes v. Air Line Pilots Ass’n, Int’l*, 310 F.R.D. 551, 560 (N.D. Ill. 2015). As to predominance, Plaintiffs allege numerous common issues. Central to these common issues are Defendants’ alleged uniform misrepresentations regarding the fairlife Milk Products, as demonstrated through their advertising and marketing practices. Every Settlement Class Member was exposed to the same type of alleged misrepresentations on the labels of every Milk Product, which Plaintiffs allege would cause reasonable consumers to believe that Defendants were able to verify that their Brand Promises about the humane treatment of dairy cows were correct. Thus, the alleged misrepresentations derive from a common nucleus of operative fact and thus predominate over any individualized issues. Further, as to superiority, the alleged damages suffered by Plaintiffs and other Settlement Class Members are relatively small compared to the burden and expense that would be required to individually litigate their claims

against Defendants. Even if Settlement Class Members could afford individual litigation, it would create a potential for inconsistent or contradictory rulings and judgments and increase the delay and expense to all parties and the court system. Class resolution is thus superior to alternative methods of resolution.

Thus, Plaintiffs have met the requirements of Rule 23 and respectfully request that the Court certify the Settlement Class.

B. The Settlement Is Fair, Reasonable, and Adequate, and Should Be Granted Final Approval

Evaluation and approval of a class action settlement are committed to the sound discretion of the court. *See Isby*, 75 F.3d at 1197. The proper focus “is upon ‘the general principles governing approval of class action settlements’ and not upon the ‘substantive law governing the claims asserted in the litigation.’” *Id.* (quoting *Armstrong*, 616 F.2d at 315). As part of the court having wide latitude in making its determination, there is “no requirement that an evidentiary hearing be conducted as a precondition to approving a settlement in a class action suit.” *Depoister v. Mary M. Holloway Found.*, 36 F.3d 582, 586 (7th Cir. 1994).

To evaluate the fairness of a settlement, a court must consider “the strength of plaintiffs’ case compared to the amount of defendants’ settlement offer, an assessment of the likely complexity, length and expense of the litigation, an evaluation of the amount of opposition to settlement among affected parties, the opinion of competent counsel, and the stage of the proceedings and the amount of discovery completed at the time of settlement.” *Schulte v. Fifth Third Bank*, 805 F. Supp. 2d 560, 578 (N.D. Ill. 2011) (quoting *Synfuel Techs., Inc. v. DHL Express (USA), Inc.*, 463 F.3d 646, 653 (7th Cir. 2006) and *Isby*, 75 F.3d at 1199); *Wong v. Accretive Health, Inc.*, 773 F.3d 859, 863 (7th Cir. 2014) (quoting *Gautreaux v. Pierce*, 690 F.2d 616, 631 (7th Cir. 1982)).

There is an initial presumption that a proposed class action settlement is fair, reasonable and adequate when the settlement was the result of arm's-length negotiations. *See* 4 Newberg on Class Actions, § 13:43 Presumptions governing approval process—Generally (5th ed.); *Great Neck Cap. Appreciation Inv. P'ship, L.P. v. PriceWaterhouseCoopers, L.L.P.*, 212 F.R.D. 400, 410 (E.D. Wis. 2002).

The Court already found that a number of these factors were satisfied in granting preliminary approval of the Settlement (*see generally* Preliminary Approval Order), but at that time, Settlement Class Members, themselves, had yet to weigh in. Now that Settlement Class Members have received notice and an opportunity to be heard, it is apparent that their reaction is extremely favorable (*see* Section **Error! Reference source not found.** *infra*). Thus, each of these factors support granting final approval to the Settlement, which was the product of extensive arm's-length negotiations.

1. The Settlement Provides a Substantial Recovery to the Settlement Class

The monetary consideration from the Settlement (*i.e.*, “the amount of defendants’ settlement offer” (*Isby*, 75 F.3d at 1199)) is significant—\$21,000,000—and both the monetary relief and separately funded and meaningful injunctive relief provide considerable benefits to the Class. *See* Section 1.B, *supra*; *Wong*, 773 F.3d at 863; *see also In re AT & T Mobility Wireless Data Servs. Sales Litig.*, 270 F.R.D. at 346.

2. The Settlement Eliminates Significant Risk to a Class Facing Complex, Lengthy and Expensive Litigation

While Plaintiffs believe their case is strong, the Settlement eliminates significant risks they would face if the action were to proceed against Defendants, including the complexity, length, and expense of this type of litigation. The Settlement Fund and accompanying injunctive relief provide significant benefits to the Settlement Class Members, particularly given the risks posed by

continued litigation. If the case had continued many years into the future, Class Counsel would have been unable to negotiate the immediate monetary and injunctive relief important to the Class Representatives and the Class that directly relates to Defendants’ animal welfare promises. Additionally, the uncertainty in determining damages, as well as any appeals, may have resulted in the litigation proceeding for a decade or more with no payment to Settlement Class Members. Accordingly, the Settlement allows Settlement Class Members to “realize immediate and future benefits” of the lawsuit upon settlement approval. *Schulte*, 805 F. Supp. 2d at 586. The Parties similarly bypassed “the inherent risk, complexity, time, and cost associated with continued litigation” by settling the matter, especially when faced with the potential of litigating hotly contested motions for dismissal, class certification, summary judgment, trial, and appeal—in addition to the costs and inevitable disputes associated with discovery practice. *Id.*

Therefore, the complexity, length, and expense of further litigation, which the Settlement mitigates, also favor final approval. *See Larsen v. Trader Joe’s Co.*, No. 11-cv-05188-WHO, 2014 WL 3404531, at *4 (N.D. Cal. July 11, 2014) (“Avoiding such unnecessary and unwarranted expenditure of resources and time would benefit all parties, as well as conserve judicial resourcesAccordingly, the high risk, expense, and complex nature of the case weigh in favor of approving the settlement.”) (cited authority omitted); *In re Lawnmower Engine Horsepower Mktg. & Sales Pracs. Litig.*, 733 F. Supp. 2d 997, 1008 (E.D. Wis. 2010) (“The ‘complexity, length and expense of further litigation’ factor strongly favors this settlement....”).

3. The Reaction of the Class

To date, no objections to the Settlement and only five unaudited exclusion requests have been received. Azari Decl. ¶ 35. The unanimous and positive reaction of Class members thus far to the Settlement supports final approval, however the claims process is ongoing. The date to opt-out and/or object (August 25, 2022) has not yet passed. Preliminary Approval Order at 13. Class

Counsel will provide a more comprehensive report to the Court in advance of the Fairness Hearing (September 28, 2022) regarding the reaction of the Class.

4. The Settlement Resulted from Hard-Fought Arm’s-Length Negotiations and Experienced Counsel Recommend Approval

The fact that the Settlement is the product of arm’s-length negotiations strongly supports a presumption that the Settlement is fair, reasonable and adequate. *See* 4 Newberg on Class Actions, § 13:43 Presumptions governing approval process—Generally (5th ed.); *Great Neck*, 212 F.R.D. at, 410; *see also Rodriguez v. West Publ’g Corp.*, 563 F.3d 948, 965 (9th Cir. 2009) (“We put a good deal of stock in the product of an arms-length, non-collusive, negotiated resolution.”).

As detailed in this Motion and supporting declarations, the Settlement was the product of extensive arm’s-length negotiations that took place over many months with the assistance of Judge Andersen. *See, e.g., In re Navistar MaxxForce Engines Mktg., Sales Pracs. & Prod. Liab. Litig.*, No. 14-cv-10318, 2020 WL 2477955, at *3 (N.D. Ill. Jan. 21, 2020) (finding settlement is the result of “extended, arm’s length negotiations . . . with the aid of respected class action mediator Judge Wayne Andersen (Ret.)”); *see also* Section III, *supra*; Final Approval Decl. ¶¶ 6-9. These protracted arm’s-length settlement negotiations support approval of the Settlement by demonstrating it is free from collusion. *See, e.g., In re Linerboard Antitrust Litig.*, 292 F. Supp. 2d 631, 640 (E.D. Pa. 2003). Moreover, the fact that the negotiations occurred over an extended time, and were supported by substantial settlement discovery, indicate that all parties were well-informed and that Plaintiffs worked to achieve the best possible result on behalf of the Settlement Class. *Id.*

Moreover, it is well established that the judgment and opinion of experienced and competent counsel should be taken into account when assessing whether a settlement is fair, reasonable and adequate. “The recommendations of plaintiffs’ counsel should be given a

presumption of reasonableness.” *In re Cathode Ray Tube (CRT) Antitrust Litig.*, No. 14-CV-2058-JST, 2015 WL 9266493, at *6 (N.D. Cal. Dec. 17, 2015) (quoting *In re Omnivision Techs., Inc.*, 559 F. Supp. 2d 1036, 1042 (N.D. Cal. 2008)); *see also Kleen Prod. LLC v. Int’l Paper Co.*, No. 1:10-CV-05711, 2017 WL 5247928, at *3 (N.D. Ill. Oct. 17, 2017) (“The Settlement was negotiated by highly skilled and experienced antitrust and class action lawyers, who have held leadership positions in some of the largest class actions around the country.”). Therefore, the endorsement of the Settlement by Class Counsel for the Settlement Class (which the Court knows to have handled numerous similar class actions), is yet another factor that supports final approval.

5. The Stage of the Proceedings and Amount of Discovery Supports Final Approval

While this case has been pending for some time, the stage of the case strongly supports granting final approval to the Settlement. Namely, Plaintiffs participated in hard-fought negotiations only after the production of meaningful discovery by Defendants, including information related to farm policies and procedures, detailed sales data and analysis, comprehensive marketing and labeling information, and complex insurance and indemnification matters. Final Approval Decl. ¶ 7. This relief Plaintiffs were able to obtain prior to briefing on Rule 12(b)(6) motions to dismiss; class certification; motions for summary judgment and summary adjudication, and trial on the merits is significant. However, while Plaintiffs are confident in their case, each of these important hurdles present time, expense, and risk, which supports the security offered by the very significant \$21,000,000 in settlement proceeds and injunctive relief provided by the Settlement.

Class Counsel navigated complex corporate liability issues in evaluating the likelihood of protracted litigation (which would have delayed the implementation of the injunctive relief and payment to Settlement Class Members) and thoughtfully considered the strength of Plaintiffs’

claims and Defendants’ defenses. Class Counsel are confident in the substantial benefits that the Settlement will provide to the Settlement Class weighed against the risk in proceeding to trial. Final Approval Decl. ¶ 14. *See, e.g., Kolinek v. Walgreen Co.*, 311 F.R.D. 483, 494 (N.D. Ill. 2015); *Schulte*, 805 F. Supp. 2d at 582 (“While Plaintiffs maintain that their claims would ultimately succeed, the above discussion establishes that Fifth Third has a number of potentially meritorious defenses. Absent settlement, Class Members would face the real risk that they would win little or no recovery.”); *Gehrich v. Chase Bank USA, N.A.*, 316 F.R.D. 215, 229 (N.D. Ill. 2016) (“In light of Chase’s potential defenses, the legal uncertainty concerning the application of the TCPA, and the time and expense inherent to litigation, proceeding to trial, and obtaining relief posed risks to Plaintiffs, and a possibility existed that they would have recovered nothing.”).

Moreover, the amount of discovery and the investigation performed before the Settlement was entered into ensured that Plaintiffs and their counsel made informed decisions to approve and recommend the Settlement to the Class and the Court. As set forth herein, the Settlement was entered into after Plaintiffs had the opportunity to review the most critical documents that go to the heart of the issues in this case—namely the policies and procedures at the farms, the affected labeling and marketing of the Milk Products, and the detailed sales data relating to the retail sales of the Milk Products. *See* Final Approval Decl. ¶ 7. Therefore, the procedural posture and status of the case supports granting final approval to the Settlement.

C. The Court-Approved Notice Program Satisfies Due Process and Has Been Fully Implemented

The Court-approved notice plan related to the Settlement has been successfully implemented and Settlement Class Members have been notified of the Settlement. When a proposed class action settlement is presented for court approval, the Federal Rules require “the best notice that is practicable under the circumstances,” and that certain specifically identified

items in the notice be “clearly and concisely state in plain, easily understood language.” Fed. R. Civ. P. 23(c)(2)(B). A settlement notice is a summary, not a complete source, of information. *See, e.g., Petrovic v. Amoco Oil Co.*, 200 F.3d 1140, 1153 (8th Cir. 1999); *In re “Agent Orange” Prod. Liab. Litig.*, 818 F.2d 145, 170 (2d Cir. 1987), *cert. denied*, 484 U.S. 1004 (1988); *Mangone v. First USA Bank*, 206 F.R.D. 222, 233 (S.D. Ill. 2001).

The notice plan here far exceeds the minimum due process requirements under Rule 23(c)(2)(B) and the Constitution. Specifically, Class Counsel, Defense Counsel and the Claims Administrator designed the proposed Notice that sends direct notice to those with whom Defendants have communicated via email and U.S. Mail and through a digital/internet notice program (consumer print publication, digital notice, and/or social media) using best practices to enhance reach to the Settlement Class Members. Azari Decl. ¶¶ 7-9. Additionally, in order to ensure the notice plan was effectively reaching Settlement Class Members and resulting in conversion of claims, Class Counsel and Defense Counsel agreed to review the claims submissions twenty-one days after the Published Notice commenced. *See* Settlement Agreement § XI.9(b). The Parties met and conferred with the Claims Administrator regarding the projected claims submission, the actual claims received to date, and the Claims Administrator’s recommendations with regard to ensuring the Settlement Fund is exhausted. The Parties have agreed to implement claims stimulation efforts—only as needed—if the Settlement Fund is not projected to be exhausted absent a *pro rata* increase. Azari Decl. ¶ 34. Any claims stimulation effort will be designed to maximize participation in the Settlement by Settlement Class Members using a combination of reminder noticing via individual notice and media and the projected receipt of claims will significantly outweigh any added cost. *Id.*

The Notice Plan approved by this Court (*see* Preliminary Approval Order at 7-11) is commonly used in class actions like this one. *See City of Greenville v. Syngenta Crop Prot., Inc.*, No. 3:10-CV-188, 2012 WL 1948153, at *4 (S.D. Ill. May 30, 2012); Fed. R. Civ. P. 23(c)(2)(B); Advisory Committee Notes to 2018 Amendments to Rule 23(c)(2). It constitutes valid, due, and sufficient notice to class members, and is the best notice practicable under the circumstances. The content of the Court-approved notice complies with the requirements of Rule 23(c)(2)(B). The forms of notice clearly and concisely explained in plain English the nature of the action and the terms of the Settlement. *See* Azari Decl. ¶ 15. The notices provided a clear description of who is a member of the Settlement Class and the binding effects of Class membership. *Id.* They also explained how to exclude oneself from the Settlement Class, how to object to the Settlement, and how to contact Class Counsel for the Settlement Class. *Id.* The notices also explained that they provided only a summary of the Settlement, and that the Settlement Agreement, as well as other important documents related to the litigation, are available online at www.fairlifemilksettlement. *See id.* In addition, the information from that website, as well as the toll-free call-in number for the Settlement, were available in both English and Spanish. *See id.* ¶¶ 30-31.

The Notice Plan was implemented by the Court-appointed Claims Administrator, Epiq Class Action & Claims Solutions, Inc. *See* Preliminary Approval Order at 7; *see generally* Azari Decl. Specifically, using customer information obtained from Defendants, Epiq was able to reach 80.2% of the Settlement Class by using a combination of individual notice to the identified Settlement Class Members and a digital/internet notice program (consumer print publication, digital notice, and/or social media). Azari Decl. ¶ 9. Epiq published notice in print and digital forms, thereby reaching hundreds of millions of individuals, including Class Members. *Id.* ¶¶ 24-25. In addition, Epiq continues to maintain the case website (which has had almost 600,000 unique

visitors), where Class Members can view and print important documents and obtain other information related to the litigation. *Id.* ¶ 30. The Settlement Notice documents informed Class members regarding the attorneys' fees, costs, and service awards that would be sought by Class Counsel and the class representatives. A copy of Plaintiffs' Petition for Attorneys' Fees and Costs, and Service Awards filed concurrently herewith will be posted on the case website. Epiq also continues to maintain a toll-free call-in number to answer Class members' questions. *See id.* ¶ 31.

Prospective Class members have until August 25, 2022 to exclude themselves from the Settlement and/or object. *See* Preliminary Approval Order at 13. The Claims Administrator will review and process all requests for exclusion. Azari Decl. ¶ 35. This process will include determining the timeliness and validity of any requests for exclusion, identifying the persons that fall within the scope of valid requests for exclusion, conducting appropriate follow-ups with requested opt-outs, and assisting in preparing the list of opt-outs to be filed with the Court. *See id.*

As of this filing, the Claims Administrator received no objections to the Settlement. *See id.*

The Settlement Administrator will continue to confirm the validity of the claims received, follow up with potential Class members regarding any deficiencies, and assess other issues (if any) in order to permit distribution of the Settlement proceeds at the earliest practicable time.

V. CONCLUSION

For these reasons, Class Counsel respectfully request that the Court grant final approval to the Settlement Agreement.

Dated: July 21, 2022

Respectfully submitted,

/s/ Amy E. Keller

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Class Counsel

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***Counsel for Plaintiffs and the Proposed
Settlement Class***

SIGNATURE ATTESTATION

Pursuant to the United States District Court for the Northern District of Illinois' General Order on Electronic Case Filing, General Order 16-0020(IX)(C)(2), I hereby certify that authorization for the filing of this document has been obtained from the signatories shown above and that each signatory concurs in the filing's content.

/s/ Amy E. Keller _____

Amy E. Keller

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was filed using this Court's CM/ECF service, which will send notification of such filing to all counsel of record this 21st day of July 2022.

/s/ Amy E. Keller _____

Amy E. Keller

Exhibit 1

Joint Declaration of Class Counsel in Support of Plaintiffs'
Motion for Final Approval of Class Action Settlement

In re Fairlife Milk Products Marketing and Sales Practices Litig.,
MDL No. 2909, Lead Case No. 19-cv-03924-RMD-MDW (N.D. Ill.)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE FAIRLIFE MILK PRODUCTS
MARKETING AND SALES PRACTICES
LITIGATION**

MDL No. 2909

Master Case No. 19-cv-3924

Judge Robert M. Dow, Jr.

This Document Relates To:

ALL CASES

**JOINT DECLARATION OF CLASS COUNSEL IN SUPPORT OF
MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Amy E. Keller (DiCello Levitt Gutzler LLC), Michael R. Reese (Reese LLP), and Melissa S. Weiner (Pearson, Simon & Warshaw, LLP) as Class Counsel jointly declare and state as follows:

1. On April 27, 2022 the Court entered an Order granting Plaintiffs' Motion for Preliminary Approval of Class Action Settlement and therein appointed the undersigned counsel as Class Counsel. *See* Preliminary Approval Order, Apr. 27, 2022, ECF No. 163 (hereinafter referred to as "Preliminary Approval Order") at 6-7.

2. Amy E. Keller is a partner of the law firm DiCello Levitt Gutzler LLC, and personally declares to the facts and statements set forth herein. If called upon as a witness, she could competently testify to the contents of this joint declaration.

3. Michael R. Reese is a partner of the law firm Reese LLP, and personally declares to the facts and statements set forth herein. If called upon as a witness, he could competently testify to the contents of this joint declaration.

4. Melissa S. Weiner is a partner of the law firm Pearson, Simon & Warshaw, LLP, and personally declares to the facts and statements set forth herein. If called upon as a witness, she could competently testify to the contents of this joint declaration.

5. This joint declaration is submitted in support of Plaintiffs' Motion for Final Approval of Class Action Settlement filed concurrently herewith.

6. The Parties engaged in intense, arm's-length, and hard-fought settlement discussions and negotiations for over two years, during which they participated in four, full-day mediation sessions conducted by the Honorable Wayne R. Andersen (Ret.), a skilled mediator with extensive experience mediating and resolving complex class action lawsuits like this Litigation.

7. Plaintiffs participated in hard-fought negotiations only after the production of meaningful discovery by Defendants, including information related to farm policies and

procedures, detailed sales data and analysis, comprehensive marketing and labeling information, and complex insurance and indemnification matters.

8. During settlement negotiations with the Defendants, the parties debated many issues, and negotiated many terms of the Settlement, including the amount of payment and injunctive relief. There was no collusion or preference among counsel for the settling parties at any time during these negotiations. To the contrary, the negotiations were contentious, hard fought, and fully informed. Plaintiffs sought to obtain the greatest monetary benefit possible from the Defendants, as well as valuable and important injunctive relief.

9. Pursuant to the terms of the Settlement achieved by Class Counsel based upon the significant assistance of Judge Andersen, Defendants agree to: (i) pay \$21 million into a non-reversionary common fund that would be used to pay all timely and valid claims made by Settlement Class Members, Service Awards to the Class Representatives, Plaintiffs' Attorneys' Fees and Costs, and the costs of Notice and Administration; and (ii) provide significant injunctive relief.

10. Class Counsel navigated complex corporate liability issues in evaluating the likelihood of protracted litigation (which would have delayed the implementation of the injunctive relief and payment to Settlement Class Members) and thoughtfully considered the strength of Plaintiffs' claims and Defendants' defenses. Class Counsel are confident in the substantial benefits that the Settlement will provide to the Settlement Class weighed against the risk in proceeding to trial.

11. Class Counsel and Epiq Class Action & Claims Solutions, Inc., the Court-appointed claims administrator (*id.* at 7), have executed the notice plan in accordance with the Court's Preliminary Approval Order. *Id.* at 7-12; *see also* Declaration of Cameron R. Azari, Esq., On

Implementation of Class Notice Program and Class Notice filed concurrently herewith. Although the Court-approved claims process is ongoing, it is clear that the Settlement represents an outstanding result for the Class and warrants final approval.

12. Settlement Class Members can file objections or opt-out requests until August 25, 2022. To date, **no objections have been filed**. Therefore, the initial reaction to the Settlement is extremely favorable.

13. Subject to certain caps and *pro rata* increases or decreases, Claimants will receive 25% of the purchase price for the Covered Products, which—based upon the experience of Class Counsel and compared to other products available on the market—is the full amount (or 100%) of the alleged calculated price premium consumers paid for the Products based upon the allegedly false and misleading Animal Welfare Promises. *See* Amended Class Action Complaint ¶ 143. Claimants will be eligible to receive up to \$20 for claims without Valid Proof of Purchase, and up to \$80 for claims with Valid Proof of Purchase, for a total of \$100 possible relief. ECF 153-1, Settlement Agreement § IV(3)(b). Claims will be subject to a *pro rata* adjustment—upward or downward—depending upon the number of Valid Claims filed. *Id.* § V(3). Class Counsel estimates that, given the amount available to Claimants combined with any *pro rata* adjustment, the Settlement Fund will be exhausted.

14. In the opinion of Class Counsel, the proposed settlement agreement with the Defendants is fair, reasonable, and adequate. The Settlement provides substantial benefits to the Settlement Class, and avoids the delay and uncertainty of continuing protracted litigation with the Defendants.

We declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 21st day of July 2022 at Chicago, Illinois.

/s/ Amy E. Keller
Amy E. Keller
DiCello Levitt Gutzler LLC

Executed on this 21st day of July 2022 at New York, New York.

/s/ Michael R. Reese
Michael R. Reese
Reese LLP

Executed on this 21st day of July 2022 at Minneapolis, Minnesota.

/s/ Melissa S. Weiner
Melissa S. Weiner
Pearson, Simon & Warshaw, LLP

SIGNATURE ATTESTATION

Pursuant to the United States District Court for the Northern District of Illinois' General Order on Electronic Case Filing, General Order 16-0020(IX)(C)(2), I hereby certify that authorization for the filing of this document has been obtained from the signatories shown above and that each signatory concurs in the filing's content.

/s/ Amy E. Keller _____

Amy E. Keller

Exhibit 2

Declaration of Cameron R. Azari, Esq.

In re Fairlife Milk Products Marketing and Sales Practices Litig.
MDL No. 2909, Lead Case No. 19-cv-03924-RMD-MDW (N.D. Ill.)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE FAIRLIFE MILK PRODUCTS
MARKETING AND SALES PRACTICES
LITIGATION**

MDL No. 2909

Master Case No. 19-cv-3924

Judge Robert M. Dow, Jr.

This Document Relates To:

ALL CASES

**DECLARATION OF CAMERON R. AZARI, ESQ. ON IMPLEMENTATION OF CLASS
NOTICE PROGRAM AND CLASS NOTICE**

I, Cameron R. Azari, Esq., hereby declare and state as follows:

1. My name is Cameron R. Azari, Esq. I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.

2. I am a nationally-recognized expert in the field of legal notice, and I have served as an expert in hundreds of federal and state cases involving class action notice plans.

3. I am the Senior Vice-President of Epiq Class Action and Claims Solutions, Inc. (“Epiq”) and the Director of Legal Notice for Hilsoft Notifications, a firm that specializes in designing, developing, analyzing, and implementing large-scale, un-biased, legal notification plans. Hilsoft Notifications is a business unit of Epiq.¹

4. This Declaration will describe the implementation of the Class Notice Program, and notices (the “Notice” or “Notices”) here for the Settlement *In re fairlife Milk Products Marketing and Sales Practices Litigation*, MDL No. 2909, Lead Case No. 1:19-cv-03924, in the United States District Court for the Northern District of Illinois. I previously executed my *Declaration of Cameron R. Azari, Esq. on Class Notice Program and Class Notice* on April 13, 2022, in which I described the Class Notice Program, detailed Epiq’s and Hilsoft’s class action notice experience, and attached Hilsoft’s *curriculum vitae*. I also provided my educational and professional experience relating to class actions and my ability to render opinions on overall adequacy of notice programs.

OVERVIEW

5. On April 27, 2022, the Court approved the Class Notice Program designed by Hilsoft and appointed Epiq as the Claims Administrator in the Court’s Preliminary Approval Order. In the Preliminary Approval Order, the Court conditionally certified the following “Settlement Class”:

All persons in the United States, its territories, and/or the District of Columbia who purchased, for personal use and not for resale, any Covered Product on or before the Preliminary Approval Date.

¹ All references to Epiq within this declaration include Hilsoft Notifications.

Excluded from the Settlement Class are the following persons:

- (i) Defendants and their respective subsidiaries and affiliates, members, employees, officers, directors, agents, and representatives and their family members;
- (ii) Class Counsel;
- (iii) The judges who have presided over the Litigation;
- (iv) Local, municipal, state, and federal governmental agencies; and
- (v) All persons who have timely elected to become Opt-Outs from the Settlement Class in accordance with the Court's Orders.

6. After the Court's Preliminary Approval Order was entered, and in accordance with the Court's Preliminary Approval Order, we began to implement the Class Notice Program. This Declaration will detail the notice activities undertaken to date and explain how and why the Class Notice Program was comprehensive and well-suited to the Settlement Class. This declaration will also discuss the administration activity to date. The facts in this declaration are based on my personal knowledge, as well as information provided to me by my colleagues in the ordinary course of my business at Epiq.

CLASS NOTICE PROGRAM IMPLEMENTATION

7. Federal Rule of Civil Procedure Rule 23 directs that notice must be "the best notice that is practicable under the circumstances" and must include "individual notice to all members who can be identified through reasonable effort."² The Class Notice Program satisfied these requirements.

8. Using data and demographic information obtained by Epiq regarding the Settlement Class, I can confirm that the Class Notice Program reached at least 80.2% of the Settlement Class using a combination of individual notice to the identified Settlement Class Members and a media notice program (consumer print publication, digital notice, and/or social media). The Class Notice Program provided notice both nationwide in the continental United States and in the U.S. Territories (in English and Spanish). The reach was further enhanced by internet sponsored search listings, an informational release, and a Settlement Website, which are not included in the reach

² Fed. R. Civ. P. 23(c)(2)(B).

calculation. In my experience, this reach of the Class Notice Program is consistent with or exceeds other court-approved notice programs and has been designed to satisfy the requirements of due process, including its “desire to actually inform” requirement.³ In my opinion, the Class Notice Program as implemented reached the greatest practicable number of Settlement Class Members. Additionally, Epiq worked with Counsel for the Parties to ensure the Class Notice Program exceeds minimum reach guidelines, and endeavored to ensure that the Class Notice Program stimulates claims sufficient to exhaust the Net Settlement Fund.

CAFA NOTICE

9. On April 22, 2022, Epiq sent 57 CAFA Notice Packages (“CAFA Notice”) on behalf of Defendants The Coca-Cola Company, fairlife, LLC, Fair Oaks Farms, LLC, Mike McCloskey and Sue McCloskey, and Select Milk Producers, Inc. (collectively, “Defendants”) as required by the federal Class Action Fairness Act of 2005 (CAFA), 28 U.S.C. § 1715. The CAFA Notice was mailed via USPS certified mail to 56 officials (Attorneys General of each of the 50 states, the District of Columbia, and the United States Territories), and sent via United Parcel Service (“UPS”) to the Attorney General of the United States. Details regarding the CAFA Notice mailing are provided in the *Declaration of Stephanie J. Fiereck, Esq. on Implementation of CAFA Notice*, dated April 22, 2022, which is included as **Attachment 1**.

Media Plan

National Consumer Publication

10. A Publication Notice appeared once in the national edition of the weekly magazine *People*, as a 1/3 page ad unit. The Publication Notice appeared in the June 13, 2022, issue on page 30. The Publication Notice is included as **Attachment 2**. The Publication Notice Tear Sheet is included as **Attachment 3**.

³ *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 315 (1950) (“But when notice is a person’s due, process which is a mere gesture is not due process. The means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it. The reasonableness and hence the constitutional validity of any chosen method may be defended on the ground that it is in itself reasonably certain to inform those affected . . .”).

11. *People* was selected because, according to MRI-Simmons data, adults who buy “fairlife branded milk products” are 9% more likely than the general population to read *People* magazine.⁴ *People* magazine’s circulation is approximately 3.4 million and its readership is approximately 26 million readers per week.

Internet Notice Campaign

12. Internet advertising has become a standard component in legal notice programs, especially for settlements which allow for the submission of claims forms online. The internet has proven to be an efficient and cost-effective method to target and provide measurable reach of persons covered by a settlement. According to MRI-Simmons data, 94% of all adults are online, 96% of “fairlife branded milk product purchasers” are online, and 87% of fairlife-branded milk product purchasers use social media.⁵

13. The Class Notice Program included targeted Banner Notice advertising on the selected advertising networks *Google Display Network* and the *Yahoo Audience Network*, which together represent thousands of digital properties across all major content categories. Banner Notices were targeted to selected audiences and were designed to encourage participation by Settlement Class Members—by linking directly to the Settlement Website, which allowed visitors easy access to relevant information and documents and to file a Claim Form. Consistent with best practices, the Banner Notices used language from the notice headline, which allowed users to identify themselves as potential Settlement Class Members. As an additional way to draw the

⁴ MRI-Simmons is a leading source of publication readership and product usage data for the communications industry. MRI-Simmons is the new name for the joint venture of GfK Mediamark Research & Intelligence, LLC (“MRI”) and Simmons Market Research. MRI-Simmons offers comprehensive demographic, lifestyle, product usage and exposure to all forms of advertising media collected from a single sample. As the leading U.S. supplier of multimedia audience research, the company provides information to magazines, televisions, radio, Internet, and other media, leading national advertisers, and over 450 advertising agencies—including 90 of the top 100 in the United States. MRI-Simmons’s national syndicated data is widely used by companies as the basis for the majority of the media and marketing plans that are written for advertised brands in the United States.

⁵ MRI-Simmons 2021 Survey of the American Consumer®.

interest of the Settlement Class Members, and to be consistent with the Federal Judicial Center’s (“FJC”) recommendations that a picture or graphic may help class members self-identify, the Banner Notices prominently featured high-resolution image(s). The Banner Notices were also placed on the social media sites *Facebook* and *Instagram*. *Facebook* is the leading social networking site in the United States and combined with *Instagram* covers over 300 million users in the United States. The *Facebook* and *Instagram* internet Banner Notices were distributed to a variety of target audiences relevant to an individual’s demonstrated interests and/or likes.

14. All Banner Notices appeared on desktop, mobile, and tablet devices and were distributed to the selected targeted audiences nationwide (including U.S. Territories). Additionally, the Banner Notices were translated into Spanish and targeted to Spanish speakers across all advertising networks and social media sites. Internet Banner Notices were also targeted (remarketed) to people who visited the Settlement Website after clicking on a Banner Notice.

15. More details regarding the target audiences, distribution, and specific ad sizes of the Banner Notices are included in the following table:

<i>Network/Property</i>	<i>Target</i>	<i>Ad Sizes</i>	<i>Delivered Impressions</i>
<i>Google Display Network</i>	Adults 18+	728x90, 300x250, 300x600, 970x250	108,197,986
<i>Google Display Network</i>	Custom Affinity ⁶ /Intent: Milk Products	728x90, 300x250, 300x600, 970x250	81,195,735
<i>Google Display Network</i>	Custom Affinity/Intent: Protein Shakes	728x90, 300x250, 300x600, 970x250	13,547,128
<i>Google Display Network</i>	Custom Affinity: Primary Grocery Shopper	728x90, 300x250, 300x600, 970x250	40,596,624
<i>Google Display Network</i>	Custom Intent: fairlife	728x90, 300x250, 300x600, 970x250	5,074,702
<i>Yahoo Audience Network</i>	Adults 18+	728x90, 300x250, 300x600, 970x250	56,058,063
<i>Facebook</i>	Adults 18+	Newsfeed & Right Hand Column	100,425,363

⁶ Custom Affinity Audiences allow Banner Notices to be targeted to specific website content, here meaning websites, blogs, etc. that include milk products, protein shakes, fairlife, and grocery shoppers. Custom Intent Audiences allow Banner Notices to be targeted to specific individuals who have searched and/or researched these specific topics.

<i>Network/Property</i>	<i>Target</i>	<i>Ad Sizes</i>	<i>Delivered Impressions</i>
<i>Facebook</i>	Interests: Milk	Newsfeed & Right Hand Column	52,467,739
<i>Facebook</i>	Interests: Dairy Products	Newsfeed & Right Hand Column	50,979,438
<i>Facebook</i>	Interests: fairlife	Newsfeed & Right Hand Column	1,016,493
<i>Facebook</i>	Interests: Protein Shake	Newsfeed & Right Hand Column	6,096,290
<i>Instagram</i>	Adults 18+	Newsfeed	47,272,985
<i>Instagram</i>	Interests: Milk	Newsfeed	26,078,737
<i>Instagram</i>	Interests: Dairy Products	Newsfeed	25,801,652
<i>Instagram</i>	Interests: fairlife	Newsfeed	521,887
<i>Instagram</i>	Interests: Protein Shake	Newsfeed	4,807,405
TOTAL			620,138,227

16. Combined, more than 620.1 million impressions were generated by the Banner Notices, nationwide.⁷ The internet advertising campaign ran from May 27, 2022, through July 5, 2022. Clicking on the Banner Notices linked the readers to the Settlement Website, where the readers could easily obtain detailed information about the Settlement. Examples of the Banner Notices are included as **Attachment 4**.

Internet Sponsored Search Listings

17. To facilitate locating the Settlement Website, sponsored search listings are being acquired through highly visited internet search engines: *Google*, *Yahoo!*, and *Bing*. When search engine visitors search on common keyword combinations to identify the Settlement (such as “fa!rlife class action” or “fairlife settlement”), the sponsored search listing generally is displayed

⁷ The third-party ad management platform, ClickCease, was used to audit any digital Banner Notice ad placements. This type of platform tracks all Banner Notice ad clicks to provide real-time ad monitoring, fraud traffic analysis, blocks clicks from fraudulent sources, and quarantines dangerous IP addresses. This helps reduce wasted, fraudulent, or otherwise invalid traffic (e.g., ads being seen by ‘bots’ or non-humans, ads not being viewable, etc.).

at the top of the page prior to the search results or in the upper right-hand column of the web-browser screen. The sponsored search listings are displayed nationwide, including the U.S. Territories. All sponsored search listing ads link directly to the Settlement Website.

18. The sponsored search listings began on May 27, 2022, and will run through August 25, 2022. A complete list of the sponsored search keyword combinations is included as **Attachment 5**. Examples of the sponsored search listings as displayed on each search engine are included as **Attachment 6**.

Informational Release

19. To build additional reach and extend exposures, on May 27, 2022, a party-neutral Informational Release was issued broadly over PR Newswire to approximately 5,000 general media (print and broadcast) outlets, including local and national newspapers, magazines, national wire services, television, and radio broadcast media across the United States as well as approximately 4,500 websites, online databases, internet networks, and social networking media.

20. The Informational Release included the address of the Settlement Website and the toll-free telephone number. The Informational Release served a valuable role by providing additional notice exposures beyond that which was provided by the paid media. The Informational Release is included as **Attachment 7**.

Individual Notice

21. On May 12, 2022, Epiq received data for 12,608 records for identified Settlement Class Members (physical and email addresses available to Defendants) from Counsel for the parties. Epiq deduplicated and rolled-up the records and loaded the identified Settlement Class Member records into its database. These efforts resulted in 11,906 identified Settlement Class Members to receive Notice. Of this total, 10,234 Email Notices were sent to those records with a valid email address, and 1,672 Postcard Notices were sent to those records with a physical mailing address and no valid email address.

Individual Notice - Email

22. On May 27, 2022, Epiq sent 10,234 Email Notices to all identified Settlement Class Members for whom a valid email address was available from Defendants. Industry standard best practices were followed for the Email Notice efforts. The Email Notice was drafted in such a way that the subject line, the sender, and the body of the message would overcome SPAM filters and ensure readership to the fullest extent reasonably practicable. For instance, the Email Notice used an embedded html text format. This format provided easy to read text without graphics, tables, images, attachments, and other elements that would increase the likelihood that the message could be blocked by Internet Service Providers (ISPs) and/or SPAM filters.

23. The Email Notices were sent from an IP address known to major email providers as one not used to send bulk “SPAM” or “junk” email blasts. Each Email Notice was transmitted with a digital signature to the header and content of the Email Notice, which allowed ISPs to programmatically authenticate that the Email Notices were from our authorized mail servers. Each Email Notice was also transmitted with a unique message identifier. The Email Notice included an embedded link to the Settlement Website. By clicking the link, recipients were able to easily file an online claim, access the Long Form Notice, Settlement Agreement, and other information about the Settlement. The Email Notice is included as **Attachment 8**.

24. If the receiving email server could not deliver the message, a “bounce code” was returned along with the unique message identifier. For any Email Notice for which a bounce code was received indicating that the message was undeliverable for reasons such as an inactive or disabled account, the recipient’s mailbox was full, technical autoreplies, etc., at least two additional attempts were made to deliver the Notice by email. After completion of the Email Notice efforts, 8,791 Email Notices were undeliverable.

Individual Notice - Direct Mail

25. On May 27, 2022, Epiq sent 1,672 Postcard Notices to all identified Settlement Class Members for whom a valid mailing address was available from Defendants. The Postcard Notice was sent via USPS first class mail. Epiq is in the process of sending a Postcard Notice to

all Settlement Class Members whose Email Notice was undeliverable after multiple attempts and whom have a physical mailing address. The Postcard Notice clearly and concisely summarized the case and the legal rights of the Settlement Class Members. The Postcard Notice also directed the recipients to the Settlement Website where they could access additional information. The Postcard Notice is included as **Attachment 9**.

26. Prior to sending the Postcard Notice, all mailing addresses were checked against the National Change of Address (“NCOA”) database maintained by the USPS to ensure Settlement Class Member address information is up-to-date and accurately formatted for mailing.⁸ In addition, the addresses were certified via the Coding Accuracy Support System (“CASS”) to ensure the quality of the zip code, and were verified through Delivery Point Validation (“DPV”) to verify the accuracy of the addresses. This address updating process is standard for the industry and for the majority of promotional mailings that occur today.

27. Additionally, a Notice Package, which consisted of a Long Form Notice and Claim Form (in English or Spanish) was mailed to all persons who requested one via the toll-free telephone number or by mail. As of July 20, 2022, 150 Notice Packages have been mailed as a result of such requests. The Long Form Notice (in English and Spanish) is included as **Attachment 10** and the Claim Form (in English and Spanish) is included as **Attachment 11**.

28. The return address on the Postcard Notices is a post office box that Epiq maintains for this case. The USPS automatically forwards Postcard Notices with an available forwarding address order that has not expired (“Postal Forwards”). For Postcard Notices returned as undeliverable, Epiq re-mails the Postcard Notice to any new address available through USPS information (for example, to an address provided by the USPS on the returned mail piece if the forwarding order has expired but is still within the time period in which the USPS returns the

⁸ The NCOA database is maintained by the USPS and consists of approximately 160 million permanent change-of-address (“COA”) records consisting of names and addresses of individuals, families, and businesses who have filed a change-of-address with the Postal Service™. The address information is maintained on the database for 48 months and reduces undeliverable mail by providing the most current address information, including standardized and delivery point coded addresses, for matches made to the NCOA file for individual, family, and business moves.

piece with a forwarding address indicated), and to addresses Epiq obtains from a third-party address lookup service. As of July 20, 2022, Epiq has re-mailed 13 Postcard Notices to Settlement Class Members where a forwarding address was provided, or address research identified a new address.

Settlement Website

29. On May 26, 2022, Epiq established a dedicated website in both English and Spanish for the Settlement with an easy to remember domain name (www.FairlifeMilkSettlement.com). All important case documents, including filings related to the Settlement, have been timely posted to the Settlement Website. The Settlement Website allows Settlement Class Members to obtain relevant documents and information including: (i) information concerning deadlines for filing a Claim Form, and the dates and locations of relevant Court proceedings, including the Fairness Hearing; (ii) the toll-free telephone number applicable to the Settlement; (iii) documents, including the Settlement Agreement, the Class Notices, the Claim Form, Court Orders regarding this Settlement, and other relevant Court documents, including Co-Lead Class Counsel's Motion for Approval of Attorneys' Fees, Cost, and Service Awards (once filed); and (iv) information concerning the submission of Claim Forms, including the ability to submit Claim Forms electronically. In addition, the Settlement Website includes answers to frequently asked questions ("FAQs"), instructions for how Settlement Class Members may opt-out (request exclusion) from or object to the Settlement, contact information for the Claims Administrator, and how to obtain other case-related information. The Settlement Website address was prominently displayed in all notice documents. As of July 20, 2022, there have been 627,277 unique visitor sessions to the Settlement Website and 2,630,468 website pages presented.

Toll-Free Telephone Number and Postal Mailing Address

30. On May 26, 2022, a toll-free telephone number (1-855-604-1865) was established in both English and Spanish to allow Settlement Class Members to call for additional information, listen to answers to FAQs, and request that a Notice Package (Long Form Notice and Claim Form in English or Spanish) be mailed to them. The toll-free telephone number was prominently displayed in all notice documents. The automated phone system is available 24 hours per day,

7 days per week. As of July 20, 2022, there have been 417 calls to the toll-free telephone number representing 1,342 minutes of use.

31. A postal mailing address has been established and provided, allowing Settlement Class Members the opportunity to request additional information or ask questions.

Status of Claims Process and Claim Stimulation Efforts

32. The deadline for Settlement Class Members to file a claim is December 27, 2022. As of July 20, 2022, Epiq has received 321,063 Claim Forms (320,753 online and 310 paper). Since there is still more than five months for Settlement Class Members to file a claim before the claim filing deadline, these numbers are preliminary. As the deadline approaches, I expect additional claims will be filed by Settlement Class Members. As standard practice, Epiq is in the process of conducting a complete review and audit of all claims received. There is a likelihood that after detailed review, the total number of Claim Forms received will change due to duplicate and denied Claim Forms.

Claim Stimulation Notice

33. In my opinion, the level of Settlement Class Member engagement as a result of the Class Notice Program has been robust (with over 321,000 claims filed to date), and has been consistent with my expectations in its design. Based on the claims filed thus far, it appears the Settlement Fund will be exhausted. Nevertheless, in an effort to ensure the highest reasonable participation rate, Epiq has discussed with Counsel for the Parties regarding additional notice measures that can be undertaken through the end of the claims period to ensure maximum participation. As a result of those discussions, I anticipate that Epiq and Hilsoft—with the agreement of the Parties—will engage in supplemental and targeted claim stimulation efforts. It is recommended that the Claim Stimulation Notice, if agreed upon by the Parties, use elements of the initial media notice efforts that were most successful in driving activity to the Settlement Website, and may include some or all of the following: (i) digital banner notices on prominent ad networks and social media (in English and Spanish); (ii) possible audio and/or video ads; (iii) and outreach to third-party consumer organizations. The Reminder Notices will use concise text

(stressing the impending Claim filing deadline) and include links directly to the Claim filing page on the Settlement Website. Any such supplemental efforts will be further described in my Supplemental Declaration.

Requests for Exclusion and Objections

34. The deadline to request exclusion from the Settlement or to object to the Settlement is August 25, 2022. As of July 20, 2022, Epiq has received five requests for exclusion (subject to final audit, only three of the five request for exclusion appear to meet the Settlement Opt-Out criteria). As of July 20, 2022, I am not aware of any Objections. Overall, it is my opinion that the reaction of the Settlement Class Members thus far has been extremely favorable. I will provide a Supplemental Declaration to the Court prior to the Final Approval Hearing to provide updated information regarding any additional requests for exclusion and/or objections to the Settlement.

PLAIN LANGUAGE NOTICE DESIGN

35. The Notices and Claim Form were designed to be “noticed,” reviewed, and—by presenting the information in plain language—understood by Settlement Class Members. The design of the Notices followed the principles embodied in the FJC’s illustrative “model” notices posted at www.fjc.gov. Many courts, and the FJC itself, have approved notices that we have written and designed in a similar fashion. The Notices contain substantial, albeit easy-to-read summaries of all key information about Settlement Class Members’ rights and options. Consistent with our normal practice, all notice documents underwent a final edit prior to actual mailing and publication for grammatical errors and accuracy.

36. The Long Form Notice provided substantial information to Settlement Class Members, including (i) details regarding the Settlement Class Members’ ability to opt-out or object to the Settlement Agreement, (ii) instructions on how to submit a Claim Form, (iii) the deadline to submit a Claim Form, opt-out, or object, and (iv) the date, time, and location of the Fairness Hearing, among other information.

Distribution Options

37. The Settlement provides Settlement Class Members the option of filing a Claim Form online or submitting a Claim Form by mail. The Notices contain a detailed summary of the relevant information about the Settlement, including the Settlement Website address and how Settlement Class Members can file a Claim Form online or by mail. The Email Notice included a link directly to the claim filing portal on the Settlement Website, where Settlement Class Members can file an online Claim Form. Regardless of how a Claim is filed, after Final Approval all Claimants with a Valid Claim will be given the option of receiving a digital payment (such as PayPal, Digital Mastercard, or other options). Settlement Class Members will also be able to elect to receive a traditional paper check.

38. The fewer barriers Settlement Class Members experience to filing Claim Forms, the more likely they are to participate in the Settlement. Accordingly, the Claim Form and Settlement Website were designed to ensure Settlement Class Members' ease in filing claims in order to increase the participation of Settlement Class Members in the Settlement, resulting in the anticipated exhaustion of the Settlement Fund.

Cost of Notice and Claims Administration

39. The combined cost incurred to implement the Class Notice Program and handle the settlement administration to date is approximately \$475,000. While the notice portions of the total cost are mostly fixed (with the exception of the possible Claim Stimulation Notice Plan), the actual total cost for providing settlement administration is dependent upon variables such as the number of claims received, total calls to the toll-free telephone line, number of undeliverable notices, and the number of Settlement Class Members ultimately sent a payment (and specifically, how many Settlement Class Members elect a digital payment versus a check). All costs are subject to the Service Contract under which Epiq will be retained as the Claims Administrator, and the terms and conditions of that agreement.

CONCLUSION

40. In class action notice planning, execution, and analysis, we are guided by due process considerations under the United States Constitution, by federal and local rules and statutes, and further by case law pertaining to notice. This framework directs that the notice plan be designed to reach the greatest practicable number of potential class members and, in a settlement class action notice situation such as this, that the notice or notice plan itself not limit knowledge of the availability of benefits—nor the ability to exercise other options—to class members in any way. All of these requirements were met in this case.

41. The Class Notice Program included a combination of individual notice to the identified Settlement Class Members and a digital/internet publication notice program (consumer print publication, digital notice, and/or social media), which reached at least 80.2% of the Settlement Class. The reach was further enhanced by internet sponsored search listings, an informational release, and a Settlement Website, which are not included in the estimated reach calculation. The Class Notice Program provided notice both nationwide in the continental United States and in the U.S. Territories (in English and Spanish). In 2010, the FJC issued a Judges' Class Action Notice and Claims Process Checklist and Plain Language Guide. This Guide states that, "the lynchpin in an objective determination of the adequacy of a proposed notice effort is whether all the notice efforts together will reach a high percentage of the class. It is reasonable to reach between 70–95%."⁹ Here, we have implemented a Class Notice Program that readily achieved a reach within that standard.

42. The Class Notice Program provides the best notice practicable under the circumstances of this case, conforms to all aspects of Federal Rules of Civil Procedure, Rule 23 regarding notice, and comports with the guidance for effective notice articulated in the *Manual for*

⁹ FED. JUDICIAL CTR, JUDGES' CLASS ACTION NOTICE AND CLAIMS PROCESS CHECKLIST AND PLAIN LANGUAGE GUIDE 3 (2010), available at <https://www.fjc.gov/content/judges-class-action-notice-andclaims-process-checklist-and-plain-language-guide-0>.


Complex Litigation 4th Ed. and FJC guidance, and exceeds the requirements of due process, including its “desire to actually inform” requirement.

43. The Class Notice Program schedule afforded enough time to provide full and proper notice to Settlement Class Members before any opt-out and objection deadline.

44. I will provide a Supplemental Declaration to the Court prior to the Final Approval Hearing, which will provide updated notice and settlement administration statistics.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 21, 2022



Cameron R. Azari, Esq.

Attachment 1

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: FAIRLIFE MILK
PRODUCTS MARKETING AND
SALES PRACTICES LITIGATION**

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MDL No. 2909

Master Case No. 1:19-cv-03924

Hon. Robert M. Dow, Jr.

This Document Relates To All Cases

**DECLARATION OF STEPHANIE J. FIERECK, ESQ. ON IMPLEMENTATION OF
CAFA NOTICE**

I, STEPHANIE J. FIERECK, ESQ., hereby declare and state as follows:

1. My name is Stephanie J. Fiereck, Esq. I am over the age of 21 and I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.

2. I am the Director of Legal Noticing for Hilsoft Notifications (“Hilsoft”), a firm that specializes in designing, developing, analyzing, and implementing large-scale legal notification plans. Hilsoft is a business unit of Epiq Class Action & Claims Solutions, Inc. (“Epiq”), the proposed class notice administrator in this case. I have overseen and handled Class Action Fairness Action (“CAFA”) notice mailings for more than 350 class action settlements.

3. Epiq is a firm with more than 25 years of experience in claims processing and settlement administration. Epiq’s class action case administration services include coordination of all notice requirements, design of direct-mail notices, establishment of fulfillment services, receipt and processing of opt-outs, coordination with the United States Postal Service (“USPS”), claims database management, claim adjudication, funds management and distribution services.

4. The facts in this Declaration are based on what I personally know, as well as information provided to me in the ordinary course of my business by my colleagues at Epiq.

CAFA NOTICE IMPLEMENTATION

5. At the direction of counsel for the Defendants The Coca-Cola Company, fairlife, LLC, Fair Oaks Farms, LLC, Mike McCloskey and Sue McCloskey, and Select Milk Producers, Inc., 57 officials, which included the Attorney General of the United States and the Attorneys General of each of the 50 states, the District of Columbia, and the United States Territories were identified to receive the CAFA notice.

6. Epiq maintains a list of these federal and state officials with contact information for the purpose of providing CAFA notice. Prior to mailing, the names and addresses selected from Epiq's list were verified, then run through the Coding Accuracy Support System ("CASS") maintained by the USPS.¹

7. On April 22, 2022, Epiq sent 57 CAFA Notice Packages ("Notice"). The Notice was mailed via USPS Certified Mail to 56 officials, including the Attorneys General of each of the 50 states, the District of Columbia, and the United States Territories. The Notice was also sent via United Parcel Service ("UPS") to the Attorney General of the United States. The CAFA Notice Service List (USPS Certified Mail and UPS) is included as **Attachment 1**.

8. The materials sent to the federal and state officials included a cover letter, which provided notice of the proposed settlement of the above-captioned case. The cover letter is included as **Attachment 2**.

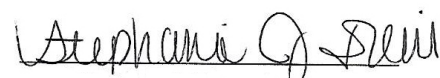
9. The cover letter was accompanied by a CD, which included the following:

- a. **Per 28 U.S.C. § 1715(b)(1) – Complaint and Any Amended Complaints:**

¹ CASS improves the accuracy of carrier route, 5-digit ZIP®, ZIP + 4® and delivery point codes that appear on mail pieces. The USPS makes this system available to mailing firms who want to improve the accuracy of postal codes, i.e., 5-digit ZIP®, ZIP + 4®, delivery point (DPCs), and carrier route codes that appear on mail pieces.

- Consolidated Class Action Complaint; and
 - Motion to Amend Consolidated Class Action Complaint and Consolidate Related *Honeycutt* Lawsuit with Exhibit A - [Proposed] Amended Consolidated Class Action.
- b. **Per 28 U.S.C. § 1715(b)(3) – Notification to Class Members:** Forms of Notice (as provided in Settlement Agreement and Release Exhibits A-C).
- c. **Per 28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:** The Settlement Agreement with Exhibits, along with the following supporting documents were included:
- Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification, and Approval of Notice Plan Pursuant to Federal Rule of Civil Procedure 23(e)(1);
 - Plaintiffs’ Memorandum of Law in Support of Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification, and Approval of Notice Plan Pursuant to Federal Rule of Civil Procedure 23(e)(1) with Exhibit 2: Declaration of Class Counsel and Firm Resumes; and
 - The Parties’ Joint Motion for Leave to File Document Under Seal.
- d. **Per 28 U.S.C. § 1715(b)(7)(A) and (B) – Names and Estimate of Class Members:** An estimate of the proportionate share of the claims per state to the entire settlement, based on limited available data, was enclosed.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
April 22, 2022.


Stephanie J. Fiereck, Esq.

Attachment 1

CAFA Notice Service List

USPS Certified Mail

Company	FullName	Address1	Address2	City	State	Zip
Office of the Attorney General	Treg Taylor	PO Box 110300		Juneau	AK	99811
Office of the Attorney General	Steve Marshall	501 Washington Ave		Montgomery	AL	36104
Office of the Attorney General	Leslie Carol Rutledge	323 Center St	Suite 200	Little Rock	AR	72201
Office of the Attorney General	Mark Brnovich	2005 N Central Ave		Phoenix	AZ	85004
Office of the Attorney General	CAFA Coordinator	Consumer Law Section	455 Golden Gate Ave Ste 11000	San Francisco	CA	94102
Office of the Attorney General	Phil Weiser	Ralph L Carr Colorado Judicial Center	1300 Broadway 10th Fl	Denver	CO	80203
Office of the Attorney General	William Tong	165 Capitol Ave		Hartford	CT	06106
Office of the Attorney General	Karl A. Racine	400 6th St NW		Washington	DC	20001
Office of the Attorney General	Kathy Jennings	Carvel State Office Bldg	820 N French St	Wilmington	DE	19801
Office of the Attorney General	Ashley Moody	State of Florida	The Capitol PL-01	Tallahassee	FL	32399
Office of the Attorney General	Chris Carr	40 Capitol Square SW		Atlanta	GA	30334
Department of the Attorney General	Holly T. Shikada	425 Queen St		Honolulu	HI	96813
Iowa Attorney General	Thomas J Miller	1305 E Walnut St		Des Moines	IA	50319
Office of the Attorney General	Lawrence G Wasden	700 W Jefferson St Ste 210	PO Box 83720	Boise	ID	83720
Office of the Attorney General	Kwame Raoul	100 W Randolph St		Chicago	IL	60601
Indiana Attorney General's Office	Todd Rokita	Indiana Government Center South	302 W Washington St 5th Fl	Indianapolis	IN	46204
Office of the Attorney General	Derek Schmidt	120 SW 10th Ave 2nd Fl		Topeka	KS	66612
Office of the Attorney General	Daniel Cameron	700 Capitol Avenue	Suite 118	Frankfort	KY	40601
Office of the Attorney General	Jeff Landry	PO Box 94005		Baton Rouge	LA	70804
Office of the Attorney General	Maura Healey	1 Ashburton Pl		Boston	MA	02108
Office of the Attorney General	Brian E. Frosh	200 St Paul Pl		Baltimore	MD	21202
Office of the Attorney General	Aaron Frey	6 State House Station		Augusta	ME	04333
Department of Attorney General	Dana Nessel	PO Box 30212		Lansing	MI	48909
Office of the Attorney General	Keith Ellison	445 Minnesota St	Suite 1400	St Paul	MN	55101
Missouri Attorney General's Office	Eric Schmitt	207 West High Street	PO Box 899	Jefferson City	MO	65102
Mississippi Attorney General	Lynn Fitch	Department of Justice	PO Box 220	Jackson	MS	39205
Office of the Attorney General	Austin Knudsen	215 N Sanders Third Floor	PO Box 201401	Helena	MT	59620
Attorney General's Office	Josh Stein	9001 Mail Service Ctr		Raleigh	NC	27699
Office of the Attorney General	Drew H. Wrigley	State Capitol	600 E Boulevard Ave Dept 125	Bismarck	ND	58505
Nebraska Attorney General	Doug Peterson	2115 State Capitol	PO Box 98920	Lincoln	NE	68509
Office of the Attorney General	John Formella	NH Department of Justice	33 Capitol St	Concord	NH	03301
Office of the Attorney General	Matthew J. Platkin	25 Market Street	PO Box 080	Trenton	NJ	08625
Office of the Attorney General	Hector Balderas	408 Galisteo St	Villagra Bldg	Santa Fe	NM	87501
Office of the Attorney General	Aaron Ford	100 N Carson St		Carson City	NV	89701
Office of the Attorney General	CAFA Coordinator	28 Liberty Street	15th Floor	New York	NY	10005
Office of the Attorney General	Dave Yost	30 East Broad Street	14th Floor	Columbus	OH	43215
Office of the Attorney General	John O'Connor	313 NE 21st St		Oklahoma City	OK	73105
Office of the Attorney General	Ellen F Rosenblum	Oregon Department of Justice	1162 Court St NE	Salem	OR	97301
Office of the Attorney General	Josh Shapiro	16th Fl Strawberry Square		Harrisburg	PA	17120
Office of the Attorney General	Peter F Neronha	150 S Main St		Providence	RI	02903
Office of the Attorney General	Alan Wilson	PO Box 11549		Columbia	SC	29211
Office of the Attorney General	Jason Ravnsborg	1302 E Hwy 14 Ste 1		Pierre	SD	57501
Office of the Attorney General	Herbert H. Slatery III	PO Box 20207		Nashville	TN	37202
Office of the Attorney General	Ken Paxton	300 W 15th St		Austin	TX	78701
Office of the Attorney General	Sean D. Reyes	PO Box 142320		Salt Lake City	UT	84114
Office of the Attorney General	Jason S. Miyares	202 North Ninth Street		Richmond	VA	23219
Office of the Attorney General	TJ Donovan	109 State St		Montpelier	VT	05609
Office of the Attorney General	Bob Ferguson	800 Fifth Avenue	Suite 2000	Seattle	WA	98104
Office of the Attorney General	Josh Kaul	PO Box 7857		Madison	WI	53707
Office of the Attorney General	Patrick Morrissey	State Capitol Complex	Bldg 1 Room E 26	Charleston	WV	25305
Office of the Attorney General	Bridget Hill	109 State Capital		Cheyenne	WY	82002
Department of Legal Affairs	Fainu'ulei Falefatu Ala'ilima-Utu	Executive Office Building 3rd Floor	PO Box 7	Utulei	AS	96799
Attorney General Office of Guam	Leevin T Camacho	Administration Division	590 S Marine Corps Dr Ste 901	Tamuning	GU	96913
Office of the Attorney General	Edward Manibusan	Administration Bldg	PO Box 10007	Saipan	MP	96950
PR Department of Justice	Domingo Emanuelli Hernández	PO Box 9020192		San Juan	PR	00902
Department of Justice	Denise N. George	34-38 Kronprindsens Gade	GERS Bldg 2nd Fl	St Thomas	VI	00802

CAFA Notice Service List

UPS

Company	FullName	Address1	Address2	City	State	Zip
US Department of Justice	Merrick B. Garland	950 Pennsylvania Ave NW		Washington	DC	20530

Attachment 2

CAFA NOTICE ADMINISTRATOR

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10300 SW Allen Blvd
Beaverton, OR 97005
P 503-350-5800
DL-CAFA@epiqglobal.com

April 22, 2022

VIA UPS OR USPS CERTIFIED MAIL

Class Action Fairness Act – Notice to Federal and State Officials

Dear Counsel or Official:

Pursuant to the notification provisions of the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715, Epiq Class Action & Claims Solutions, Inc., the independent claims administrator retained by the parties in connection with the below-referenced matter, hereby provides notice on behalf of Defendants The Coca-Cola Company, fairlife, LLC, Fair Oaks Farms, LLC, Mike McCloskey and Sue McCloskey, and Select Milk Producers, Inc. of the following proposed class action settlement:

- **Case:** *In re fairlife Milk Products Marketing and Sales Practices Litigation*, MDL No. 2909, Lead Case No. 1:19-cv-03924.
- **Court:** United States District Court for the Northern District of Illinois.
- **Defendants:** The Coca-Cola Company, fairlife, LLC, Fair Oaks Farms, LLC, Mike McCloskey and Sue McCloskey, and Select Milk Producers, Inc.
- **Documents Enclosed:** In accordance with the requirements of 28 U.S.C. § 1715, enclosed is a CD containing copies of the following documents associated with this action:
 1. **Per 28 U.S.C. § 1715(b)(1) – Complaint and Any Amended Complaints:**
 - Consolidated Class Action Complaint; and
 - Motion to Amend Consolidated Class Action Complaint and Consolidate Related *Honeycutt* Lawsuit with Exhibit A - [Proposed] Amended Consolidated Class Action.
 2. **Per 28 U.S.C. § 1715(b)(2) – Notice of Any Scheduled Judicial Hearing:** The Motion for Preliminary Approval of the subject settlement is scheduled to be presented on April 27, 2022 at 9:15 a.m. The public may listen to the hearing by dialing (312) 626-6799 and using Meeting ID 995 6246 9159.
 3. **Per 28 U.S.C. § 1715(b)(3) – Notification to Class Members:** Forms of Notice (*see* Settlement Agreement and Release Exhibits A-C).
 4. **Per 28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:** The Settlement Agreement with Exhibits, along with the following supporting documents are included:
 - Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification, and Approval of Notice Plan Pursuant to Federal Rule of Civil Procedure 23(e)(1);

CAFA NOTICE ADMINISTRATOR

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10300 SW Allen Blvd
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- Plaintiffs' Memorandum of Law in Support of Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification, and Approval of Notice Plan Pursuant to Federal Rule of Civil Procedure 23(e)(1) with Exhibit 2: Declaration of Class Counsel and Firm Resumes; and
 - The Parties' Joint Motion for Leave to File Document Under Seal.
5. **Per 28 U.S.C. § 1715(b)(5) – Any Settlement or Other Agreements:** Other than the Settlement Agreement and Supplemental Agreement to the Settlement Agreement filed with the Court under seal, no other settlements or other agreements have been contemporaneously made between class counsel and Defendants' respective counsel.
 6. **Per 28 U.S.C. § 1715(b)(6) – Final Judgment or Notice of Dismissal:** To date, the Court has not issued a final order, judgment or dismissal in the above-referenced action.
 7. **Per 28 U.S.C. § 1715(b)(7)(A) and (B) – Names and Estimate of Class Members:** An estimate of the proportionate share of the claims per state to the entire settlement, based on limited available data, is enclosed. As of the date of this CAFA Notice, Defendants do not know and cannot feasibly determine the names of individual class members who reside in each state and cannot feasibly estimate the number of class members residing in each state.
 8. **Per 28 U.S.C. § 1715(b)(8) – Judicial Opinions Related to the Settlement:** To date, the Court has not issued any orders or judgments in the above-referenced action.

If you have questions or concerns about this notice or the enclosed materials, please contact this office.

Very truly yours,

CAFA Notice Administrator

Enclosures

Attachment 2

If you or your business purchased Fairlife or Fair Oaks Farms Milk Products, you may be entitled to a Cash Award from a class action settlement.

A settlement has been reached in a class action lawsuit stating Defendants falsely labeled and marketed certain dairy products (sold under the brand names “fa!rlife” or “FOF”) produced using milk from cows that were allegedly not treated humanely. Defendants deny all allegations, and the Court has not decided who is right. For a list of the Covered Products, visit www.fairlifeMilkSettlement.com. If you purchased one or more of these products, you are included in the Settlement.

A \$21 million Settlement Fund has been created to pay Class Members who submit valid claims. The deadline to file a claim is **December 27, 2022**. Claims can be quickly and easily submitted online at www.fairlifeMilkSettlement.com. You can also download a paper claim from the website or by calling the phone number below. If you do not want to be bound by the Settlement you must exclude yourself by **August 25, 2022**. If you do not exclude yourself, you may object to the Settlement by **August 25, 2022**.

This notice is only a short summary of the lawsuit and your rights. Detailed information about the claims in the lawsuit, the Defendants’ reply and all of your rights if you are a Class Member is available at www.fairlifeMilkSettlement.com or by calling toll-free 1-855-604-1865.



Attachment 3

1954-2022 / RAY LIOTTA
Farewell to a Tough, Tender Star

June 13, 2022

People

21 Lives.

SPECIAL REPORT

Stories of
Love &
Anguish From
Uvalde,
Texas



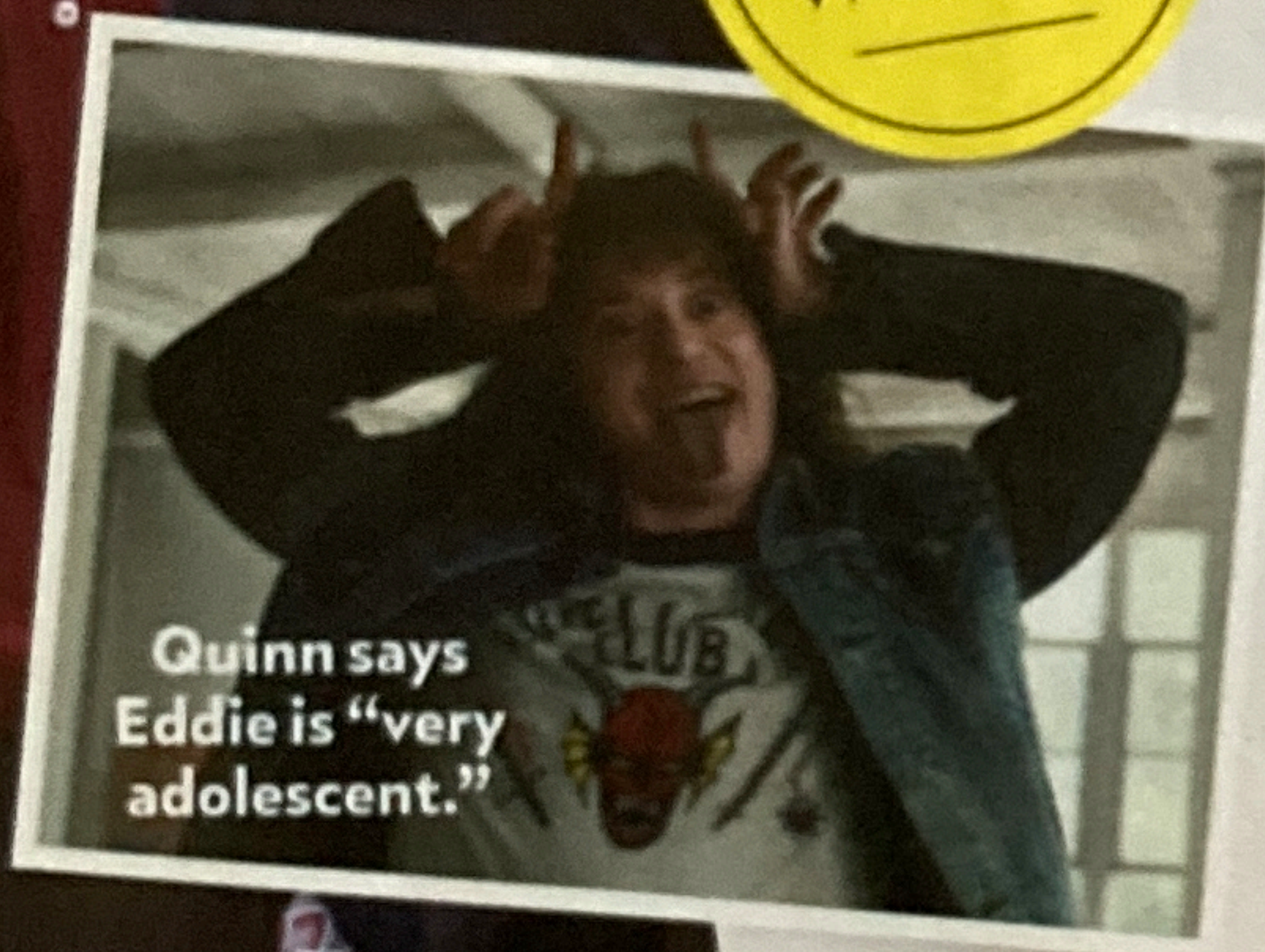
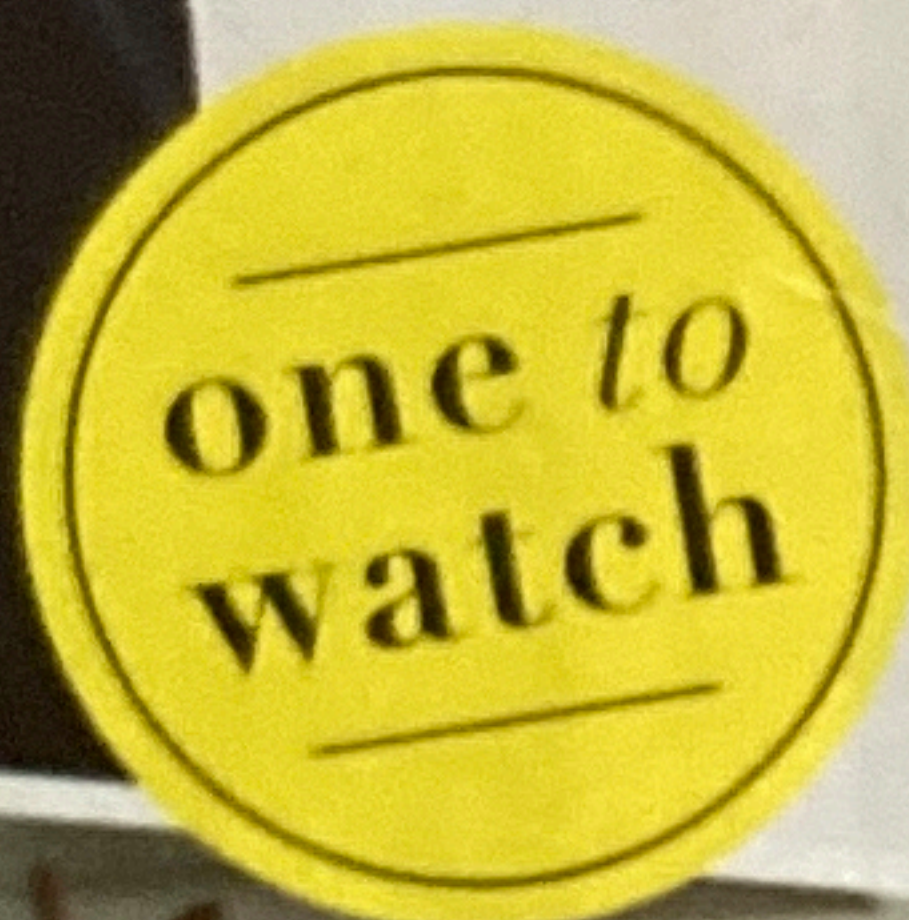
‘When is enough
going to be enough?
How many times
does it have to keep
happening?’
—Vincente Salazar III, father
of 11-year-old Layla

\$5.99
24>
0 92567 10227 3

Stranger Things 4's Joseph Quinn

The 28-year-old Brit, who plays vulnerable metalhead Eddie Munson on the new season of the Netflix hit, jokes that his becoming an actor was "painfully predictable" from a young age. "I'm an only child, my parents separated, and I was attention-seeking—it made sense," he says. Quinn, who had "great fun" as a Stark soldier on *Game of Thrones*, prepared for his latest role by studying bands like Metallica. "I was never a metalhead," he says. "But it ground me down and made me love it."

—BREANNE L. HELDMAN



Quinn says Eddie is "very adolescent."

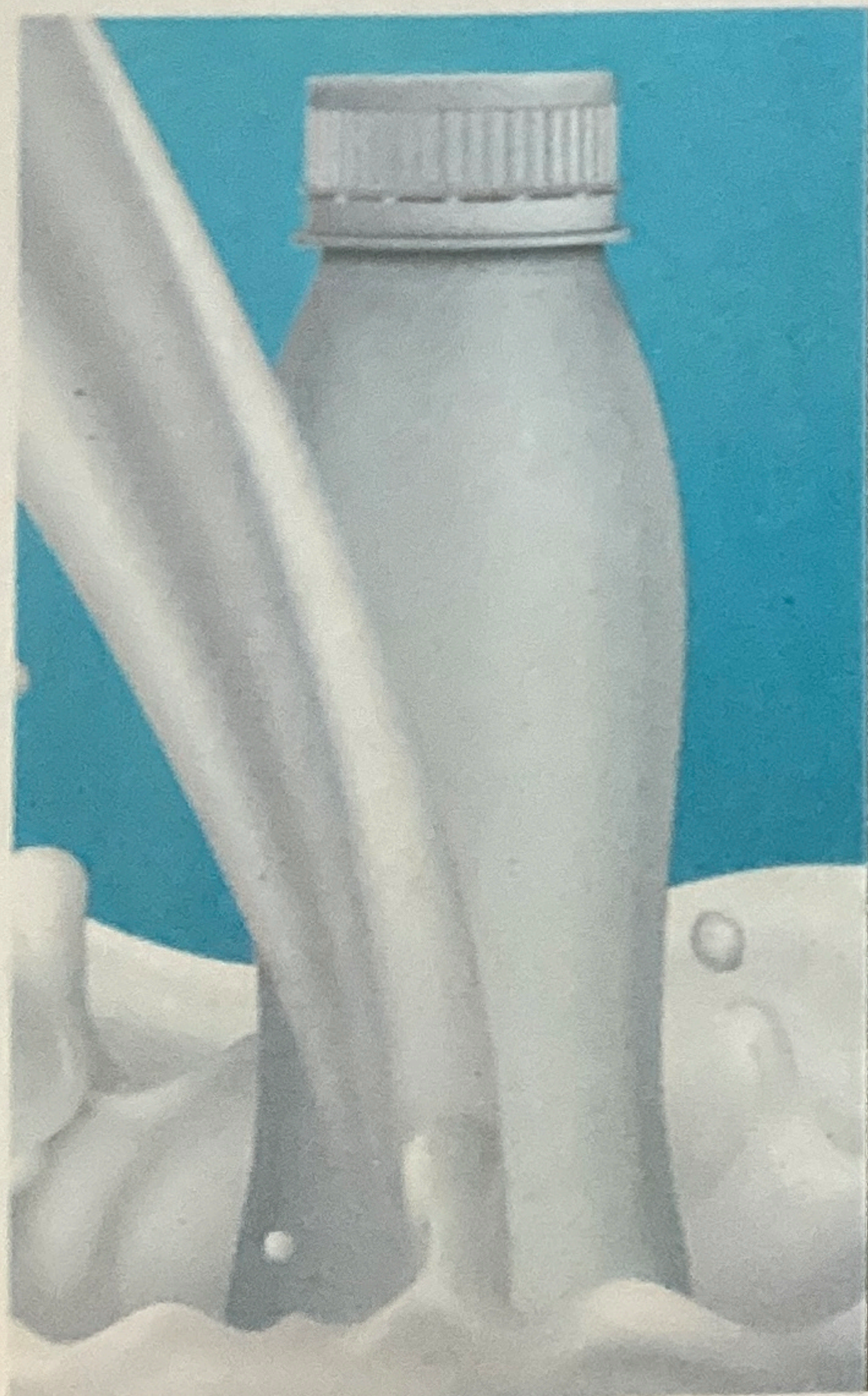


Stewart and Seydoux.

MOVIE | Crimes of the Future

HORROR In director David Cronenberg's things-to-come nightmare, Viggo Mortensen, as a sickly artist who spends much of his day in a bed that looks like a giant oyster, keeps sprouting mutant organs. Worrisome signs of human evolution, they're surgically removed by his lover/assistant (Léa Seydoux) in laughably solemn club performances. (The comedy is intentional.) For all its provocative gore, *Crimes* is too removed from reality, too studied, to shock. The exception is an opening segment done without special effects. Kristen Stewart, striking as always, plays an eager fan of this perverse new world. (In theaters June 3, R)

CLOCKWISE FROM TOP RIGHT: NIKOS NIKOLOPOULOS/NEON; NETFLIX; SCOTT GARRETT/PA IMAGES/GETTY IMAGES



LEGAL NOTICE

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Attachment 4

Home → Lifestyle → Family → Kids

15 Healthy Pantry Dinners for Hectic Weeknights

By: [Holley Grainger, MS, RD](#)

Related To:

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No time for grocery shopping? No problem! These 15 dietitian-approved dinners use ingredients you likely have stocked in your pantry, fridge or freezer like canned beans, pasta, eggs and leftover chicken. Now you can throw together a nutritious meal in no time that will please the family and make you look like a gourmet cook.

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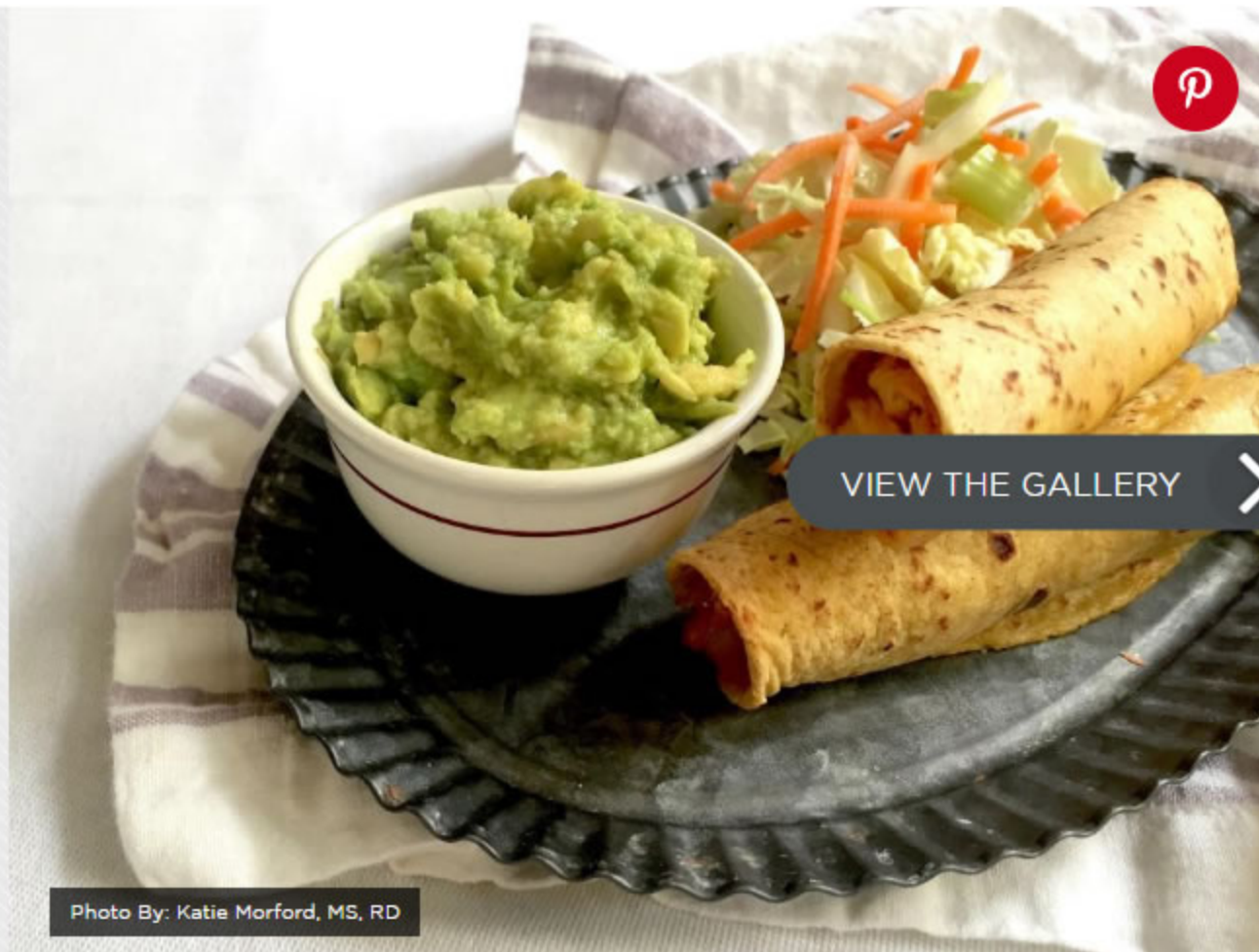


Photo By: [Katie Morford, MS, RD](#)

[VIEW THE GALLERY](#)

If you purchased fa!rlife or Fair Oaks Farms Milk Products, you may be entitled to a cash payment from a class action settlement.

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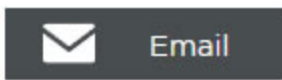
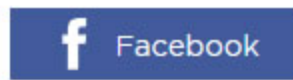
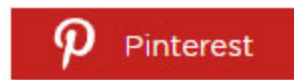
Oven-Baked Chicken Taquitos

Dinner doesn't get much easier than this! These oven-baked chicken taquitos are made with just five ingredients and are ready in 20 minutes.

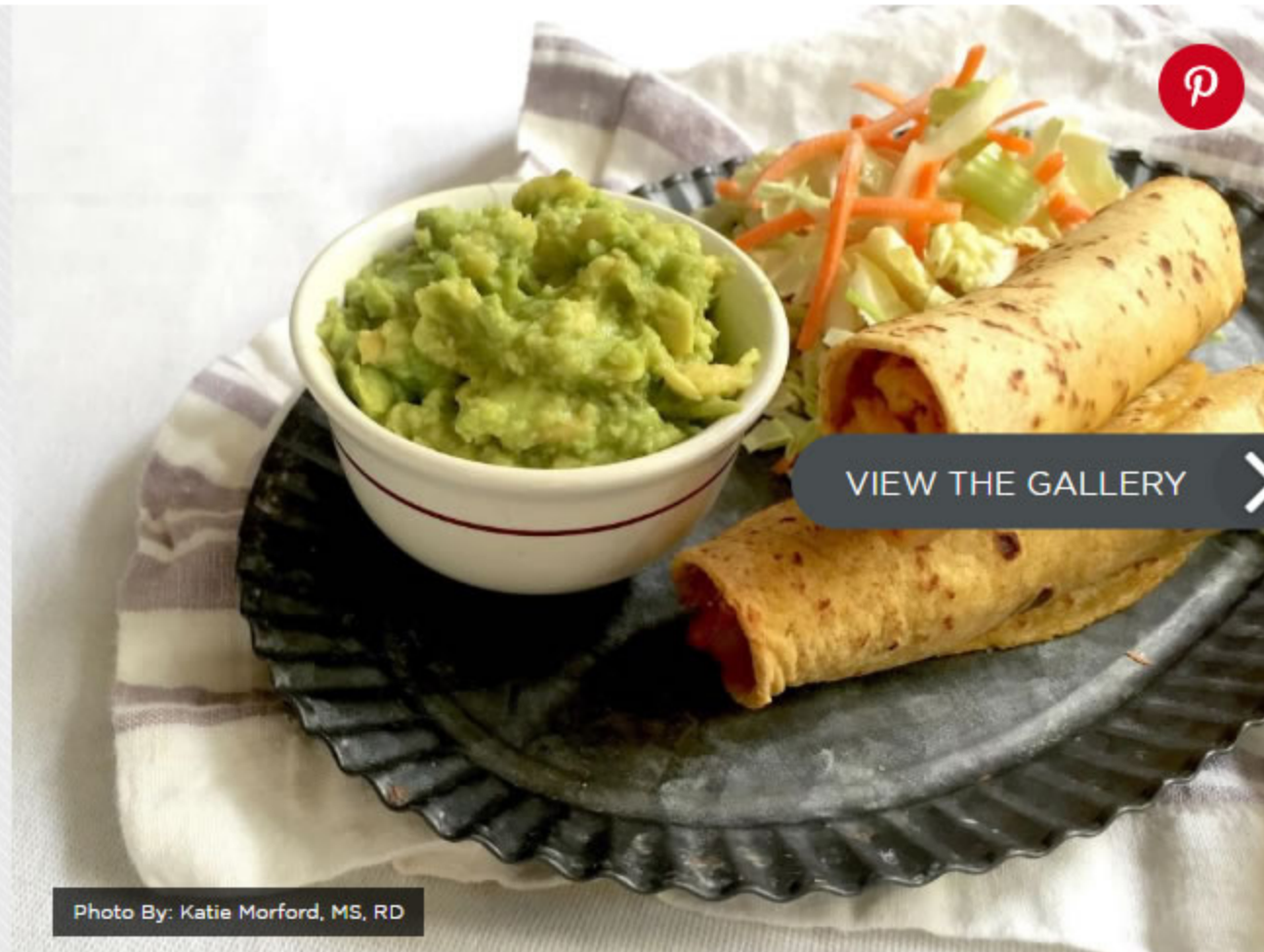
Home → Lifestyle → Family → Kids

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By: [Holley Grainger, MS, RD](#)

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Visit www.fairlife.com
[MilkSettlement.com](http://www.fairlife.com)
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information.



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1 / 15

Oven-Baked Chicken Taquitos

Dinner doesn't get much easier than this! These oven-baked chicken taquitos are made with just five ingredients and are ready in 20 minutes. This healthy spin on the traditional fried taquitos is sure to be a new family favorite. Make a double batch and freeze the extras to use for future suppers or school lunches. [Get the recipe >>](#)

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Beach Hazards Statement

MAY 27 - JUNE 7

FRI 5/27		60° /53°	Cooler; morning showers	100%
SAT 5/28		73° /63°	Warmer with clouds and sun	3%
SUN 5/29		85° /71°	Windy with clouds and sun	16%
MON 5/30		88° /72°	Partly sunny, windy and warm	7%

AD

TUE 5/31		90° /74°	Sunny, breezy and hot	18%
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If you purchased fa!rlife or Fair Oaks Farms Milk Products, you may be entitled to a cash payment from a class action settlement.

Visit www.fairlifeMilkSettlement.com for more information.

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If you purchased Fair Oaks Farms Milk Products, you may be entitled to a cash payment from a class action settlement.



Health



New link between mental health and arthritis

Clinical health psychologist Dr. Natalie Datillo explains how patients can make connections to reduce pain and increase mobility.

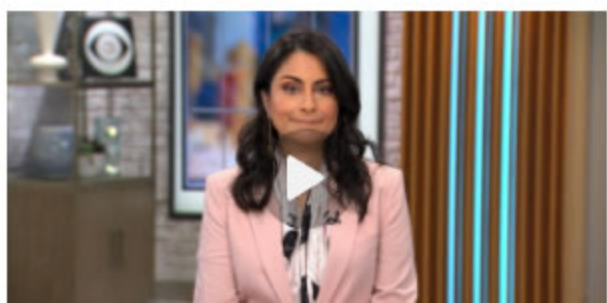
MAY 20 ▶ 03:01



Candy and snacks made with Jif peanut butter now being recalled

Americans urged not to eat an array of sandwiches, treats and snacks after salmonella sickens 16 people in 12 states.

1H AGO



An epidemiologist on curbing gun violence

Dr. Celine Gounder, epidemiologist and editor-at-large for public health at Kaiser Health News, joins "CBS Mornings" to discuss the public health approach to gun violence. She discusses ways that we can help reduce mass shootings and help keep people safe.

3H AGO ▶ 04:46



Latest News

Watch Live: Police give updates on Texas school shooting investigation

45M AGO



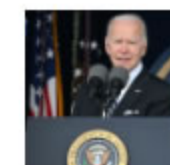
Watch Live: After 6 weeks, jury hears closing arguments in Depp-Heard...

40M AGO



Biden tells Naval Academy grads they're ready to face an uncertain world

1H AGO



4th-grade shooting survivor says gunman told class: "It's time to die"

16H AGO



Southern Baptist leaders release secret accused abuser list

12H AGO



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Health



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MAY 20 ▶ 03:01



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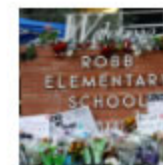
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Latest News

Watch Live: Police give updates on Texas school shooting investigation

45M AGO



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40M AGO



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1H AGO



4th-grade shooting survivor says gunman told class: "It's time to die"

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Southern Baptist leaders release secret accused clergy list



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Paul D. Shinkman

College Enrollment Declines Are Here to Stay

The enrollment data comes as a growing number of students consider alternatives to higher education – both as a result of tuition costs and data highlighting earnings potential without a degree.

Lauren Camera

EDUCATION NEWS

The Crisis in School Meal Programs

By Lauren Camera

CREDIT

Supply chain disruptions, inflation and rising gas prices are producing unprecedented complications for school nutrition teams. And the federal government is about to make things worse.

ECONOMY

Economy Shrinks in First Quarter

Despite the dip, economists look for the economy to grow healthily in 2022.

Tim Smart

CORONAVIRUS BY THE NUMBERS

UPDATED 4 MINUTES AGO

221,128,528	76.5%
U.S. Total Fully Vaccinated	U.S. Adult Vaccination Rate
83,837,175	527,943,215
U.S. Cases	Worldwide Cases
1,004,122	6,284,771
U.S. Deaths	Worldwide Deaths

See More Data and Trends »

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7 Risk Factors for a Stock Market Crash



From war to inflation to rising rates, here are seven things that could trigger a stock market crash.

Paulina Likos

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HOY CADA HORA DIARIO RADAR MINUTECAST MENSUAL CALIDAD DEL AIRE

BEST BUY

Solution Found

Declaración de fuerte corriente →

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8:47

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RealFeel® 92°

Parcialmente soleado

RealFeel Shade™	88°
Calidad del aire	Excelente
Viento	SE 5 mi/h
Ráfagas de viento	8 mi/h

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27/5

19

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Por hora

10 días

Fin de semana

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Tiempo para el fin de semana - San Diego, CA

A partir de las 5:55 a. m. PDT

Este fin de semana

vie 27 | Día

66° ☁️ 3%
ONO 11 mph

Cielo parcialmente cubierto. Máxima de 66 F. Vientos del ONO de 10 a 15 milla/h.

Humedad **72%** Índice UV **10 de 10**

sunrise **5:43 am** sunset **7:48 pm**

vie 27 | Noche

60° ☁️ 24%
ONO 9 mph

Nuboso. Mínima de 60 F. Vientos del ONO de 5 a 10 milla/h.

Humedad **77%** Índice UV **0 de 10**

moonrise **4:05 am** moonset **5:30 pm**
● Cuarto menguante

sáb 28 **65°/59°** ☁️ Mayormente nublado 16% O 10 mph

dom 29 **66°/58°** ☁️ Nubes por la mañana / Sol por la tarde 10% SO 11 mph

El próximo fin de semana

vie 03 **68°/59°** ☀️ Mayormente soleado 5% SO 10 mph

sáb 04 **66°/60°** ☁️ Parcialmente nublado 7% SO 11 mph

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Stay Safe



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Entretención

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CINE

'Winnie the Pooh: Blood and Honey' convierte el clásico infantil en terror

Los fanáticos del terror están entusiasmados con una próxima película que parece tomar la historia infantil de Winnie the Pooh y hacerla mucho más aterradora.



Conoce cómo vivieron los dinosaurios en la serie documental "Prehistoric Planet..."

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Obtén detalles

Se requiere el plan Unlimited Elite de AT&T. La cobertura y la velocidad de datos pueden variar. El uso internacional no debe exceder el nacional.

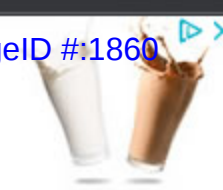


Publicidad

ÚLTIMAS NOTICIAS



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CINE

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Publicidad

ÚLTIMAS NOTICIAS






MAY. 27, 2022

ANUNCIO

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TITULARES DE HOY



NOTICIAS DE ÚLTIMA HORA

Tiempo de transformación y oportunidades



Un reverendo y una stripper se unen para paliar los efectos de las redadas



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OPINIÓN: La inestabilidad, un destino ineludible

Legendario narrador de los Dodgers, Jaime Jarrín, recibe doctorado honorario de Cal State LA

ANUNCIO

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Texas school shooter's dad: 'He should've just killed me'

The father of the gunman who killed 21 at an elementary school wants the world to know he is sorry: "I just want the people to know I'm sorry ... [for] what my son did."

Deadliest U.S. school shooting in a decade »

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Daily Horoscope Gemini



Texas school shooter's dad: 'He should've just killed me'

The father of the gunman who killed 21 at an elementary school wants the world to know he is sorry: "I just want the people to know I'm sorry ... [for] what my son did."

Deadliest U.S. school shooting in a decade »

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American solar panel business suddenly in crisis



Husband of teacher killed in school



Yankees, Rays make bold



Klay Thompson sends Warriors back to NBA Finals

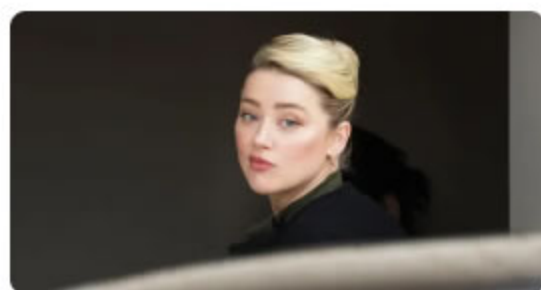


What truck dumped after crash may ruin your appetite

Remove topics that you don't want to see in your news feed

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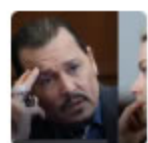


U.S. The Hollywood Reporter

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Yesterday	Today	Tomorrow
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Daily Horoscope Gemini

May 27 - Gemini - Someone needs



'Goodfellas' star Ray Liotta dies at 67

The actor died in his sleep in the Dominican Republic, according to reports. No foul play is suspected.



Duchess travels to Uvalde in surprise visit



Foxx criticizes lawmakers over school shooting



Jerry Bruckheimer talks 'Top Gun: Maverick'



Depeche Mode co-founder dead at age 60



McGregor on playing Obi-Wan Kenobi again

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Entertainment Yahoo TV

Harry Styles and James Corden hilariously make music video in random NYC apartment

The two attempted to make a music video with a \$300 budget in three hours inside a stranger's apartment.



Ad HotPopToday

We forgot Vanna White Was On Married With Children

All the guest appearances on Married With Children and what they're doing now



Entertainment Yahoo TV

Machine Gun Kelly wasted \$50k on two puppets that audiences hated in his film

On "The Tonight Show Starring Jimmy Fallon," Thursday, Colson Baker, aka Machine Gun Kelly, promoted his new movie "Good Mourning."



U.S. Yahoo TV

'They are killing babies': Texas State Senator blames Republicans for anti-gun control stance

Democrat Roland Gutierrez wondered if the GOP routinely blocks gun control legislation because of money coming in from the NRA.

Latest Trailers



Thor: Love And ...
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yahoo!entertainment

'Goodfellas' star Ray Liotta dies at 67

Raechal Shewfelt · Editor, Yahoo Entertainment
Thu, May 26, 2022, 1:12 PM · 5 min read

In this article:

Ray Liotta
American actor

Actor Ray Liotta has died at 67.

Liotta, who was known for his role as mobster-turned-FBI informant Henry Hill in the 1990 film *Goodfellas*, died in his sleep in the Dominican Republic, where he was



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'They are killing babies': Texas



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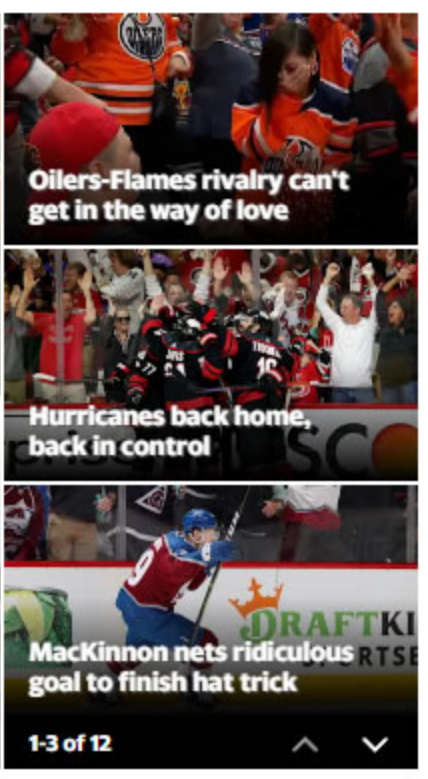
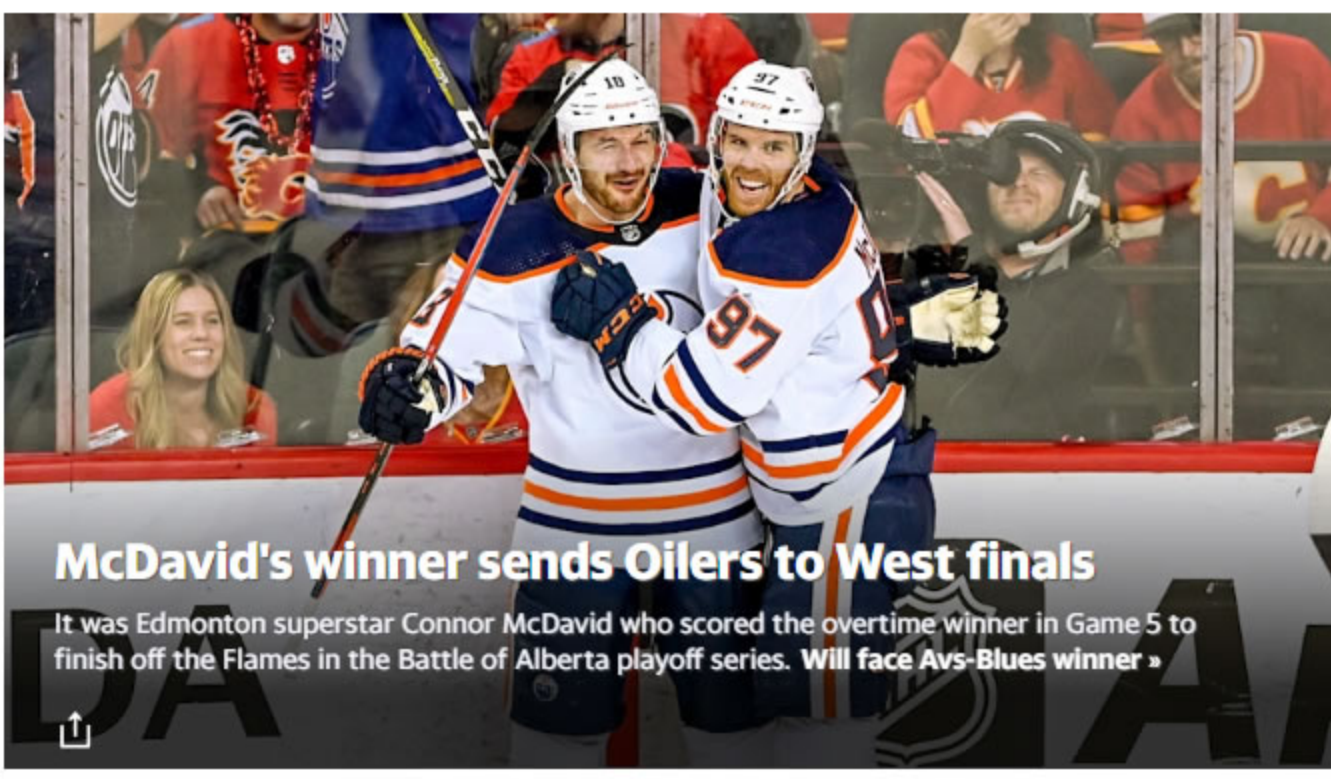
Machine Gun Kelly wasted \$50k on two puppets that audiences hated in his film



NHL	Final OT	Fri 8:00 PM	Final
(2) EDM 5	(1) COL 3-2	(2) NYR 1	
(1) CGY 4	(3) STL 2-3	(1) CAR 3	

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Headlines

- Connor McDavid scores series winner in OT as Oilers beat Flames in 5 7h
- Hurricanes win Game 5, push Rangers to brink of elimination 10h
- Woman reaches settlement with Hockey Canada, CHL after alleged sexual assault 11h
- Tyler Bozak caps amazing rally with OT goal; Blues avoid elimination vs. Avs 1d
- Blues' Berube addresses Kadri's racist attacks after initial 'no comment' 1d

Featured Odds

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NHL: Colorado Avalanche @ St. Louis Blues

Fri, 5/27, 8:00 PM

	Money Ln	Pt Spread	Total Pts
COL (56-19)	-175	-1.5 +135	O 6.5 -115
STL (49-22)	+145	+1.5 -165	U 6.5 -105

[Game Info >](#)

NHL: Carolina Hurricanes @ New York Rangers

Sat, 5/28, 8:00 PM

	Money Ln	Pt Spread	Total Pts
CAR (54-20)	-105	+1.5 -275	O 5.5 +115
NYR (52-24)	-115	-1.5 +225	U 5.5 -140

[Game Info >](#)



Associated Press • 5 hours ago

Indy 500 drivers find crypto craze fuels needed sponsorship

Should he win one of auto racing's crown jewel races, Conor Daly would gladly take the seven-figure payout awarded to the Indianapolis 500 champion and deposit traditional...

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Consejera de pareja revela la queja más frecuente de las mujeres sobre sus...

La terapeuta Corrin Voeller se hizo viral en TikTok con un video sencillo pero contundente en el que nos hace reflexionar...

hace 16 horas



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Mal olor de pies: qué lo provoca y cómo solucionarlo con remedios caseros

Además, estos son algunos remedios que la sabiduría popular asegura que funcionan contra el mal olor de los pies

hace 17 horas



THE CONVERSATION EN ESPAÑOL

Los obstáculos para las embarazadas se multiplicaron durante la pandemia

Shutterstock / Paolo De GasperisTras dos años de pandemia volvemos a ver nuestras caras al descubierto, a juntarnos en familia, entre...

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Las principales secuelas psicológicas que está dejando en los chicos el consumo d...

Expertos en psicología infantil y sexología precisaron que la edad promedio en que una persona consume pornografía por primera...

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EL NUEVO HERALD

Estos policías de la Florida se enfrentaron nariz con nariz. Mire lo que pasó cuand...

Siempre existe la posibilidad de no llevarse bien con un nuevo compañero de trabajo.

hace un día



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Cómo diferenciar el malestar provocado por las adversidades de un trastorno...

Muchas de las consultas a los psicólogos clínicos hoy no se relacionan con trastornos mentales, sino con situaciones de infelicidad...

hace 2 días



THE NEW YORK TIMES

Cómo proteger a tu querido perro de una terrible insolación

Un perro descansa a la sombra del calor del verano durante un paseo por Prospect Park en Brooklyn el 30 de junio de 2021. (Anna Watts/The New York Times)Cuando el calor y la humedad aumentan, los humanos pueden sufrir una insolacion, una condicion potencialmente fatal en la que la temperatura...

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THE CONVERSATION EN ESPAÑOL

Drogas legales: una plaga silenciosa

Shutterstock / Prostock-studioEn una sociedad impregnada de insatisfacción y rutina, proliferan los desarreglos mentales y del comportamiento asociados a la ansiedad y a la depresión. Las drogas psicotrópicas legales, entre las que se encuentran las benzodiazepinas y algunos opiáceos, son...

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1. Kim Kardashian revela cuántas prendas de moda tiene almacenadas...¿ni te lo imaginas!
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3. Princesa Charlene de Mónaco rompe el silencio sobre enfermedad que la mantuvo alejada de su familia
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Nutrición



THE INDEPENDENT

EEUU realizará conferencia sobre hambre, nutrición y salud

La Casa Blanca llevará a cabo una conferencia sobre el hambre, nutrición y salud en septiembre

hace 23 días



LA NACION

Los cultivos de cobertura, aliados para lograr una mejor nutrición

En los sistemas de producción mejoran la fertilidad física, química y biológica de los suelos; además, ayudan al aumento de los...

hace un mes



EFE LATAM

Hacer a la gente dueña de su nutrición, el propósito de un médico colombiano

Miami, 29 abr (EFE).- El médico colombiano Carlos Jaramillo, considerado el introductor en Latinoamérica de la "medicina funcional" ...

hace un mes



EL UNIVERSAL

Profeco advierte riesgos de comer palomitas de microondas

La Revista del Consumidor publicó un comunicado, a través de su cuenta de Twitter, informando sobre los riesgos para la salud al...

hace un mes



LA NACION

Nutrición: ¿ser vegano significa necesariamente comer sano?

Los especialistas consideran que la clave de las dietas están en saber planificar y diversificar la alimentación

hace 2 meses



EL NUEVO HERALD

La Dra. Gi enseña nutrición en la radio y la televisión

La gran demanda que hay de especialistas en distintas facetas de vida saludable provoca que algunos de ellos sean hábitos de los...

hace 2 meses



PEOPLE EN ESPAÑOL

Cómo mejorar tu nutrición para estar más saludable: los consejos del nutricionista José Fernández

El reconocido nutricionista José Fernández nos da importantes recomendaciones para que te alimentes de una mejor forma.

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Celebidades



BANGSHOWBIZ

Jennie, de BlackPink, desvela la dura vida de un ídolo de K-Pop: 'No tenía sistema...

La cantante asegura que se quedó sin sistema inmunitario tras pasar tres años formándose y otro año y medio más de gira

hace 2 horas



BANGSHOWBIZ

Marc Bartra niega sus supuestos romances con Maria Becerra y Camila...

El futbolista ha pedido a los medios profesionalidad a la hora de contrastar esos rumores

hace 3 horas

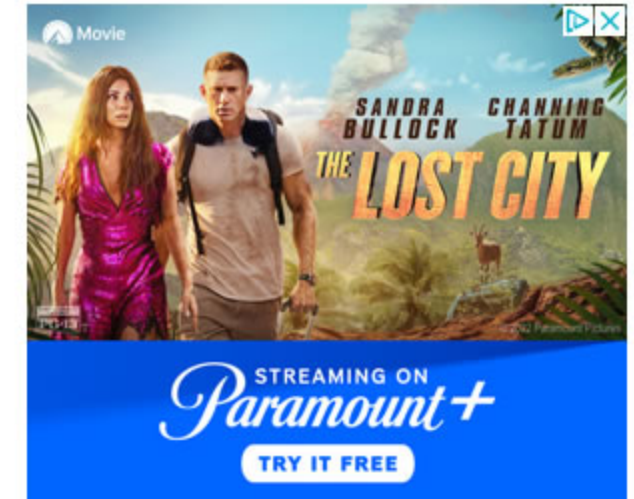


BANGSHOWBIZ

Detienen a un actor español acusado de envenenar a la tía de su esposa

El actor Luis Lorenzo, conocido por aparecer en series como 'La que se avecina' y 'Los hombres de Paco', habría envenenado a la...

hace 3 horas



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BANGSHOWBIZ

David Beckham quiere normalizar de una vez por todas la homosexualidad e...

El exfutbolista cree que ya no deber ser afrontado con extrañeza y hostilidad

hace 4 horas



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El 'divertido' reto de Miguel Ángel Muñoz: interpretar a Julio Iglesias en la nueva...

El actor ha contado cómo se preparó para dar vida al personaje

hace 4 horas



BANGSHOWBIZ

Taron Egerton recuerda emocionado su estrecha relación profesional y persona...

El actor británico ha publicado una emotiva semblanza en sus redes sociales

hace 5 horas



BANGSHOWBIZ

Ruby Barker, de la serie 'Bridgerton', permanece ingresada por sus problemas de salud mental

La actriz ha compartido un video desde el hospital para explicar que ya se encuentra mejor y que espera recibir el alta muy pronto

hace 5 horas



BANGSHOWBIZ

La duquesa de Sussex trabaja de incógnito como voluntaria en Uvalde

La esposa de Harry viajó este jueves hasta Texas para presentar sus respetos en el memorial a las víctimas del último tiroteo que se ha producido en una escuela de Estados Unidos



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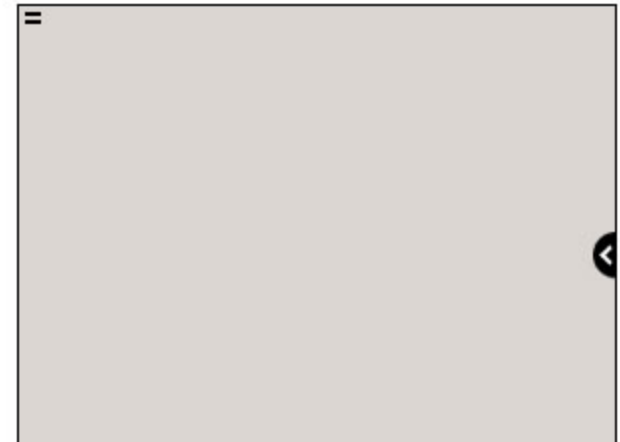
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Muere el esposo de maestra asesinada en masacre escolar

El esposo de Irma García, una de las víctimas de la matanza de Uvalde, falleció de un ataque al corazón a solo 48 horas de perder a su esposa. **Llevaban casados 24 años y dejan 4 hijos »**

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- 1. Ray Liotta
- 2. Salvador Ramos
- 3. Johnny Depp
- 4. AMLO
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- 7. Guadalupe Rhon
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- 10. Marte y NASA



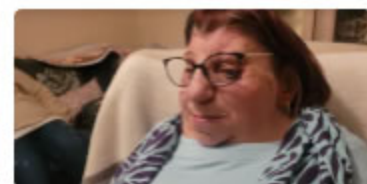
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La clase de educación sexual que jamás olvidarán



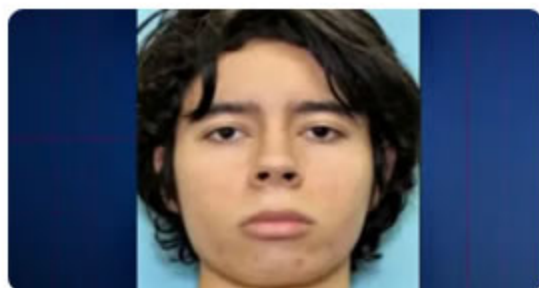
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Estilo De Vida LA NACION El padre de Salvador Ramos, autor de la masacre en Uvalde, pide perdón: "Debería haberme matado a mí"

The Independent Tiroteo en Texas: las víctimas asesinadas incluyen a dos pares de primos en edad de primaria

LA NACION Masacre de Salvador Ramos: un monstruo

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Entretenimiento The Independent Kate Middleton rinde homenaje a Meghan y Harry durante la fiesta del jardín de la Reina

La duquesa de Cambridge eligió un conjunto verde menta

Clima Westhampton

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Bonos como inversión: ¿ha llegado por fin su momento?
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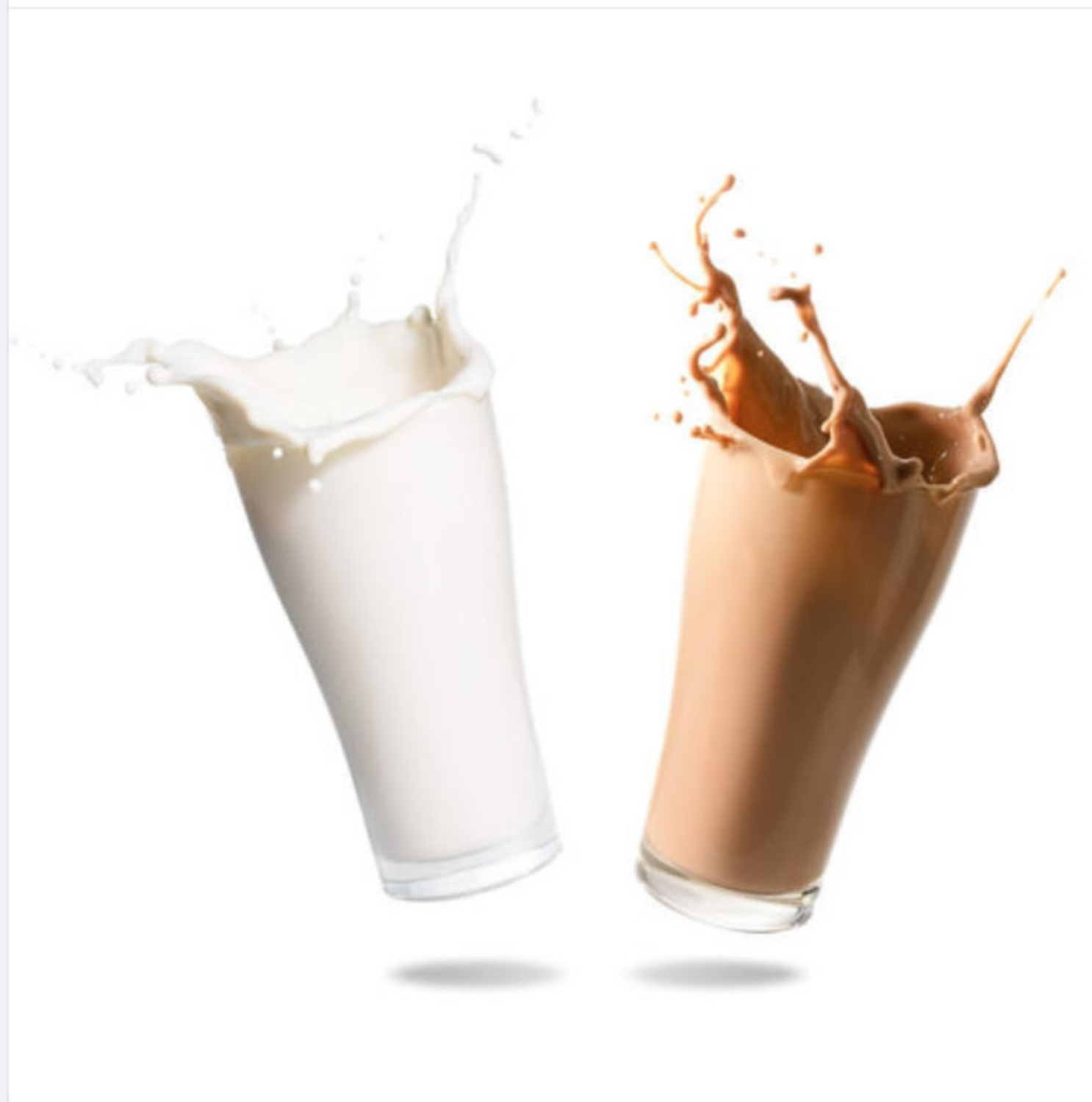
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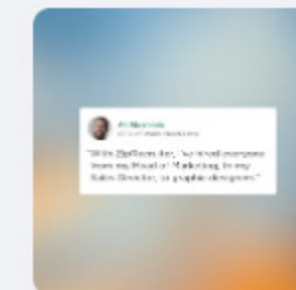
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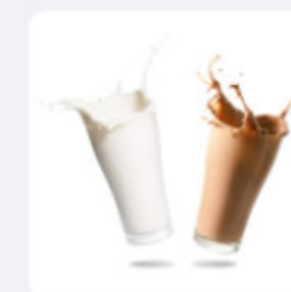
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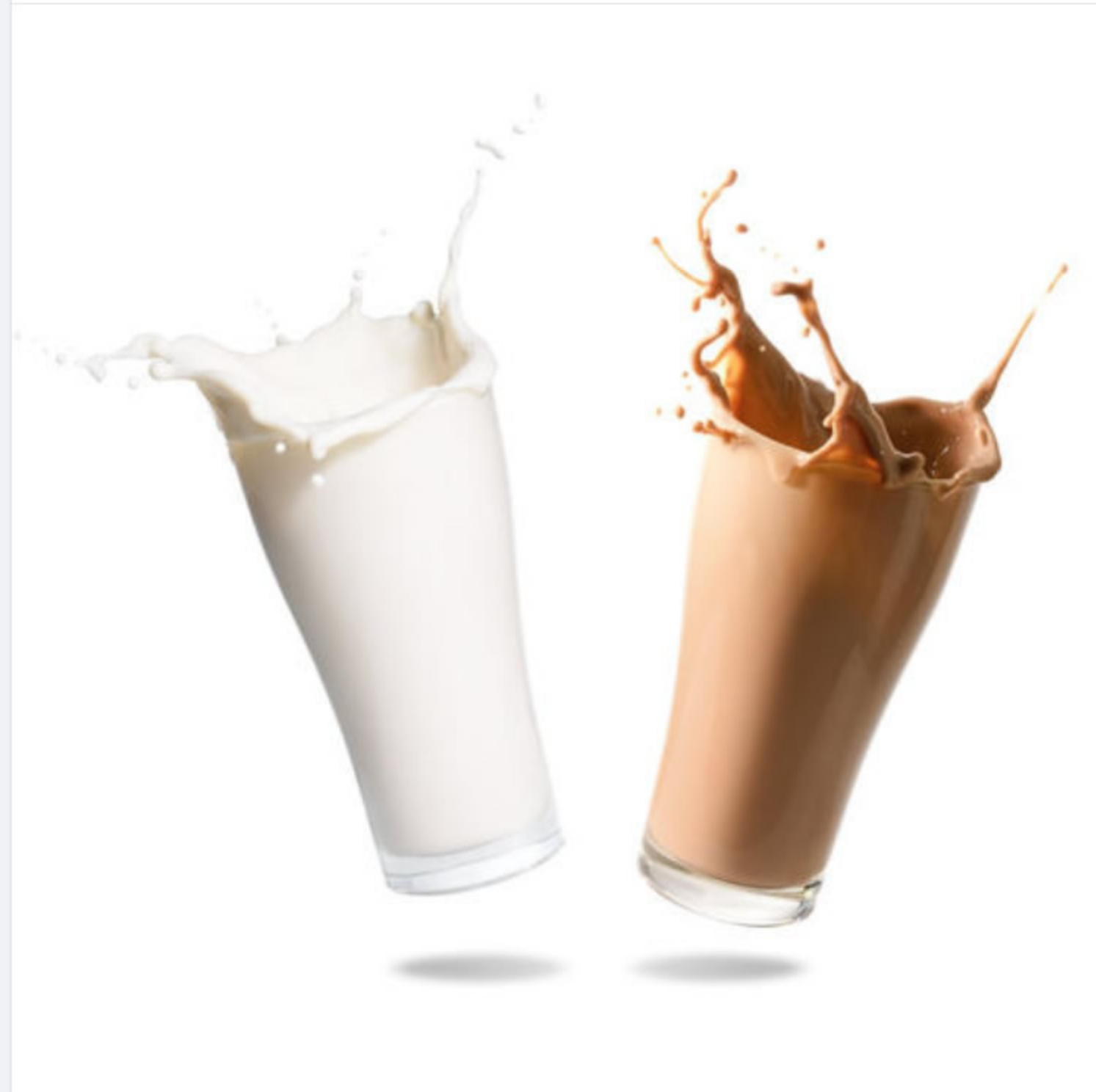


Class Action

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Si usted compró Productos lácteos de Fairlife o Fair Oaks Farms, es posible que tenga derecho a un pago en efectivo de una conciliación.



FAIRLIFEMILKSETTLEMENT.COM

Conciliación de demanda colectiva

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Attachment 5

Fairlife
Sponsored Search Keyword List

fa!rlife Class Action
fa!rlife Settlement
fa!rlife Litigation
fa!rlife Lawsuit
fa!rlife Class Action Lawsuit
Fairlife Class Action
Fairlife Settlement
Fairlife Litigation
Fairlife Lawsuit
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Milk Class Action Lawsuit
Dairy Class Action
Dairy Settlement
Dairy Litigation
Dairy Lawsuit
Dairy Class Action Lawsuit
FOF Class Action
FOF Settlement
FOF Litigation
FOF Lawsuit
FOF Class Action Lawsuit
False Labeling Milk
False Labeling Dairy
False Labeling fa!rlife
False Labeling Fairlife
False Labeling Fair Oaks Farms
Money Back fa!rlife
Money Back Fairlife
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Attachment 6



Fair Oaks Farms Class Action



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fairlife and Fair Oaks Farms - Class Action Settlement

Purchasers of certain milk products may be entitled to a cash payment from a settlement.

<https://www.michiganfarmnews.com/fair-oaks-select-...>

Fair Oaks, Select Milk Producers, fairlife, Coca-Cola agree to ...

May 4, 2022 – Under terms of the **settlement**, defendants have agreed to pay \$21 million dollars to cover cash awards, administrative costs, attorneys' fees and ...

https://www.purdueexponent.org/city_state

Federal lawsuit accuses Fair Oaks Farms of misleading ...

Mar 13, 2020 – The lawsuit asks for certification as a **class action**, for others in Indiana and around the country who also bought **Fair Oaks** products. It asks ...

People also ask

Does Fairlife still abuse cows 2022?



Does Fairlife still use Fair Oaks Farms?



Why did Fairlife get sued?



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Milk Class Action Settlement - fa!rlife & Fair Oaks Farms

Milk purchasers may be entitled to a cash payment from a Settlement Fund.

The lawsuit, filed Monday, accuses DFA of conspiring with Select Milk Producers Inc. "to stabilize and depress" pay for their farmer-members by sharing illegal price data through various joint ventures, skimming excess profits from milk "pooled" from several sources, and "unlawfully coordinating pricing." Apr 5, 2022

https://news.bloomberglaw.com › antitrust › top-u-s-dairy...

Top U.S. Dairy Co-Op Hit With Antitrust Lawsuit Over Farmer Pay

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https://www.butterandcheeseaction.com

Butter and Cheese Class Action - Home

A \$220 million **settlement** has been reached in a **class action lawsuit** brought against National **Milk** Producers Federation, Agri-Mark, Inc., **Dairy** Farmers of ...

Submit a Claim Form: Claim Forms have been ... Do Nothing: If you are a Class Member and i...

Go to a Hearing: The Fairness Hearing has be...

FAQs · Documents · Submit a Claim · Co-op Stores

https://www.10tv.com › article › news › nation-world

Remember that milk refund settlement everyone signed up for?

Sep 12, 2021 — After 4 year wait, \$52 million **settlement** from **class action lawsuit** against **dairy** producers will send out \$7.51 payments to certain ...

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fa!rlife and Fair Oaks Farms - Class Action Settlement

Purchasers of certain milk products may be entitled to a cash payment from a settlement.

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The Fair Oaks Farms class action lawsuit was filed by Andrew Schwartz and Alice Vitiello who say they purchased the milk on multiple occasions at least in part because it is advertised as being produced in a way that is humane to animals.

topclassactions.com/lawsuit-settlements/consumer-products/beverages/fairlife-class-action-say...

Fairlife Class Action Says Milk Comes From Abused Cows

www.classaction.org › news › milk-producer-fairlife

Milk Producer Fairlife Hit with Class Action Lawsuit ...


Jun 12, 2019 · Chicago-based Fairlife, LLC has been hit with a proposed **class action** filed by two consumers who say the company has fraudulently advertised and profited from the claim that its...

indianapublicmedia.org › news › consumers-seek-class

Consumers Seek Class-Action Lawsuit In Response To Fair Oaks...

Dec 03, 2019 · Consumers from several states filed **lawsuits** against **Fair Oaks** Farms, Fairlife and

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www.fairlifemilksettlement.com

Milk Class Action Settlement - fa!rlife & Fair Oaks Farms

Milk purchasers may be entitled to a cash payment from a Settlement Fund.

www.nwitimes.com > news > local

Fair Oaks Farms hit by another lawsuit over animal cruelty videos

Mar 23, 2020 · **Fair Oaks Farms** is the flagship farm for Fairlife, a network of about 30 dairy farms, whose dairy products are distributed by Coca-Cola. The **litigation** was sparked after a video...


www.cnn.com > 2019/06/06 > business 


Fair Oaks Farms is under investigation after an ... - CNN


Jun 06, 2019 · **Farm** founder: Employees responsible for abuse were fired **Fair Oaks Farms** founder Mike McCloskey said five employees were responsible for committing multiple instances of anim...


People also ask

Is Fair Oaks Farms under investigation for animal abuse? 

Does Fair Oaks Farms have a milk supply problem? 


What happened at Fair Oaks Farms? 

Is marijuana being grown on Fair Oaks Farm property? 

truthinadvertising.org > class-action > milk-from 

Milk from Fair Oaks Farms Food - Truth In Advertising

August 2020: This case was transferred from a court in Indiana to one in Illinois in order to be heard as part of a multidistrict **litigation** (MDL). (Honeycutt v.**Fair Oaks Farms** Food, LLC, Case No. 20-cv...

vegnews.com > 2020 > 5 

Troubled Dairy Giant Fair Oaks Farms Terminates Top-Level ...

May 11, 2020 · Fair Oaks investigation The extensive, year-long ARM investigation documented extreme animal abuse at the dairy company—which bills itself as “humane”—such as workers...

Author: Nicole Axworthy

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fa!rlife and Fair Oaks Farms | Class Action Settlement

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Ad Purchasers of certain milk products may be entitled to a cash payment from a settlement.

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- What happened at Fair Oaks Farm?
- Is Fair Oaks Farms in a downward spiral?
- What can you do at Fair Oaks Farms?

Feedback

Fair Oaks Farms hit by another lawsuit over animal ...

<https://www.nwitimes.com/news/local/newton/fair...>

Mar 23, 2020 · The **litigation** was sparked after a video released two weeks ago by a Florida-based animal rights organization, Animal Recovery Mission, showed alleged abuse at **Fair Oaks** ...

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Fair Oaks Farms, LLC | National Labor Relations Board

<https://www.nlr.gov/case/18-CA-292714>

Mar 22, 2022 · Contempt, Compliance, and Special **Litigation** Branch Briefs; Information on Decisions Issued by January 4, 2012 Board Member Appointees; Injunction **Litigation** Branch ...

Milk from Fair Oaks Farms Food - Truth In Advertising

<https://truthinadvertising.org/class-action/milk-from-fair-oaks-farms-food>

August 2020: This case was transferred from a court in Indiana to one in Illinois in order to be heard as part of a multidistrict **litigation** (MDL). (Honeycutt v.Fair Oaks Farms Food, LLC, Case ...

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Fair Oaks Farms

4.5 Tripadvisor (464) · Farm

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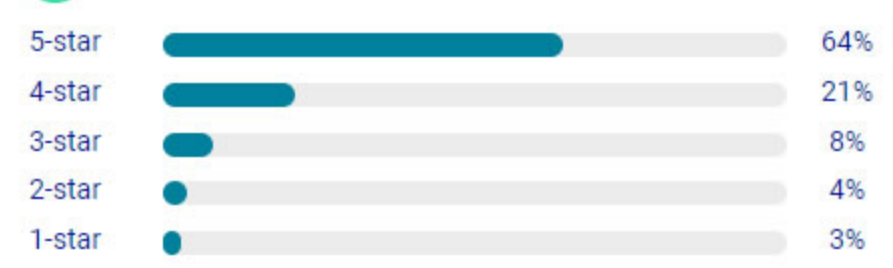
Fair Oaks Farms has things to do for everyone in your herd. Plan your trip by visiting one of our main attractions: The Dairy Adventure, The Pig Adventure and The Crop Adventure. Spend the night in our ...

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Milk Class Action Settlement | fa!rlife & Fair Oaks Farms

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Ad Milk purchasers may be entitled to a cash payment from a Settlement Fund.

laws.tips · Nov 15, 2021

Dairy Class Action Lawsuit - Laws Tips

There is the ever-popular dairy class action lawsuit, which has allowed many people to reap the benefits of eating healthier and exercising more simply by getting reimbursed for the cost of their doctor visits, medications, surgeries, and other out-of-pocket expenses.

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If you or your business purchased fa!rlife or Fair Oaks Farms Milk Products, you may be entitled to a Cash Award from a class action settlement

A settlement has been reached in a class action lawsuit alleging that fairlife, LLC, The ...

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A2 Milk Co Ltd is facing a third class action lawsuit from shareholders who claim they suffered ...

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Dairy Processor Facing Class Action Suit After NJ Kids Consume ...

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Apr 06, 2022 · Connecticut's Guida-Seibert Dairy Company faces a proposed **class action lawsuit** filed by the parents of children in Camden, New Jersey who reportedly became ill after ...

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Attachment 7

If you or your business purchased fa!rlife or Fair Oaks Farms Milk Products, you may be entitled to a Cash Award from a class action settlement

NEWS PROVIDED BY
UNITED STATES DISTRICT COURT NORTHERN DISTRICT ILLINOIS →
May 27, 2022, 09:01 ET

CHICAGO, May 27, 2022 /PRNewswire/ -- A settlement has been reached in a class action lawsuit alleging that fairlife, LLC, The Coca-Cola Company, Select Milk Producers, Inc., Fair Oaks Farms, LLC and Mike McCloskey and Sue McCloskey ("Defendants") falsely labeled and marketed certain dairy products (sold under the brand names "fa!rlife" or "FOF") produced using milk from cows that were allegedly not treated humanely. Defendants deny all allegations, and the Court has not decided who is right. For a list of the Covered Products, visit www.fairlifeMilkSettlement.com. If you purchased one or more of these products before April 27, 2022, you are included in the Settlement.

A \$21 million Settlement Fund has been created to pay Settlement Class Members who submit timely and valid claims. The deadline to file a claim is **December 27, 2022**. Claims can be submitted online at www.fairlifeMilkSettlement.com. You can also download a claim form from the website or obtain a claim form by calling the phone number below. If you do not want to be bound by the Settlement, you must exclude yourself by **August 25, 2022**. If you do not exclude yourself, you may object to the Settlement by **August 25, 2022**.

This notice is only a short summary of the lawsuit and your rights. Detailed information about the claims in the lawsuit and all of your rights if you are a Settlement Class Member is available at www.fairlifeMilkSettlement.com or by calling toll-free 1-855-604-1865.

SOURCE UNITED STATES DISTRICT COURT NORTHERN DISTRICT ILLINOIS

Attachment 8

From: [In re fairlife Milk Products Litigation Claims Administrator](#)
To:
Subject: fairlife Milk Products Class Action Settlement Notice
Date: Thursday, May 26, 2022 12:11:14 PM

If you or your business purchased fa!rlife or Fair Oaks Farms Milk Products, you may be entitled to a Cash Award from a class action settlement.

To view this Notice in Spanish, visit the Settlement Website [here](#).

What Is This Notice About? A settlement has been reached in a class action lawsuit stating Defendants falsely labeled and marketed certain dairy products (sold under the brand names “fa!rlife” or “FOF”) produced using milk from cows that were allegedly not treated humanely. Defendants deny all allegations, and the Court has not decided who is right.

Who’s In the Settlement? You are receiving this email as records indicate you may be a Class Member. You are a Settlement Class Member if you purchased, for personal use and not for resale, any fa!rlife or FOF Covered Product on or before April 27, 2022. For a list of the Covered Products, visit the Settlement Website [here](#).

What does the Settlement Provide? The \$21 million Settlement Amount will provide Cash Awards to Settlement Class Members who submit valid Claims. Settlement Class Members are eligible to receive a 25% Cash Award reimbursement for Covered Purchases with a maximum reimbursement of \$100. Claims with Valid Proof of Purchase may be eligible to receive a maximum of \$80 as a Cash Award. Claims without Valid Proof of Purchase may be eligible to receive a maximum of \$20 as a Cash Award. Settlement Class Members may submit Claims with and without Valid Proof of Purchase. The cost of notice and administration for the Settlement, attorneys’ fees and costs, and service awards to the Named Plaintiffs will also be paid out of the Settlement Amount, if approved by the Court.

What are Your Options? If you are a Settlement Class Member, you must fill out and submit a Claim Form to qualify for a Cash Award. You can quickly and easily file your Claim online [here](#). You can also download a paper Claim Form from the website or get one by calling the Claims Administrator at 1-855-604-1865. The completed Claim Form must be submitted online by **December 27, 2022**, or by mail postmarked by **December 27, 2022**.

If you do not want a Cash Award, and want to keep the right to sue or continue to sue the Defendants on your own about the legal issues in this case, then you must take steps to exclude yourself from the Settlement (get out of the Settlement). This is called “excluding yourself”—or is sometimes referred to as “opting out” of the Settlement Class. Unless you exclude yourself from the Settlement Class, you will remain in the Settlement Class, and that means you cannot sue, continue to sue or be part of any other lawsuit against the Defendants about the legal issues in this case. It also means that all of the Court’s orders will apply to you and legally bind you. Your request for exclusion must be submitted [online](#) or by mail postmarked by **August 25, 2022**. If you do not exclude yourself from the Settlement, you may object to the Settlement if you do not like any part of it. The deadline to object is **August 25, 2022**.

The Court will hold a Fairness Hearing in person and by remote means at **10:00 a.m. on September 28,**

2022, to hear any comments, objections, and arguments concerning the fairness of the proposed Settlement, including the amount requested by Class Counsel for attorneys' fees and expenses. If there are objections, the Court will consider them. You may appear at the Fairness Hearing, but you are not required to attend. You may also hire your own attorney, at your own expense, to appear or speak for you at the hearing. For instructions on accessing the hearing remotely visit the Settlement Website [here](#).

This notice summarizes the proposed Settlement. More information on the lawsuit and your rights is available at the [Settlement Website](#) or by calling toll-free 1-855-604-1865.

AG451_v03

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Attachment 9

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**If you or your business
purchased fa!rlife or Fair
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you may be entitled to a
Cash Award from a
class action settlement.**



What Is This Notice About? A settlement has been reached in a class action lawsuit stating Defendants falsely labeled and marketed certain dairy products (sold under the brand names “fairlife” or “FOF”) produced using milk from cows that were allegedly not treated humanely. Defendants deny all allegations, and the Court has not decided who is right.

Who’s In the Settlement? You are receiving this notice as records indicate you may be a Class Member. You are a Settlement Class Member if you purchased, for personal use and not for resale, any fairlife or FOF Covered Product on or before April 27, 2022. For a list of the Covered Products, visit www.fairlifeMilkSettlement.com.

What does the Settlement Provide? The \$21 million Settlement Amount will provide Cash Awards to Settlement Class Members who submit valid claims. Settlement Class Members are eligible to receive a 25% Cash Award reimbursement for Covered Purchases with a maximum reimbursement of \$100. Claims with Valid Proof of Purchase may be eligible to receive a maximum of \$80 as a Cash Award. Claims without Valid Proof of Purchase may be eligible to receive a maximum of \$20 as a Cash Award. Settlement Class Members may submit Claims with and without Valid Proof of Purchase. The cost of notice and administration for the Settlement, attorneys’ fees and costs, and service awards to the Named Plaintiffs will also be paid out of the Settlement Amount, if approved by the Court.

What are Your Options? If you are a Settlement Class Member, you must fill out and submit a Claim Form to qualify for a Cash Award. You can quickly and easily file your Claim online at www.fairlifeMilkSettlement.com. You can also download a paper Claim Form from the website or get one by calling the Claims Administrator at 1-855-604-1865. The completed Claim Form must be submitted online by **December 27, 2022**, or by mail postmarked by **December 27, 2022**.

If you do not want a Cash Award, and want to keep the right to sue or continue to sue the Defendants on your own about the legal issues in this case, then you must take steps to exclude yourself from the Settlement (get out of the Settlement). This is called “excluding yourself”—or is sometimes referred to as “opting out” of the settlement class. Unless you exclude yourself from the Settlement Class, you will remain in the Settlement Class, and that means you cannot sue, continue to sue or be part of any other lawsuit against the Defendants about the legal issues in this case. It also means that all of the Court’s orders will apply to you and legally bind you. Your request for exclusion must be submitted online at www.fairlifeMilkSettlement.com or by mail postmarked by **August 25, 2022**. If you do not exclude yourself from the Settlement, you may object to the Settlement if you do not like any part of it. The deadline to object is **August 25, 2022**.

The Court will hold a Fairness Hearing in person and by remote means at **10:00 a.m. on September 28, 2022**, to hear any comments, objections, and arguments concerning the fairness of the proposed Settlement, including the amount requested by Class Counsel for attorneys’ fees and expenses. If there are objections, the Court will consider them. You may appear at the Fairness Hearing, but you are not required to attend. You may also hire your own attorney, at your own expense, to appear or speak for you at the hearing. For instructions on accessing the hearing remotely visit the Settlement Website.

This notice summarizes the proposed Settlement. More information on the lawsuit and your rights is available at www.fairlifeMilkSettlement.com or by calling toll-free 1-855-604-1865.

Attachment 10

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

If you or your business purchased fairlife or Fair Oaks Farms Milk Products, you may be entitled to a Cash Award from a class action settlement.

SI DESEA RECIBIR ESTA NOTIFICACIÓN EN ESPAÑOL, LLÁMENOS O VISITE NUESTRA PÁGINA WEB

A federal court has authorized this Notice. This is not a solicitation from a lawyer. Your legal rights are affected whether you act or do not act. Please read this Notice carefully.

- A \$21 million Settlement has been reached in a class action lawsuit filed against Defendants The Coca-Cola Company (“TCCC”), fairlife, LLC (“fairlife”), Fair Oaks Farms, LLC (“FOF”), Mike McCloskey and Sue McCloskey (“the McCloskeys”), and Select Milk Producers, Inc. (“Select”), relating to fairlife and FOF Milk Products. The lawsuit alleges that Defendants falsely labeled and marketed certain dairy products produced using milk from cows that were allegedly not treated humanely. Defendants deny all allegations and have settled this lawsuit to avoid further litigation. The Court has not decided who is right.
- You may submit a Claim Form to receive 25% of the average retail purchase price, up to \$100, for your purchases of fairlife Milk Products and FOF Milk Products, if the products were purchased for personal use and not for resale, and were purchased on or before **April 27, 2022** (see Question 6 for a complete list of the Covered Products). Claim Forms submitted without Valid Proof of Purchase will be capped at a Cash Award of up to \$20 and Claim Forms submitted with Valid Proof of Purchase will be capped at a Cash Award of up to \$80, subject to certain adjustments (upward and downward) depending on the number of claims submitted.
- Your legal rights are affected whether or not you act. ***Please read this notice carefully.***

YOUR RIGHTS AND CHOICES		DEADLINE
Submit a Claim Form	The only way to get a Cash Award is to submit a Claim Form with and/or without Valid Proof of Purchase.	Submit a Claim Form by: December 27, 2022
Exclude Yourself (Opt Out)	Get no Cash Award but keep any right to file your own lawsuit against Defendants about the legal claims in this case.	Request Exclusion by: August 25, 2022
Object	Tell the Court why you do not like the Settlement. If approved, you will still be bound by the Settlement, and you may still file a Claim Form for a Cash Award.	File an Objection by: August 25, 2022
Attend A Hearing	Ask to speak in Court about why you do not support the proposed Settlement or any of its provisions. The Fairness Hearing is September 28, 2022 .	File Notice of Appearance by: August 25, 2022
Do Nothing	Get no Cash Award. Give up legal rights.	

- These rights and options—and the deadlines to exercise them—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. Cash Awards will be sent if the Court approves the Settlement and after appeals are resolved. Please be patient.

Questions? Call 1-855-604-1865, or Visit www.fairlifeMilkSettlement.com

WHAT THIS NOTICE CONTAINS

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- 2. What is this lawsuit about?
- 3. What is a class action?
- 4. Why is there a Settlement?

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- 5. Am I part of the Settlement?
- 6. What are the Covered Products?

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- 7. What does the Settlement provide?
- 8. What can I get from the Settlement?

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- 10. When will I receive my Cash Award?
- 11. What am I giving up to receive these Settlement benefits?

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- 12. Do I have lawyers in this case?
- 13. How will the lawyers be paid?

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- 17. What is the difference between objecting and asking to be excluded?

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- 18. When and where will the Court decide whether to approve the Settlement?
- 19. Do I have to attend the Fairness Hearing?
- 20. May I speak at the Fairness Hearing?

YOUR RIGHTS – DO NOTHING PAGE 10

- 21. What happens if I do nothing at all?

GETTING MORE INFORMATION PAGE 10

- 22. Are there more details about the Settlement?
- 23. How do I get more information?

BASIC INFORMATION

1. Why should I read this Notice?

A Court has preliminarily established, or “certified,” this case as a class action lawsuit for purposes of settlement.

This Notice explains the class action lawsuit, the proposed Settlement, your legal rights, what benefits are available, who is eligible for the benefits, and how to get the benefits. If you are a Settlement Class Member, you have legal rights and options before the Court decides whether to give final approval to the proposed Settlement. This Notice explains all of these things. For the precise terms and conditions of the Settlement, please review the Settlement agreement, available at www.fairlifeMilkSettlement.com.

The Court in charge of this case is the United States District Court for the Northern District of Illinois. The lawsuit is known as *In re fairlife Milk Products Marketing and Sales Practices Litigation*, MDL No. 2909, Lead Case No. 1:19-cv-03924-RMD-MDW.

2. What is this lawsuit about?

This lawsuit asserts claims for, among other things, breach of express and implied warranty, unjust enrichment, common law fraud, intentional and negligent misrepresentation, and violations of certain state consumer protection, false advertising, and unfair competition statutes.

The lawsuit alleges that Defendants falsely labeled and marketed certain dairy products using milk produced from cows that were allegedly not treated humanely. The Named Plaintiffs allege that they would not have paid as much for the Milk Products had they known that the cows were not treated humanely. Defendants deny all allegations. The Court has not decided who is right.

3. What is a class action?

In a class action lawsuit, one or more persons or entities called named plaintiffs sue on behalf of other persons and entities that have similar claims. The people and entities together are a “Settlement Class” or “Settlement Class Members.” In this lawsuit, the people who sued are called the “Named Plaintiffs.” The company and people they are suing, The Coca-Cola Company, fairlife, LLC, Fair Oaks Farms, LLC, Mike McCloskey and Sue McCloskey, and Select Milk Producers, Inc., are called the “Defendants.” One court resolves the issues for everyone in the Settlement Class, except for those people who choose to exclude themselves (opt out) from the Settlement Class.

4. Why is there a Settlement?

The Court has not decided in favor of the Named Plaintiffs or the Defendants. Instead, both sides agreed to a Settlement. By agreeing to settle, both sides avoid the cost and risk of a trial, and Settlement Class Members who submit a valid Claim Form will get a Cash Award. The Named Plaintiffs and Class Counsel believe the Settlement is best for the Settlement Class and represents a fair, reasonable and adequate resolution of the lawsuit.

The Defendants deny the claims in the lawsuit; deny all allegations of wrongdoing, fault, liability or damage to the Named Plaintiffs and the Settlement Class; and deny that they acted improperly or wrongfully in any way. Defendants nevertheless recognize the expense and time that would be required to defend the lawsuit through trial and have taken this into account in agreeing to this Settlement.

WHO IS IN THE SETTLEMENT?

To see if you are eligible for benefits, you first have to determine if you are a Settlement Class Member.

5. Am I part of the Settlement?

You are a Settlement Class Member if you are a Person (as defined below) in the United States, its territories, and/or the District of Columbia who purchased, for personal use and not for resale, any Covered Product on or before April 27, 2022. The fairlife and FOF milk “Covered Products” included in the Settlement include the products listed in Question 6.

“Person” is defined as an individual, corporation, partnership, limited partnership, limited liability company, association, member, joint stock company, estate, legal representative, trust, unincorporated association, any business or legal entity, and such individual’s or entity’s spouse, heirs, predecessors, successors, representatives, and assignees.

Excluded from the Settlement are: (i) Defendants and their respective subsidiaries and affiliates, members, employees, officers, directors, agents, and representatives and their family members; (ii) Class Counsel; (iii) the judges who have presided over the Litigation; (iv) local, municipal, state, and federal governmental agencies; and (v) all persons who have timely submitted a request for exclusion (opt-out) from the Settlement Class in compliance with the Court’s Orders.

If you are unsure whether you are included, you can call or email the Claims Administrator at 1-855-604-1865 or info@fairlifeMilkSettlement.com. Epiq Class Action and Claims Solutions, Inc. is the Claims Administrator for the Settlement.

6. What are the Covered Products?

The “Covered Products” are all fairlife Milk Products and all FOF Milk Products, including the following, which lists the container size and the agreed average retail price:

fairlife Ultra-Filtered Milk (UFM)			
All container sizes; all grades; all fat contents, including but not limited to whole, 2%, 1%, and skim; and all flavors, including but not limited to original/plain, chocolate/mocha, vanilla, and strawberry.			
8oz 6-Pack	\$6.16	8oz 12-Pack	\$10.40
11.5oz Single	\$2.09	14oz Single	\$2.99
52oz Single	\$4.04	52oz 2-Pack	\$6.61
52oz 3-Pack	\$9.00	Any Other UFM Product Not Listed Above	\$2.09
fairlife DHA Milk			
All container sizes; all grades; all fat contents, including but not limited to whole and 2%; and all flavors, including but not limited to original/plain and chocolate/mocha.			
8oz 4-Pack	\$5.41	52oz Single	\$4.48
52oz 2-Pack	\$6.87	Any Other DHA Product Not Listed Above	\$4.48
fairlife Core Power Protein Shakes			
All container sizes; all grades; and all flavors, including but not limited to banana, chocolate/mocha, coffee, strawberry, vanilla, and honey.			
8oz Single	\$2.50	8oz 4-Pack	\$7.05
11.5oz. Single	\$3.39	11.5oz 12-Pack	\$26.22
14oz Single	\$3.25	14oz 12-Pack	\$27.20
Any Other Core Power Protein Shake Product Not Listed Above			\$2.50

Questions? Call 1-855-604-1865, or Visit www.fairlifeMilkSettlement.com

fairlife Core Power Elite Protein Shakes			
All container sizes; all grades; and all flavors, including but not limited to chocolate/mocha, strawberry, and vanilla.			
14oz Single	\$4.07	14oz 8-Pack	\$22.47
14oz 12-Pack	\$38.57	Any Other Core Power Elite Protein Shake Product Not Listed Above	\$4.07
fairlife Core Power Light Protein Shakes			
All container sizes; all grades; and all flavors, including but not limited to chocolate/mocha.			
11.5oz Single	\$3.25	11.5oz 12-Pack	\$24.10
Any Other Core Power Light Protein Shake Product Not Listed Above			\$3.25
fairlife Yup! Ultra-Filtered Milk			
All container sizes; all grades; all fat contents, including but not limited to 2% and 1%; and all flavors, including but not limited to original/plain, chocolate/mocha, vanilla, cookies & creamiest, and strawberry.			
14oz Single	\$2.17	14 oz 12-Pack	\$24.79
Any Other Yup! Product Not Listed Above			\$2.17
fairlife Nutrition Plan			
All container sizes; all grades; and all flavors, including but not limited to chocolate/mocha, coffee, vanilla, salted caramel, and strawberry.			
11.5oz Single	\$2.71	11.5oz 4-Pack	\$7.14
11.5oz 12-Pack	\$16.20	11.5oz 18-Pack	\$24.99
Any Other Nutrition Plan Not Listed Above			\$2.71
fairlife Smart Snacks			
All container sizes; all grades; and all flavors, including but not limited to chocolate/mocha, vanilla, and strawberry.			
8oz Single	\$2.21	8oz 4-Pack	\$7.95
8oz 12-Pack	\$27.23	Any Other Smart Snacks Product Not Listed Above	\$2.21
fairlife Good Moo'd		fairlife Yogurt	
All container sizes; all grades; and all fat contents, including but not limited to whole, 2%, and skim; and all flavors, including but not limited to original/plain.		All container sizes; all grades; and all flavors, including but not limited to blueberry, peach, plain, strawberry, and vanilla.	
Per Unit	\$4.02	Per Unit	\$4.93
fairlife Ice Cream		fairlife Creamer	
All container sizes; all grades; and all flavors, including but not limited to butter pecan, caramel toffee crunch, chocolate, chocolate peanut butter, cookie dough, cookies and cream, dark cherry chunk, double fudge brownie, java chip, mint chip, and vanilla.		All container sizes; all grades; and all flavors, including but not limited to sweet cream, hazelnut, vanilla, and caramel.	
Per Unit	\$4.43	Per Unit	\$3.15
FOF Milk			
All container sizes, grades, fat contents, and flavors including but not limited to whole, 2%, 1%, skim, and chocolate.			
FOF Half Pint	\$0.79	FOF 11.5 oz-12.0 oz, 16 oz, Pint	\$1.89
FOF 1.5 Liter, 52 oz, 64 oz	\$3.69	FOF Gallon	\$3.99
FOF Ice Cream			
All container sizes and flavors including but not limited to vanilla, chocolate, strawberry, butter pecan, cookies and cream, and mint.			
FOF Pint	\$6.29	FOF 3 Gallon	\$49.99
FOF Yogurt			
Including but not limited to all container sizes and styles including Greek.			
FOF Small	\$2.99	FOF Large	\$4.99

Questions? Call 1-855-604-1865, or Visit www.fairlifeMilkSettlement.com

FOF Butter		FOF Eggnog	
All container sizes and flavors including but not limited to all natural butter, garlic & parsley, honey, and cinnamon.		FOF Eggnog	\$4.99
FOF Butter	\$4.39		

THE SETTLEMENT BENEFITS – WHAT YOU GET

7. What does the Settlement provide?

The \$21 million Settlement Amount will provide Cash Awards to Settlement Class Members who submit valid claims. Settlement Class Notice and Administrative Costs, Attorneys' Fees and Costs, and Service Awards to the Named Plaintiffs will also be paid out of the Settlement Amount, if approved by the Court.

8. What can I get from the Settlement?

Cash Award: If you submit a valid Claim Form, you may receive 25% of the average retail purchase price for your purchase of fairlife Milk Products and/or FOF Milk Products (see Question 6 for a list of Covered Products) for a maximum Cash Award of \$100 per household, subject to certain capped limits and adjustments (upward or downward) depending on the number of claims filed, so long as the products were purchased for personal use and not for resale and were purchased on or before **April 27, 2022**.

- **Claims *without* Valid Proof of Purchase:** Claimants who submit a Claim Form without Valid Proof of Purchase may be eligible to receive a maximum of \$20 as a Cash Award.
- **Claims *with* Valid Proof of Purchase:** Claimants who submit a Claim Form with Valid Proof of Purchase may be eligible to receive a maximum of \$80 as a Cash Award.
- **Claims *with and without* Valid Proof of Purchase:** Claim Forms submitted with and without Valid Proof of Purchase are allowed, and claimants who submit such Claim Forms may be eligible to receive a maximum of \$100 as a Cash Award. *Note: if you submit Valid Proof of Purchase for all claims, you are still eligible to receive a maximum of \$100 as a Cash Award.*
- Valid Proof of Purchase means verifiable documentation of a transaction that reflects the purchase of one or more Covered Products on or before April 27, 2022. Examples may include but are not limited to store receipts, milk bottles, or any other contemporaneous record of purchase that is objectively verifiable.

Claims are limited to one Claim Form per household.

If the total amount of Cash Awards exceed the amount available in the Settlement Fund, then each Cash Award will be proportionately reduced on a *pro rata* basis (equal share) to exhaust the Settlement Fund.

If any funds remain in the Settlement Fund after all Cash Awards are made, Settlement Class Members will be entitled to certain additional *pro rata* (equal share) distributions. After that, subject to the Court's approval, any amount remaining in the Settlement Fund will be donated equally to the U.S. Dairy Education & Training Consortium and The Center for Food Safety.

HOW TO GET BENEFITS FROM THE SETTLEMENT

9. How can I get my Cash Award?

If you are a Settlement Class Member, you must fill out and submit a Claim Form to qualify for a Cash Award. You can file your Claim at www.fairlifeMilkSettlement.com. You can also download a paper Claim Form from the website or get one by calling the Claims Administrator at 1-855-604-1865. The completed Claim Form must be submitted online by **December 27, 2022**, or by mail at the address below, **postmarked by December 27, 2022**.

In re fairlife Milk Products Litigation
P.O. Box 5569
Portland, OR 97228-5569

Upon receiving a completed Claim Form, the Claims Administrator will review the documentation and confirm or deny your eligibility for a Cash Award.

10. When will I receive my Cash Award?

The Court will hold a hearing in person and by remote means on **September 28, 2022, at 10:00 a.m.** (which is subject to change), to decide whether to finally approve the Settlement. Even if the Court finally approves the Settlement, there may be appeals. The appeal process can take time, perhaps more than a year. If you file a valid Claim Form, you will not receive a Cash Award until any appeals are resolved. Please be patient.

11. What am I giving up to receive these Settlement benefits?

Unless you exclude yourself (“opt out”) from the Settlement Class by timely submitting a request for exclusion from the Settlement Class, you will remain in the Settlement Class, and that means you cannot sue, continue to sue or be part of any other lawsuit against the Defendants about the legal issues in this case. It also means that all of the Court’s orders will apply to you and legally bind you. If you sign the Claim Form, you will agree to a Release of claims that describes exactly the legal claims that you give up if you get Settlement benefits. The Release is defined and detailed in the Settlement Agreement, which is available at www.fairlifeMilkSettlement.com.

THE LAWYERS REPRESENTING YOU

12. Do I have lawyers in this case?

The Court has appointed attorneys from the law firms DiCello Levitt Gutzler LLC; Pearson, Simon, & Warshaw, LLP; and Reese LLP to represent you and the other Settlement Class Members. The lawyers are called Class Counsel. They are experienced in handling similar class action cases. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

You may contact Class Counsel if you have any questions about this Notice or the Settlement. ***Please do not contact the Court.***

Amy E. Keller DiCello Levitt Gutzler LLC Ten North Dearborn St., Sixth Fl. Chicago, IL 60602 Tel: 312-214-7900 Email: akeller@dicellolevitt.com	Melissa S. Weiner Pearson, Simon & Warshaw, LLP 800 LaSalle Avenue, Suite 2150 Minneapolis, MN 55402 Tel: 612-389-0600 Email: mweiner@pswlaw.com	Michael R. Reese Reese LLP 100 West 93rd Street, 16th Fl. New York, NY 10025 Tel: 212-643-0500 Email: mreese@reesellp.com
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Questions? Call 1-855-604-1865, or Visit www.fairlifeMilkSettlement.com

13. How will the lawyers be paid?

Class Counsel will ask the Court for an award of attorneys' fees up to one-third (1/3) (\$7 million) of the \$21 million Settlement Amount, and in addition to fees, seek reimbursement of litigation costs plus reasonable costs incurred through the Effective Date. Any award of attorneys' fees and costs will be paid from the Settlement Amount. Class Counsel will also ask the Court for Service Awards of \$3,500 for each of the Named Plaintiffs. The purpose of the Service Awards is to compensate the Named Plaintiffs for their time, efforts, and risks taken on behalf of the Settlement Class. Any Service Award payment to the Named Plaintiffs will be paid from the Settlement Amount. The Court may award less than these amounts. Class Counsel's Motion for Attorneys' Fees and Expenses will be available at www.fairlifeMilkSettlement.com once it has been filed.

YOUR RIGHTS – EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do *not* want a Cash Award, and want to keep the right to sue or continue to sue the Defendants on your own about the legal issues in this case, then you must take steps to exclude yourself from the Settlement (get out of the Settlement). This is called “excluding yourself”—or is sometimes referred to as “opting out” of the settlement class.

14. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a written “request for exclusion” that includes the following:

- Your name;
- Your address;
- Your telephone number;
- A brief statement explaining the Covered Products you purchased to confirm your membership in the Settlement Class;
- Your personal signature; and
- A statement that indicates a desire to exclude yourself from the Settlement Class must be provided.

Your request for exclusion must be submitted online and verified at www.fairlifeMilkSettlement.com or mailed via U.S. Mail, **postmarked by August 25, 2022**, to:

In re fairlife Milk Products Litigation
P.O. Box 5569
Portland, OR 97228-5569

Instead of sending a written “request for exclusion”, you may exclude yourself from the Settlement by visiting www.fairlifeMilkSettlement.com and following the instructions provided to exclude yourself.

Only individual requests for exclusion are allowed. “Mass” or “class” requests for exclusion are not allowed according to the terms of the Settlement.

If you do not follow these procedures and deadlines, you will remain a Settlement Class Member and lose any opportunity to exclude yourself from the Settlement. This means that your rights will be determined in this lawsuit by the Settlement Agreement if it receives final approval from the Court.

Questions? Call 1-855-604-1865, or Visit www.fairlifeMilkSettlement.com

15. If I exclude myself, can I get anything from this Settlement?

No. If you exclude yourself, you cannot receive a Cash Award. However, you may sue, continue to sue, or be part of a different lawsuit against the Defendants. If you send in a Request for Exclusion and later change your mind, you may rescind your request by timely submitting a Claim Form to the Claims Administrator to obtain benefits of the Settlement.

YOUR RIGHTS – OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with the Settlement or some part of it.

16. How do I tell the Court that I do not like the Settlement?

If you are a Settlement Class Member, you can object to the Settlement if you do not like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views. You cannot ask the Court for a different Settlement; the Court can only approve or reject the Settlement. If the Court denies approval of the Settlement, no Cash Awards will be sent out, and the lawsuit will continue. If that is what you want to happen, you must object.

To object, you must file a written objection, which includes the following information:

- Your name, address, and telephone number;
- A statement of whether you are represented by counsel and if so, contact information for your counsel;
- Evidence showing you as an objector are a Settlement Class Member;
- A statement as to whether your objection applies to you as a Settlement Class Member or if it applies to a specific subset of the Settlement Class, or to the entire Settlement Class, and state with specificity the grounds for the objection;
- Any other supporting papers, materials, or briefs that you wish the Court to consider when reviewing your objection;
- Your actual written or electronic signature as the objector; and
- A statement regarding whether you and/or your counsel intend to appear at the Fairness Hearing.

Your objection must be submitted to the Court either by filing it with the Court or by mailing it via U.S. Mail to the Court postmarked by **August 25, 2022**, to the following address:

Clerk of Court
United States District Court
Northern District of Illinois Eastern Division
219 S. Dearborn Street
Chicago, IL 60604

If you file a timely objection, it will be considered by the Court at the Fairness Hearing. You do not need to attend the Fairness Hearing for the Court to consider your objection.

17. What is the difference between objecting and asking to be excluded?

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because you are no longer part of the case.

Questions? Call 1-855-604-1865, or Visit www.fairlifeMilkSettlement.com

YOUR RIGHTS – APPEARING AT THE FAIRNESS HEARING

The Court will hold a “Fairness Hearing” to decide whether to approve the Settlement. You may attend and you may ask to speak, but you do not have to.

18. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Fairness Hearing in person and by remote means at **10:00 a.m.** on **September 28, 2022**, at the United States District Court for the Northern District of Illinois, Eastern Division, 219 S. Dearborn Street, Chicago, IL 60604, in Courtroom 2303.

At the hearing, the Court will hear any comments, objections, and arguments concerning the fairness of the proposed Settlement, including the amount requested by Class Counsel for attorneys’ fees and expenses. If there are objections, the Court will consider them. You do not need to attend this hearing. You also do not need to attend to have a comment or objection considered by the Court. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take. For instructions on accessing the hearing remotely visit the Settlement Website.

Note: The date and time of the Fairness Hearing are subject to change by Court Order. Any change will be posted www.fairlifeMilkSettlement.com. You should check the website to confirm that the date and/or time have not changed.

19. Do I have to attend the Fairness Hearing?

No. Class Counsel will answer all questions the Judge may have. However, you are welcome to attend the hearing at your own expense. If you submit an objection, you do not have to attend the hearing to talk about your objection. As long as you postmarked or filed your written objection by the deadline, the Judge will consider it. You may also pay your own lawyer to attend, but it is not necessary.

20. May I speak at the Fairness Hearing?

If you wish to appear at the Fairness Hearing either in person or by remote means, and orally present your objection to the Court, your written objection must include your statement of intent to appear at the Fairness Hearing. For instructions on accessing the hearing remotely visit the Settlement Website.

YOUR RIGHTS – DO NOTHING

21. What happens if I do nothing at all?

If you fit the Settlement Class definition described above and do nothing, you will be part of the Settlement Class, but you will not get a Cash Award from the Settlement. Unless you request to exclude yourself from the Settlement, you will not be permitted to continue to assert claims about the issues in this case or subject to the Release in any other lawsuit against Defendants ever again.

GETTING MORE INFORMATION

22. Are there more details about the Settlement?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can get a copy of the Settlement Agreement at www.fairlifeMilkSettlement.com, or by contacting Class Counsel (see contact information in Question 12).

23. How do I get more information?

You can call toll-free 1-855-604-1865, write to In re fairlife Milk Products Litigation, P.O. Box 5569, Portland, OR 97228-5569; or go to www.fairlifeMilkSettlement.com, where you will find answers to common questions about the Settlement, a Claim Form, motions for approval of the Settlement and Class Counsel's request for attorneys' fees and expenses (once it is filed), and other important documents in the case.

You may also contact Class Counsel.

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT'S CLERK OFFICE TO
INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS**

TRIBUNAL DEL DISTRITO DE LOS ESTADOS UNIDOS
PARA EL DISTRITO NORTE DE ILLINOIS

Si usted o su empresa compraron Productos lácteos de fairlife o Fair Oaks Farms, es posible que tenga derecho a un Pago en efectivo de una conciliación de demanda colectiva.

Un tribunal federal ha autorizado este Aviso. No es una solicitud de un abogado. Independientemente de que actúe o no, sus derechos legales se verán afectados. Lea este aviso con atención.

- Se ha llegado a una Conciliación de \$21,000,000 en una demanda colectiva presentada contra los Demandados The Coca-Cola Company (“TCCC”), fairlife, LLC (“fairlife”), Fair Oaks Farms, LLC (“FOF”), Mike McCloskey y Sue McCloskey (“los McCloskey”) y Select Milk Producers, Inc. (“Select”), en relación con los Productos lácteos de fairlife y FOF. La demanda alega que los Demandados etiquetaron y comercializaron falsamente ciertos productos lácteos producidos con leche de vacas que supuestamente no fueron tratadas humanamente. Los Demandados niegan todas las acusaciones y han resuelto esta demanda para evitar el litigio adicional. El Tribunal no ha decidido quién tiene la razón.
- Puede presentar un Formulario de reclamación para recibir el 25% del precio de compra minorista promedio, hasta \$100, por sus compras de Productos lácteos de fairlife y Productos lácteos de FOF, si los productos se compraron para uso personal y no para reventa, y se compraron el **27 de abril de 2022** o antes de esa fecha (consulte la Pregunta 6 para obtener una lista completa de los Productos cubiertos). Los Formularios de reclamación presentados sin Comprobante de compra válido tendrán un límite de Pago en efectivo de hasta \$20 y los Formularios de reclamación presentados con Comprobante de compra válido tendrán un tope de Pago en efectivo de hasta \$80, sujeto a ciertos ajustes (en forma ascendente y descendente) según la cantidad de reclamaciones presentadas.
- Independientemente de que actúe o no, sus derechos legales se verán afectados. *Lea este aviso detenidamente.*

SUS DERECHOS Y OPCIONES		FECHA LÍMITE
Presentar un formulario de reclamación	La única manera de obtener un Pago en efectivo es presentar un Formulario de reclamación con y/o sin Comprobante de compra válido.	Enviar un Formulario de reclamación antes del: 27 de diciembre de 2022
Excluirse (retirarse)	No obtener un Pago en efectivo, pero conservar cualquier derecho de presentar su propia demanda contra los Demandados en relación con las reclamaciones legales de este caso.	Solicitar la exclusión a más tardar el: 25 de agosto de 2022
Objetar	Comunicarle al Tribunal por qué no le agrada la Conciliación. Si se aprueba, seguirá estando obligado por la Conciliación, y aún puede presentar un Formulario de reclamación para un Pago en efectivo.	Presentar una objeción a más tardar el: 25 de agosto de 2022
Asistir a una audiencia	Pida hablar en el Tribunal sobre por qué no apoya la propuesta de Conciliación o cualquiera de sus disposiciones. La Audiencia de imparcialidad es el 28 de septiembre de 2022 .	Presentar un Aviso de comparecencia a más tardar el: 25 de agosto de 2022
No hacer nada	No obtener un Pago en efectivo. Renunciar a los derechos legales.	

**¿Tiene alguna pregunta? Llame al 1-855-604-1865
o visite www.fairlifeMilkSettlement.com**

- Estos derechos y estas opciones, **y las fechas límite para ejercerlos**, se explican en este Aviso.
- El Tribunal a cargo de este caso todavía no se ha pronunciado respecto de la aprobación de la Conciliación. Los Pagos en efectivo se enviarán una vez que el Tribunal apruebe la Conciliación y después de que se resuelvan las apelaciones. Tenga paciencia.

QUÉ CONTIENE ESTE AVISO

INFORMACIÓN BÁSICA..... PÁGINA 3

1. ¿Por qué debo leer este Aviso?
2. ¿De qué trata esta demanda?
3. ¿Qué es una demanda colectiva?
4. ¿Por qué existe una Conciliación?

¿QUIÉNES ESTÁN INCLUIDOS EN LA CONCILIACIÓN? PÁGINA 4

5. ¿Soy parte de la Conciliación?
6. ¿Qué son los Productos cubiertos?

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9. ¿Cómo puedo obtener mi Pago en efectivo?
10. ¿Cuándo recibiré mi Pago en efectivo?
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LOS ABOGADOS QUE LO REPRESENTAN PÁGINA 8

12. ¿Tengo abogados en este caso?
13. ¿Cómo se pagará a los abogados?

SUS DERECHOS: EXCLUIRSE DE LA CONCILIACIÓN PÁGINA 9

14. ¿Cómo me excluyo de la Conciliación?
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22. ¿Existen más detalles acerca de la Conciliación?
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**¿Tiene alguna pregunta? Llame al 1-855-604-1865
o visite www.fairlifeMilkSettlement.com**

INFORMACIÓN BÁSICA

1. ¿Por qué debo leer este Aviso?

Un Tribunal ha establecido, o “certificado”, de manera preliminar este caso como una demanda colectiva para fines de la conciliación.

En este Aviso, se explican la demanda colectiva, la propuesta de conciliación, sus derechos legales, los beneficios disponibles, quiénes reúnen los requisitos para recibirlos y cómo obtenerlos. Si es un Miembro del Grupo de demandantes de la Conciliación, tiene derechos y opciones legales antes de que el Tribunal decida si otorga la aprobación definitiva a la propuesta de Conciliación. Este Aviso explica todas estas cosas. Si desea conocer los términos y condiciones precisos de la Conciliación, revise el Acuerdo de conciliación disponible en www.fairlifeMilkSettlement.com.

El Tribunal a cargo de este caso es el Tribunal del Distrito de los Estados Unidos para el Distrito Norte de Illinois. La demanda se conoce como *In re fairlife Milk Products Marketing and Sales Practices Litigation*, MDL n.º 2909, Causa principal n.º 1:19-cv-03924-RMD-MDW.

2. ¿De qué trata esta demanda?

Esta demanda afirma reclamaciones por, entre otras cosas, incumplimiento de garantía expresa e implícita, enriquecimiento injusto, fraude en virtud del derecho consuetudinario, tergiversación intencional y negligente, y violaciones de ciertos estatutos estatales de protección al consumidor, publicidad falsa y competencia desleal.

La demanda alega que los Demandados etiquetaron y comercializaron falsamente ciertos productos lácteos producidos con vacas que supuestamente no fueron tratadas humanamente. Los Demandantes nombrados alegan que no hubieran pagado tanto por los Productos lácteos si hubieran sabido que las vacas no fueron tratadas humanamente. Los Demandados niegan todas las acusaciones. El Tribunal no ha decidido quién tiene la razón.

3. ¿Qué es una demanda colectiva?

En una demanda colectiva, una o varias personas o entidades denominadas demandantes nombrados demandan en nombre de otras personas y entidades que tienen reclamaciones similares. Las personas y entidades en conjunto conforman el “Grupo de demandantes de la Conciliación” o son “Miembros del Grupo de demandantes de la Conciliación”. En esta demanda, las personas que demandaron se denominan los “Demandantes nombrados”. La compañía y las personas a las que demandan, The Coca-Cola Company, fairlife, LLC, Fair Oaks Farms, LLC, Mike McCloskey y Sue McCloskey, y Select Milk Producers, Inc., se denominan los “Demandados”. Un tribunal resuelve los asuntos para todo el Grupo de demandantes de la Conciliación, excepto para quienes deciden excluirse (retirarse) de dicho Grupo de demandantes de la Conciliación.

4. ¿Por qué existe una Conciliación?

El Tribunal no ha fallado a favor de los Demandantes nombrados ni de los Demandados. En cambio, ambas partes involucradas llegaron a una Conciliación. Al aceptar una conciliación, ambas partes evitan el costo y el riesgo de un juicio, y los Miembros del Grupo de demandantes de la Conciliación que presenten un Formulario de reclamación válido recibirán un Pago en efectivo. Los Demandantes nombrados y los Abogados del Grupo de demandantes creen que la Conciliación es lo mejor para el Grupo de demandantes de la Conciliación y representa una resolución justa, razonable y adecuada de la demanda.

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Los Demandados niegan las reclamaciones en la demanda; niegan todas las acusaciones de irregularidades, faltas, responsabilidades o daños a los Demandantes nombrados y al Grupo de demandantes de la Conciliación; y niegan que hayan actuado de manera inadecuada o indebida de cualquier manera. No obstante, los Demandados reconocen los gastos y el tiempo que se requerirían para defender la demanda a través de un juicio y lo han tenido en cuenta al aceptar esta Conciliación.

¿QUIÉNES ESTÁN INCLUIDOS EN LA CONCILIACIÓN?

Para saber si es elegible para recibir los beneficios, primero debe determinar si es Miembro del Grupo de demandantes de la Conciliación.

5. ¿Soy parte de la Conciliación?

Usted es un Miembro del Grupo de demandantes de la Conciliación si es una Persona (según lo definido a continuación) en los Estados Unidos, sus territorios y/o el Distrito de Columbia que compró, para uso personal y no para reventa, cualquier Producto cubierto el 27 de abril de 2022 o antes de esa fecha. Los “Productos cubiertos” lácteos de fairlife y FOF incluidos en la Conciliación incluyen los productos enumerados en la Pregunta 6.

“Persona” se define como un individuo, corporación, sociedad, sociedad limitada, sociedad de responsabilidad limitada, asociación, miembro, sociedad anónima, patrimonio, representante legal, fideicomiso, asociación no constituida, cualquier empresa o entidad legal, y el cónyuge, herederos, predecesores, sucesores, representantes y cesionarios de dicha persona o entidad.

Quedan excluidos de la Conciliación: (i) los Demandados y sus respectivas subsidiarias y filiales, miembros, empleados, ejecutivos, directores, agentes y representantes y sus familiares; (ii) los Abogados del Grupo de demandantes; (iii) los jueces que presidieron el Litigio; (iv) las agencias gubernamentales locales, municipales, estatales y federales; y (v) todas las personas que hayan presentado oportunamente una solicitud de exclusión (optar por no participar) del Grupo de demandantes de la Conciliación en cumplimiento con las resoluciones del Tribunal.

Si no está seguro de si está incluido, puede llamar o enviar un correo electrónico al Administrador de reclamaciones llamando al 1-855-604-1865 o enviando un correo electrónico a info@fairlifeMilkSettlement.com. Epiq Class Action and Claims Solutions, Inc. es el Administrador de reclamaciones para la Conciliación.

6. ¿Qué son los Productos cubiertos?

Los “Productos cubiertos” son todos los Productos lácteos de fairlife y todos los Productos lácteos de FOF, incluidos los siguientes, que enumeran el tamaño del recipiente y el precio minorista promedio acordado:

fairlife Ultra-Filtered Milk (UFM)			
Todos los tamaños de recipientes; todos los grados; todos los contenidos de grasa, incluidos, entre otros, entera, al 2%, al 1% y descremada; y todos los sabores, incluidos, entre otros, original/simple, chocolate/moca, vainilla y fresa.			
8oz 6-Pack	\$6.16	8oz 12-Pack	\$10.40
11.5oz Single	\$2.09	14oz Single	\$2.99
52oz Single	\$4.04	52oz 2-Pack	\$6.61
52oz 3-Pack	\$9.00	Cualquier otro producto UFM no mencionado anteriormente	\$2.09

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fairlife DHA Milk			
Todos los tamaños de recipientes; todos los grados; todos los contenidos de grasa, incluidos, entre otros, entera y al 2%; y todos los sabores, incluidos, entre otros, original/simple y chocolate/moca.			
8oz 4-Pack	\$5.41	52oz Single	\$4.48
52oz 2-Pack	\$6.87	Cualquier otro producto DHA no mencionado anteriormente	\$4.48
fairlife Core Power Protein Shakes			
Todos los tamaños de recipientes; todos los grados; y todos los sabores, incluidos, entre otros, banana, chocolate/moca, café, fresa, vainilla y miel.			
8oz Single	\$2.50	8oz 4-Pack	\$7.05
11.5oz. Single	\$3.39	11.5oz 12-Pack	\$26.22
14oz Single	\$3.25	14oz 12-Pack	\$27.20
Cualquier otro producto de batido de proteína Core Power no mencionado anteriormente			\$2.50
fairlife Core Power Elite Protein Shakes			
Todos los tamaños de recipientes; todos los grados; y todos los sabores, incluidos, entre otros, chocolate/moca, fresa y vainilla.			
14oz Single	\$4.07	14oz 8-Pack	\$22.47
14oz 12-Pack	\$38.57	Cualquier otro producto de batido de proteína Core Power Elite no mencionado anteriormente	\$4.07
fairlife Core Power Light Protein Shakes			
Todos los tamaños de recipientes; todos los grados; y todos los sabores, incluidos, entre otros, chocolate/moca.			
11.5oz Single	\$3.25	11.5oz 12-Pack	\$24.10
Cualquier otro producto de batido de proteína Core Power Light no mencionado anteriormente			\$3.25
fairlife Yup! Ultra-Filtered Milk			
Todos los tamaños de recipientes; todos los grados; todos los contenidos de grasa, incluidos, entre otros, al 2% y al 1%; y todos los sabores, incluidos, entre otros, original/simple, chocolate/moca, vainilla, galletas y más cremosa, y fresa.			
14oz Single	\$2.17	14 oz 12-Pack	\$24.79
Cualquier otro producto Yup! no mencionado anteriormente			\$2.17
fairlife Nutrition Plan			
Todos los tamaños de recipientes; todos los grados; y todos los sabores, incluidos, entre otros, chocolate/moca, café, vainilla, caramelo salado y fresa.			
11.5oz Single	\$2.71	11.5oz 4-Pack	\$7.14
11.5oz 12-Pack	\$16.20	11.5oz 18-Pack	\$24.99
Cualquier otro plan de nutrición no mencionado anteriormente			\$2.71
fairlife Smart Snacks			
Todos los tamaños de recipientes; todos los grados; y todos los sabores, incluidos, entre otros, chocolate/moca, vainilla y fresa.			
8oz Single	\$2.21	8oz 4-Pack	\$7.95
8oz 12-Pack	\$27.23	Cualquier otro producto de refrigerio Smart no mencionado anteriormente	\$2.21
fairlife Good Moo'd		fairlife Yogurt	
Todos los tamaños de recipientes; todos los grados; y todos los contenidos de grasa, incluidos, entre otros, al 2% y descremada; y todos los sabores, incluidos, entre otros, original/simple.		Todos los tamaños de recipientes; todos los grados; y todos los sabores, incluidos, entre otros, arándano, durazno, simple, fresa y vainilla.	
Per Unit	\$4.02	Per Unit	\$4.93

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fairlife Ice Cream		fairlife Creamer	
Todos los tamaños de recipientes; todos los grados; y todos los sabores, incluidos, entre otros, mantequilla de pacana, caramelo masticable crocante, chocolate, mantequilla de maní con chocolate, masa para galletas, galletas y crema, trozos de cereza oscura, brownie de doble fudge, chips de java, chips de menta y vainilla.		Todos los tamaños de recipientes; todos los grados; y todos los sabores, incluidos, entre otros, crema dulce, avellana, vainilla y caramelo.	
Per Unit	\$4.43	Per Unit	\$3.15
FOF Milk			
Todos los tamaños de recipientes, grados, contenidos de grasa y sabores, incluidos, entre otros, entera, al 2%, al 1%, descremada y chocolate.			
FOF Half Pint	\$0.79	FOF 11.5 oz-12.0 oz, 16 oz, Pint	\$1.89
FOF 1.5 Liter, 52 oz, 64 oz	\$3.69	FOF Gallon	\$3.99
FOF Ice Cream			
Todos los tamaños de recipientes y sabores, incluidos, entre otros, vainilla, chocolate, fresa, mantequilla de pacana, galletas y crema, y menta.			
FOF Pint	\$6.29	FOF 3 Gallon	\$49.99
FOF Yogurt			
Incluidos, entre otros, todos los tamaños y estilos de recipientes, incluido el griego.			
FOF Small	\$2.99	FOF Large	\$4.99
FOF Butter		FOF Eggnog	
Todos los tamaños de recipientes y sabores, incluidos, entre otros, mantequilla natural, ajo y perejil, miel y canela.		FOF Eggnog	
FOF Butter	\$4.39		\$4.99

LOS BENEFICIOS DE LA CONCILIACIÓN: QUÉ OBTENDRÁ

7. ¿Qué brinda la Conciliación?

El Monto de la Conciliación de \$21,000,000 proporcionará Pagos en efectivo a los Miembros del Grupo de demandantes de la Conciliación que presenten reclamaciones válidas. El Aviso del Grupo de demandantes de la Conciliación y los Costos administrativos, los Honorarios y costos de abogados, y los Pagos por servicio a los Demandantes nombrados también se pagarán del Monto de la Conciliación, si lo aprueba el Tribunal.

8. ¿Qué puedo obtener yo de la Conciliación?

Pago en efectivo: Si presenta un Formulario de reclamación válido, puede recibir el 25% del precio de compra minorista promedio para su compra de Productos lácteos de fairlife y/o Productos lácteos de FOF (consulte la Pregunta 6 para obtener una lista de los Productos cubiertos) por un Pago en efectivo máximo de \$100 por hogar, sujeto a ciertos límites y ajustes (en forma ascendente o descendente) según la cantidad de reclamaciones presentadas, siempre que los productos se hayan comprado para uso personal y no para reventa y se hayan comprado el **27 de abril de 2022** o antes de esa fecha.

- **Reclamaciones sin Comprobante de compra válido:** Los reclamantes que presenten un Formulario de reclamación sin Comprobante de compra válido pueden ser elegibles para recibir un máximo de \$20 como Pago en efectivo.

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- **Reclamaciones con Comprobante de compra válido:** Los reclamantes que presenten un Formulario de reclamación con Comprobante de compra válido pueden ser elegibles para recibir un máximo de \$80 como Pago en efectivo.
- **Reclamaciones con y sin Comprobante de compra válido:** Se permiten los Formularios de reclamación presentados con y sin Comprobante de compra válido, y los reclamantes que presenten dichos Formularios de reclamación podrían ser elegibles para recibir un máximo de \$100 como Pago en efectivo. *Nota: si presenta un Comprobante de compra válido para todas las reclamaciones, aún es elegible para recibir un máximo de \$100 como un Pago en efectivo.*
- Comprobante de compra válido significa documentación verificable de una transacción que refleja la compra de uno o varios Productos cubiertos el 27 de abril de 2022 o antes. Los ejemplos pueden incluir, entre otros, recibos de la tienda, biberones o cualquier otro registro de compra contemporáneo que sea objetivamente verificable.

Las reclamaciones se limitan a un Formulario de reclamación por hogar.

Si el monto total de los Pagos en efectivo supera el monto disponible en el Fondo de la Conciliación, cada Pago en efectivo se reducirá proporcionalmente en forma *prorrateda* (participación equitativa) para agotar el Fondo de la Conciliación.

Si queda algún fondo en el Fondo de la Conciliación después de que se realicen todos los Pagos en efectivo, los Miembros del Grupo de demandantes de la Conciliación tendrán derecho a ciertas distribuciones adicionales *prorratedas* (participación equitativa). Posteriormente, sujeto a la aprobación del Tribunal, cualquier monto restante en el Fondo de la Conciliación se donará equitativamente al Consorcio de Educación y Capacitación sobre Productos Lácteos de los EE. UU. y al Centro para la Seguridad Alimentaria.

CÓMO OBTENER LOS BENEFICIOS DE LA CONCILIACIÓN

9. ¿Cómo puedo obtener mi Pago en efectivo?

Si usted es un Miembro del Grupo de demandantes de la Conciliación, debe completar y presentar un Formulario de reclamación a fin de calificar para un Pago en efectivo. Puede presentar su Reclamación en www.fairlifeMilkSettlement.com. También puede descargar un Formulario de reclamación del sitio web e imprimirlo u obtener uno llamando al Administrador de reclamaciones al 1-855-604-1865. El Formulario de reclamación completado debe ser presentado en línea antes del **27 de diciembre de 2022**, o enviado por correo postal a la siguiente dirección, **con sello postal** a más tardar el **27 de diciembre de 2022**.

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Portland, OR 97228-5569

Al recibir un Formulario de reclamación completado, el Administrador de reclamaciones revisará la documentación y confirmará o rechazará su elegibilidad para el Pago en efectivo.

10. ¿Cuándo recibiré mi Pago en efectivo?

El Tribunal llevará a cabo una audiencia en persona y por medios remotos el **28 de septiembre de 2022** a las **10:00 a.m.** (sujeto a cambios), para decidir si aprueba definitivamente la Conciliación. Incluso si el Tribunal aprueba la Conciliación de manera definitiva, podría haber apelaciones. El proceso de la apelación puede tomar tiempo, tal vez más de un año. Si presenta un Formulario de reclamación válido, no recibirá un Pago en efectivo hasta que se resuelva cualquier apelación. Tenga paciencia.

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11. ¿A qué renuncio para obtener estos beneficios de la Conciliación?

A menos que se excluya (“retire”) del Grupo de demandantes de la Conciliación mediante la presentación oportuna de una solicitud de exclusión del Grupo de demandantes de la Conciliación, permanecerá en el Grupo de la Conciliación, y eso significa que no puede demandar, continuar demandando ni ser parte de cualquier otra demanda contra los Demandados sobre los asuntos legales en este caso. También significa que todas las resoluciones del Tribunal se aplicarán para usted y lo vincularán legalmente. Si firma el Formulario de reclamación, aceptará una Exención de reclamaciones que describa exactamente las reclamaciones legales a las que renuncia si obtiene beneficios del Acuerdo. La Exención se define y detalla en el Acuerdo de Conciliación, que está disponible en www.fairlifeMilkSettlement.com.

LOS ABOGADOS QUE LO REPRESENTAN

12. ¿Tengo abogados en este caso?

El Tribunal ha designado abogados de las firmas de abogados DiCello Levitt Gutzler LLC; Pearson, Simon & Warshaw, LLP; y Reese LLP para que lo representen a usted y a los otros Miembros del Grupo de demandantes de la Conciliación. Los abogados son denominados Abogados del Grupo de demandantes. Tienen experiencia en el manejo de casos de demandas colectivas similares. A usted no se le cobrarán los servicios de estos abogados. Si desea ser representado por su propio abogado, puede contratar a uno por su propia cuenta y cargo.

Puede comunicarse con el Abogado del Grupo de demandantes si tiene preguntas sobre este Aviso o sobre la Conciliación. **No contacte al Tribunal.**

<p>Amy E. Keller DiCello Levitt Gutzler LLC Ten North Dearborn St., Sixth Fl. Chicago, IL 60602 Tel.: 312-214-7900 Correo electrónico: akeller@dicellolevitt.com</p>	<p>Melissa S. Weiner Pearson, Simon & Warshaw, LLP 800 LaSalle Avenue, Suite 2150 Minneapolis, MN 55402 Tel.: 612-389-0600 Correo electrónico: mweiner@pswlaw.com</p>	<p>Michael R. Reese Reese LLP 100 West 93rd Street, 16th Fl. New York, NY 10025 Tel.: 212-643-0500 Correo electrónico: mreese@reesellp.com</p>
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13. ¿Cómo se pagará a los abogados?

Los Abogados del Grupo de demandantes solicitarán al Tribunal una adjudicación de honorarios de abogados de hasta un tercio (1/3) (\$7,000,000) del Monto de la Conciliación de \$21,000,000 y, además de los honorarios, solicitarán el reembolso de los costos de litigio más los costos razonables incurridos hasta la Fecha de entrada en vigencia. Cualquier adjudicación de honorarios y costos de abogados se pagará del Monto de la Conciliación. Los Abogados del Grupo de demandantes también solicitarán al Tribunal Pagos por servicio de \$3,500 para cada uno de los Demandantes nombrados. El propósito de los Pagos por servicio es compensar a los Demandantes nombrados por su tiempo, sus esfuerzos y riesgos asociados en nombre del Grupo de demandantes de la Conciliación. Cualquier Pago por servicio a los Demandantes nombrados se pagará a partir del Monto de la Conciliación. El Tribunal puede otorgar montos menores. La Moción de honorarios y gastos de abogados de los Abogados del Grupo de demandantes estará disponible en www.fairlifeMilkSettlement.com una vez que se haya presentado.

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SUS DERECHOS: EXCLUIRSE DE LA CONCILIACIÓN

Si *no* desea un Pago en efectivo, y quiere conservar el derecho de demandar o seguir demandando a los Demandados por su cuenta con respecto a las cuestiones legales que se debaten en este caso, entonces debe seguir los pasos para dejar de ser parte de la Conciliación (excluirse de la Conciliación). Esto se conoce como “excluirse” o, en algunos casos, “retirarse” del grupo de demandantes de la Conciliación.

14. ¿Cómo me excluyo de la Conciliación?

Para excluirse de la Conciliación, debe enviar una “solicitud de exclusión” por escrito que incluya lo siguiente:

- Su nombre;
- su dirección;
- su número de teléfono;
- una breve declaración que explique los Productos cubiertos que compró para confirmar su membresía en el Grupo de demandantes de la Conciliación;
- su firma personal; y
- Se debe proporcionar una declaración que indique el deseo de excluirse del Grupo de demandantes de la Conciliación.

Su solicitud de exclusión debe enviarse en línea y verificarse en www.fairlifeMilkSettlement.com o enviarse por correo postal de los EE. UU., **con sello postal** a más tardar el **25 de agosto de 2022**, a:

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Portland, OR 97228-5569

En lugar de enviar una “solicitud de exclusión” por escrito, puede excluirse de la Conciliación visitando www.fairlifeMilkSettlement.com y siguiendo las instrucciones proporcionadas para excluirse.

Solo se permiten solicitudes de exclusión individuales. No se permiten las solicitudes de exclusión “masivas” o “colectivas” de acuerdo con los términos de la Conciliación.

Si no sigue estos procedimientos y no cumple con las fechas límite, seguirá siendo Miembro del Grupo de demandantes de la Conciliación y perderá toda oportunidad de excluirse de la Conciliación. Esto significa que sus derechos se determinarán en esta demanda mediante el Acuerdo de conciliación si recibe la aprobación final del Tribunal.

15. Si me excluyo, ¿puedo obtener algo de esta Conciliación?

No. Si se excluye, no puede recibir un Pago en efectivo. Sin embargo, podrá presentar una demanda, seguir adelante con una demanda o ser parte de una demanda distinta en contra de los Demandados. Si envía una Solicitud de exclusión y luego cambia de opinión, puede rescindir su solicitud enviando oportunamente un Formulario de reclamación al Administrador de reclamaciones para obtener los beneficios de la Conciliación.

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SUS DERECHOS: PRESENTAR OBJECIONES A LA CONCILIACIÓN

Puede comunicar al Tribunal su disconformidad con la Conciliación o con alguna parte de él.

16. ¿Cómo le informo al Tribunal que no estoy conforme con la Conciliación?

Si es Miembro del Grupo de demandantes, usted puede objetar la Conciliación si no le gusta alguna parte de la misma. Puede exponer las razones por las cuales cree que el Tribunal no debe aprobarlo. El Tribunal considerará sus opiniones. No puede pedirle al Tribunal que ordene una Conciliación diferente; el Tribunal solo puede aprobar o rechazar la Conciliación. Si el Tribunal rechaza la aprobación de la Conciliación, no se repartirán los Pagos en efectivo y la demanda continuará. Si eso es lo que usted desea que pase, debe objetar.

Para objetar, debe presentar una objeción por escrito, que incluya la siguiente información:

- Su nombre, dirección y número de teléfono;
- una declaración de si usted está representado por un abogado y, de ser así, información de contacto de su abogado;
- evidencia que demuestre que usted, como objetante, es un Miembro del Grupo de demandantes de la Conciliación;
- una declaración en cuanto a si su objeción se aplica a usted como Miembro del Grupo de demandantes de la Conciliación o si se aplica a un subconjunto específico del Grupo de demandantes de la Conciliación, o a todo el Grupo de demandantes de la Conciliación, e indique con especificidad los motivos de la objeción;
- cualquier otro documento, material o escrito de respaldo que desee que el Tribunal considere al revisar su objeción;
- su firma escrita o electrónica real como objetor; y
- una declaración sobre si usted y/o su abogado tienen la intención de comparecer en la Audiencia de imparcialidad.

Su objeción debe presentarse ante el Tribunal, ya sea presentándola ante el Tribunal o por correo postal a través del correo postal de los EE. UU. al Tribunal con sello postal fechado a más tardar el **25 de agosto de 2022**, a la siguiente dirección:

Clerk of Court
United States District Court
Northern District of Illinois Eastern Division
219 S. Dearborn Street
Chicago, IL 60604

Si presenta una objeción de manera oportuna, el Tribunal la considerará en la Audiencia de imparcialidad. No será necesario que asista a la Audiencia de imparcialidad para que el Tribunal considere su objeción.

17. ¿Cuál es la diferencia entre objetar y solicitar ser excluido?

Objetar es simplemente decirle al Tribunal que no le gusta algo sobre la Conciliación. Puede presentar una objeción solo si es parte del Grupo de demandantes de la Conciliación. Al excluirse, le comunica al Tribunal que no desea ser parte del Grupo de demandantes de la Conciliación. Si se excluye, usted no tendría ningún fundamento para presentar una objeción, puesto que deja de ser parte de la causa.

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SUS DERECHOS: COMPARECENCIA EN LA AUDIENCIA DE IMPARCIALIDAD

El Tribunal llevará a cabo una “Audiencia de imparcialidad” para decidir si autorizará o no la Conciliación. Puede asistir y pedir la palabra, pero no es obligatorio que lo haga.

18. ¿Cuándo y dónde decidirá el Tribunal si aprueba la Conciliación?

El Tribunal llevará a cabo una Audiencia de imparcialidad en persona y por medios remotos a las **10:00 a.m.** el **28 de septiembre de 2022**, en el Tribunal de Distrito de los Estados Unidos para el Distrito Norte de Illinois, Eastern Division, 219 S. Dearborn Street, Chicago, IL 60604, en la Sala 2303.

En la audiencia, el Tribunal escuchará los comentarios, las objeciones y los argumentos con respecto a la imparcialidad de la propuesta de Conciliación, incluido el monto solicitado por los Abogados del Grupo de demandantes por concepto de honorarios y gastos de abogados. Si existiesen objeciones, el Tribunal las evaluará. No es necesario que asista a esta audiencia. Tampoco es necesario que asista para que el Tribunal considere un comentario u objeción. Después de la audiencia, el Tribunal decidirá si aprueba o no la Conciliación. No sabemos cuánto tiempo tardarán estas decisiones. Para obtener instrucciones sobre cómo acceder a la audiencia de forma remota, visite el Sitio web de la Conciliación.

Nota: La fecha y la hora de la Audiencia de imparcialidad están sujetas a cambios por Orden del Tribunal. Cualquier cambio se publicará en www.fairlifeMilkSettlement.com. Debe consultar el sitio web para confirmar que la fecha o la hora no han cambiado.

19. ¿Debo asistir a la Audiencia de imparcialidad?

No. Los Abogados del Grupo de demandantes responderán todas las preguntas que el Juez pueda tener. Sin embargo, puede asistir a la audiencia por su cuenta, si lo desea. Si presenta una objeción, no tiene que asistir a la audiencia para hablar sobre su objeción. Siempre que presente su objeción por escrito o tenga sello postal antes de la fecha límite, el Juez la considerará. También puede pagar su propio abogado para que asista, pero esto no es necesario.

20. ¿Puedo hablar en la Audiencia de imparcialidad?

Si desea comparecer en la Audiencia de imparcialidad en persona o por medios remotos, y presentar verbalmente su objeción ante el Tribunal, su objeción por escrito debe incluir su declaración de intención de comparecer en la Audiencia de imparcialidad. Para obtener instrucciones sobre cómo acceder a la audiencia de forma remota, visite el Sitio web de la Conciliación.

SUS DERECHOS: NO HACER NADA

21. ¿Qué sucede si no hago nada?

Si se ajusta a la definición del Grupo de demandantes de la Conciliación descrita anteriormente y no hace nada, será parte del Grupo de demandantes de la Conciliación, pero no recibirá un Pago en efectivo de la Conciliación. A menos que solicite excluirse de la Conciliación, no se le permitirá continuar planteando reclamaciones sobre los asuntos legales en este caso u objeto a la Exención en cualquier otra demanda contra los Demandados nunca más.

**¿Tiene alguna pregunta? Llame al 1-855-604-1865
o visite www.fairlifeMilkSettlement.com**

CÓMO OBTENER MÁS INFORMACIÓN

22. ¿Existen más detalles acerca de la Conciliación?

Este aviso resume la propuesta de Conciliación. El Acuerdo de conciliación contiene más detalles. Puede obtener una copia del Acuerdo de conciliación en www.fairlifeMilkSettlement.com o comunicándose con los Abogados del Grupo de demandantes (consulte la información de contacto en la Pregunta 12).

23. ¿Cómo puedo obtener más información?

Puede llamar sin cargo al 1-855-604-1865, escribir a In re fairlife Milk Products Litigation, P.O. Box 5569, Portland, OR 97228-5569; o visitar www.fairlifeMilkSettlement.com, donde encontrará respuestas a preguntas comunes sobre la Conciliación, un Formulario de reclamación, mociones para la aprobación de la Conciliación y la solicitud de los Abogados del Grupo de demandantes de honorarios y gastos de abogados (una vez que se presente), y otros documentos importantes en el caso.

También puede comunicarse con los Abogados del Grupo de demandantes.

NO LLAME POR TELÉFONO AL TRIBUNAL NI A LA OFICINA DEL SECRETARIO DEL TRIBUNAL PARA INFORMARSE ACERCA DE ESTA CONCILIACIÓN O DEL PROCESO DE RECLAMACIÓN.

**¿Tiene alguna pregunta? Llame al 1-855-604-1865
o visite www.fairlifeMilkSettlement.com**

Attachment 11

In re fairlife Milk Products Marketing and Sales Practices Litigation
Class Action Settlement

CLAIM FORM

TO RECEIVE A CASH PAYMENT FROM THIS SETTLEMENT, YOU MUST COMPLETE AND SUBMIT A CLAIM FORM ON OR BEFORE **DECEMBER 27, 2022**.

Please submit **one (1) Claim Form per household**; multiple Claim Forms for the same household will not be processed.

You are a Settlement Class Member and are eligible to participate in the Settlement if you are in the United States, its territories, or the District of Columbia and purchased, for personal use, any Covered Product included in the eligible product list accompanying this Claim Form on or before **April 27, 2022**, and you are not an Excluded Party. Purchases for resale are not eligible for participation.

“Excluded Parties” include (1) Defendants and their respective subsidiaries and affiliates, employees, officers, directors, agents, and their family members; (2) any party who has submitted a valid Opt-Out; and/or (3) the judges who have presided over these cases.

NOTE: Electronic payment will be initiated through email for eligible Claimants if an email address is provided; please keep a valid email address on file with the Claims Administrator. If you do not provide an email address and are deemed eligible, you will receive a check via USPS.

Capitalized terms are defined further in the Notice and Settlement Agreement, both of which are available on the Settlement Website, FairlifeMilkSettlement.com.

SECTION I: CLAIMANT INFORMATION

Claimant's First Name	MI	Last Name
<input type="text"/>	<input type="text"/>	<input type="text"/>

OR
Claimant Business' Name (only if claiming for a business and Claimant business' purchases were used by the business/staff, not for resale)

Claimant Address (address of individual or business Claimant, as applicable)
Address 1 (street name and number)

Address 2 (apartment, unit, suite, or box number)

City	State	ZIP Code
<input type="text"/>	<input type="text"/>	<input type="text"/>

Contact Telephone Number

 - -

Contact Email Address

SECTION II: PURCHASES

Only purchases made through April 27, 2022, are eligible. Purchases made after April 27, 2022, are not eligible and should not be claimed. Only products purchased for personal use may be claimed; **purchases made for resale are not eligible.**

“Valid Proof of Purchase” means verifiable documentation of a transaction that reflects the purchase of one or more Covered Products on or before the Preliminary Approval Date. Examples may include, but are not limited to, store receipts, milk bottles, or any other contemporaneous record of purchase that is objectively verifiable.

You are eligible to receive a 25% Cash Award reimbursement for Covered Purchases with a maximum reimbursement of \$100.00. You may receive up to \$20.00 without Valid Proof of Purchase. You may separately receive up to \$80.00 in reimbursement if you provide Valid Proof of Purchase with your Claim Form.

You do not need to note the price you paid. The Product Code Chart below indicates the average price of each Covered Product, which will be used for calculating your award.

You may still file online at FairlifeMilkSettlement.com even if you need to submit Valid Proof of Purchase documentation. A document upload option is available for your convenience on the website. If you submit receipts via U.S. Mail, please send copies, as originals cannot be returned to you.

If your claimed purchases total \$80.00 or less based on the average prices for those products, and you do not submit any Valid Proof of Purchase, you are eligible for a Cash Award of up to \$20.00. You may also provide Valid Proof of Purchase for up to \$320.00 in purchases of Covered Products based on the average prices for the products to be eligible to receive a Cash Award of up to \$80.00. You can receive both the maximum Cash Award for documented and undocumented purchases for a maximum total Cash Award of \$100.00 per household.

For each Product Code you enter below from the Product Code chart on the next page, the Quantity **Purchased should include all purchases made on or before April 27, 2022.** You do not need to separate purchases by date or specify the date of purchase.

Product Code (see list below)	Quantity Purchased	Valid Proof of Purchase (Receipt) Provided? Valid Proof of Purchase (ONLY REQUIRED if the sum of the average retail price[s] of the Covered Products included in your Claim exceeds \$80.00)
□ □ □	□ □	<input type="checkbox"/> Yes <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Yes <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Yes <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Yes <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Yes <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Yes <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Yes <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Yes <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Yes <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Yes <input type="checkbox"/> No

PRODUCT CODE CHART

Please note: The Settlement Website, FairlifeMilkSettlement.com, includes an informational tab with descriptions of the Covered Products below. You may also contact the Claims Administrator by calling toll-free at 1-855-604-1865 to request a list of the Covered Products by mail.

Product Type	Product Size	Average Retail Price	Product Code
Fair Oaks Farms Milk	Half Pint	\$0.79	F22
	11.5oz-12oz, 16oz, or Pint	\$1.89	F23
	1.5 liter, 52 oz, or 64 oz	\$3.69	F24
	Gallon	\$3.99	F25
Fair Oaks Farms Ice Cream	Pint	\$6.29	F26
	3 Gallon	\$49.99	F27
Fair Oaks Farms Butter	Per Unit	\$4.39	F28
Fair Oaks Farms Yogurt	Small	\$2.99	F29
	Large	\$4.99	F32
Fair Oaks Farms Eggnog	Per Unit	\$4.99	F34
fairlife Ultra-Filtered Milk	8oz 6-Pack	\$6.16	L22
	8oz 12-Pack	\$10.40	L23
	11.5oz Single	\$2.09	L24
	14oz Single	\$2.99	L25
	52oz Single	\$4.04	L26
	52oz 2-Pack	\$6.61	L27
	52oz 3-Pack	\$9.00	L28
	Any Other UFM Product Not Listed Above	\$2.09	L29
fairlife DHA Milk	8oz 4-Pack	\$5.41	L32
	52oz Single	\$4.48	L33
	52oz 2-Pack	\$6.87	L34
	Any Other DHA Product Not Listed Above	\$4.48	L35
fairlife Core Power Protein Shakes	8oz Single	\$2.50	L36
	8oz 4-Pack	\$7.05	L37
	11.5oz Single	\$3.39	L38
	11.5oz 12-Pack	\$26.22	L39
	14oz Single	\$3.25	L42
	14oz 12-Pack	\$27.20	L43
	Any Other Core Power Protein Shake Product Not Listed Above	\$2.50	L44

Product Code Chart Continued on Next Page.

Product Code Chart, Continued:

Product Type	Product Size	Average Retail Price	Product Code
fairlife Core Power Elite Protein Shakes	14oz Single	\$4.07	L45
	14oz 8-Pack	\$22.47	L46
	14oz 12-Pack	\$38.57	L47
	Any Other Core Power Elite Protein Shake Product Not Listed Above	\$4.07	L48
fairlife Core Power Light Protein Shakes	11.5oz Single	\$3.25	L49
	11.5oz 12-Pack	\$24.10	L52
	Any Other Core Power Light Protein Shake Product Not Listed Above	\$3.25	L53
fairlife Yup! Ultra-Filtered Milk	14oz Single	\$2.17	L54
	14 oz 12-Pack	\$24.79	L55
	Any Other Yup! Product Not Listed Above	\$2.17	L56
fairlife Nutrition Plan	11.5oz Single	\$2.71	L57
	11.5oz 4-Pack	\$7.14	L58
	11.5oz 12-Pack	\$16.20	L59
	11.5oz 18-Pack	\$24.99	L62
	Any Other Nutrition Plan Not Listed Above	\$2.71	L63
fairlife Smart Snacks	8oz Single	\$2.21	L64
	8oz 4-Pack	\$7.95	L65
	8oz 12-Pack	\$27.23	L66
	Any Other Smart Snacks Product Not Listed Above	\$2.21	L67
fairlife Good Moo'd	Per Unit	\$4.02	L68
fairlife Yogurt	Per Unit	\$4.93	L69
fairlife Ice Cream	Per Unit	\$4.43	L72
fairlife Creamer	Per Unit	\$3.15	L73

SECTION III: CERTIFICATION AND SIGNATURE

AFFIRMATION (required): By signing below, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, that I purchased the products I have listed in my Claim Form, and that I believe I am a Settlement Class Member entitled to the relief requested by submitting this Claim Form.

Signature of Claimant

Date:

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MM DD YYYY

SECTION IV: METHODS OF SUBMISSION

ONLINE:

To submit a Claim for a payment from the Settlement Fund, you may complete your Claim online at FairlifeMilkSettlement.com using the Unique ID above. **The deadline to file a Claim online is December 27, 2022.**

If your Claim includes purchases of Covered Products that total \$80.00 or more based on average retail price(s), you must upload your receipts while filing online.

MAILED CLAIM FORM:

Alternatively, you may complete the Claim Form above and submit it by U.S. Mail addressed to:

In re fairlife Milk Products Litigation
P.O. Box 5569
Portland, OR 97228-5569

If you send in a Claim Form by regular mail, it must be **postmarked on or before December 27, 2022.**

If you submit receipts in support of your Claim via U.S. Mail, please send copies, as originals cannot be returned to you.

QUESTIONS:

For additional information and answers to frequently asked questions, visit FairlifeMilkSettlement.com or call 1-855-604-1865.

In re fairlife Milk Products Marketing and Sales Practices Litigation
 Conciliación de demanda colectiva

FORMULARIO DE RECLAMO

PARA RECIBIR UN PAGO EN EFECTIVO DE ESTA CONCILIACIÓN, DEBE COMPLETAR Y PRESENTAR UN FORMULARIO DE RECLAMACIÓN EL **27 DE DICIEMBRE DE 2022** O ANTES DE ESA FECHA.

Envíe **un (1) Formulario de reclamación por hogar**; no se procesarán varios Formularios de reclamación para el mismo hogar.

Usted es un Miembro del Grupo de demandantes de la Conciliación y es elegible para participar en la Conciliación si se encuentra en los Estados Unidos, sus territorios o el Distrito de Columbia y compró, para uso personal, cualquier Producto cubierto incluido en la lista de productos elegibles que acompaña este Formulario de reclamación el **27 de abril de 2022** o antes de esa fecha, y no es una Parte excluida. Las compras para reventa no son elegibles para participar.

Las "Partes excluidas" incluyen (1) los Demandados y sus respectivas subsidiarias y filiales, empleados, ejecutivos, directores, agentes y sus familiares; (2) cualquier parte que haya presentado una Exclusión válida; y/o (3) los jueces que hayan presidido estos casos.

NOTA: El pago electrónico se iniciará por correo electrónico para los Reclamantes elegibles si se proporciona una dirección de correo electrónico; conserve una dirección de correo electrónico válida en los archivos del Administrador de reclamaciones. Si no proporciona una dirección de correo electrónico y se considera elegible, recibirá un cheque a través de USPS.

Los términos en mayúscula se definen más adelante en el Aviso y Acuerdo de conciliación, los cuales están disponibles en el Sitio web de la Conciliación, FairlifeMilkSettlement.com.

SECCIÓN I: INFORMACIÓN DEL RECLAMANTE

Nombre del reclamante Inicial del segundo nombre Apellido

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O
 Nombre de la empresa del Reclamante (solo si reclama para una empresa y las compras de la empresa del Reclamante fueron usadas por la empresa o el personal, no para la reventa)

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Dirección del Reclamante (dirección del Reclamante individual o empresarial, según corresponda)
 Dirección 1 (nombre y número de la calle)

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Dirección 2 (departamento, unidad, suite o número de casilla)

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Ciudad Estado Código postal

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Número telefónico de contacto

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Dirección de correo electrónico de contacto

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SECCIÓN II: COMPRAS

Solo son elegibles las compras realizadas hasta el 27 de abril de 2022. Las compras realizadas después del 27 de abril de 2022 no son elegibles y no deben reclamarse. Solo se pueden reclamar los productos comprados para uso personal; **las compras realizadas para reventa no son elegibles.**

“Comprobante de compra válido” significa documentación verificable de una transacción que refleja la compra de uno o más Productos cubiertos en la Fecha de aprobación preliminar o antes. Los ejemplos pueden incluir, entre otros, recibos de la tienda, biberones o cualquier otro registro de compra contemporáneo que sea objetivamente verificable.

Usted es elegible para recibir un reembolso de Pago en efectivo del 25% por Compras cubiertas con un reembolso máximo de \$100.00. Puede recibir hasta \$20.00 sin un Comprobante de compra válido. Puede recibir por separado hasta \$80.00 de reembolso si proporciona un Comprobante de compra válido con su Formulario de reclamación.

No es necesario que anote el precio que pagó. La Tabla de códigos de productos a continuación indica el precio promedio de cada Producto cubierto, que se utilizará para calcular su pago.

Aún puede presentar su solicitud en línea en FairlifeMilkSettlement.com, incluso si necesita presentar documentación de Comprobante de compra válido. Hay una opción de carga de documentos disponible para su comodidad en el sitio web. Si envía recibos por correo postal de los EE. UU., envíe copias, ya que no se le pueden devolver los originales.

Si sus compras reclamadas ascienden a un total de \$80.00 o menos en función de los precios promedio de esos productos, y usted no presenta ningún Comprobante de compra válido, califica para un Pago en efectivo de hasta \$20.00. También puede proporcionar un Comprobante de compra válido de hasta \$320.00 en compras de Productos cubiertos en función de los precios promedio para que los productos sean elegibles para recibir un Pago en efectivo de hasta \$80.00. Puede recibir el Pago en efectivo máximo por compras documentadas e indocumentadas para un Pago en efectivo total máximo de \$100.00 por hogar.

Para cada Código de producto que ingrese a continuación en la tabla de Código de producto de la página siguiente, la Cantidad **comprada debe incluir todas las compras realizadas el 27 de abril de 2022 o antes de esa fecha.** No necesita separar las compras por fecha ni especificar la fecha de compra.

Código del producto (consulte la lista a continuación)	Cantidad comprada	¿Se proporcionó un Comprobante de compra válido (recibo)? Comprobante de compra válido (SOLO REQUERIDO si la suma del precio minorista promedio [o los precios] de los Productos cubiertos incluidos en su Reclamación supera los \$80.00)
□ □ □	□ □	<input type="checkbox"/> Sí <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Sí <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Sí <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Sí <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Sí <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Sí <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Sí <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Sí <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Sí <input type="checkbox"/> No
□ □ □	□ □	<input type="checkbox"/> Sí <input type="checkbox"/> No

TABLA DE CÓDIGO DE PRODUCTO

Tenga en cuenta lo siguiente: El Sitio web de la Conciliación, FairlifeMilkSettlement.com, incluye una pestaña informativa con descripciones de los Productos cubiertos a continuación. También puede comunicarse con el Administrador de reclamaciones llamando al número gratuito 1-855-604-1865 para solicitar una lista de los Productos cubiertos por correo postal.

Tipo de producto	Tamaño del producto	Promedio Precio minorista	Código del producto
Fair Oaks Farms Milk	Half Pint	\$0.79	F22
	11.5oz-12oz, 16oz, or Pint	\$1.89	F23
	1.5 liter, 52 oz, or 64 oz	\$3.69	F24
	Gallon	\$3.99	F25
Fair Oaks Farms Ice Cream	Pint	\$6.29	F26
	3 Gallon	\$49.99	F27
Fair Oaks Farms Butter	Per Unit	\$4.39	F28
Fair Oaks Farms Yogurt	Small	\$2.99	F29
	Large	\$4.99	F32
Fair Oaks Farms Eggnog	Per Unit	\$4.99	F34
fairlife Ultra-Filtered Milk	8oz 6-Pack	\$6.16	L22
	8oz 12-Pack	\$10.40	L23
	11.5oz Single	\$2.09	L24
	14oz Single	\$2.99	L25
	52oz Single	\$4.04	L26
	52oz 2-Pack	\$6.61	L27
	52oz 3-Pack	\$9.00	L28
	Any Other UFM Product Not Listed Above	\$2.09	L29
fairlife DHA Milk	8oz 4-Pack	\$5.41	L32
	52oz Single	\$4.48	L33
	52oz 2-Pack	\$6.87	L34
	Any Other DHA Product Not Listed Above	\$4.48	L35
fairlife Core Power Protein Shakes	8oz Single	\$2.50	L36
	8oz 4-Pack	\$7.05	L37
	11.5oz Single	\$3.39	L38
	11.5oz 12-Pack	\$26.22	L39
	14oz Single	\$3.25	L42
	14oz 12-Pack	\$27.20	L43
	Any Other Core Power Protein Shake Product Not Listed Above	\$2.50	L44

Tabla de código de producto (continuación en la página siguiente).

Tabla de código de producto (continuación):

Tipo de producto	Tamaño del producto	Promedio Precio minorista	Código del producto
fairlife Core Power Elite Protein Shakes	14oz Single	\$4.07	L45
	14oz 8-Pack	\$22.47	L46
	14oz 12-Pack	\$38.57	L47
	Any Other Core Power Elite Protein Shake Product Not Listed Above	\$4.07	L48
fairlife Core Power Light Protein Shakes	11.5oz Single	\$3.25	L49
	11.5oz 12-Pack	\$24.10	L52
	Any Other Core Power Light Protein Shake Product Not Listed Above	\$3.25	L53
fairlife Yup! Ultra-Filtered Milk	14oz Single	\$2.17	L54
	14 oz 12-Pack	\$24.79	L55
	Any Other Yup! Product Not Listed Above	\$2.17	L56
fairlife Nutrition Plan	11.5oz Single	\$2.71	L57
	11.5oz 4-Pack	\$7.14	L58
	11.5oz 12-Pack	\$16.20	L59
	11.5oz 18-Pack	\$24.99	L62
	Any Other Nutrition Plan Not Listed Above	\$2.71	L63
fairlife Smart Snacks	8oz Single	\$2.21	L64
	8oz 4-Pack	\$7.95	L65
	8oz 12-Pack	\$27.23	L66
	Any Other Smart Snacks Product Not Listed Above	\$2.21	L67
fairlife Good Moo'd	Per Unit	\$4.02	L68
fairlife Yogurt	Per Unit	\$4.93	L69
fairlife Ice Cream	Per Unit	\$4.43	L72
fairlife Creamer	Per Unit	\$3.15	L73

SECCIÓN III: CERTIFICACIÓN Y FIRMA

DECLARACIÓN (obligatorio): Al firmar a continuación, declaro bajo pena de perjurio en virtud de las leyes de los Estados Unidos de América que lo anterior es verdadero y correcto, que compré los productos que he enumerado en mi Formulario de reclamación, y que creo que soy un Miembro del Grupo de demandantes de la Conciliación con derecho a la reparación solicitada al presentar este Formulario de reclamación.

Firma del reclamante

Fecha:

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SECCIÓN IV: MÉTODOS DE PRESENTACIÓN

EN LÍNEA:

Para presentar una Reclamación para un pago del Fondo de la Conciliación, puede completar su Reclamación en línea en FairlifeMilkSettlement.com utilizando la identificación única anterior. **La fecha límite para presentar una Reclamación en línea es el 27 de diciembre de 2022.**

Si su Reclamación incluye compras de Productos cubiertos por un total de \$80.00 o más en función del/de los precio(s) promedio al por menor, debe cargar sus recibos mientras presenta la solicitud en línea.

FORMULARIO DE RECLAMACIÓN ENVIADO POR CORREO POSTAL:

Como alternativa, puede completar el Formulario de reclamación anterior y enviarlo por correo postal de los EE. UU. dirigido a:

In re fairlife Milk Products Litigation
P.O. Box 5569
Portland, OR 97228-5569

Si envía el Formulario de reclamación por correo postal, debe **tener sello postal con fecha del 27 de diciembre de 2022 o anterior.**

Si envía recibos por correo postal en apoyo de su Reclamación a través del Servicio Postal de los EE. UU., envíe copias, ya que no se le pueden devolver los originales.

PREGUNTAS:

Para obtener más información y respuestas a las preguntas frecuentes, visite FairlifeMilkSettlement.com o llame al 1-855-604-1865.

Exhibit 3

Declaration of Dr. Robert Hagevoort
U.S. Dairy Education & Training Consortium

In re Fairlife Milk Products Marketing and Sales Practices Litig.
MDL No. 2909, Lead Case No. 19-cv-03924-RMD-MDW (N.D. Ill.)

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE FAIRLIFE MILK PRODUCTS
MARKETING AND SALES PRACTICES
LITIGATION**

MDL No. 2909

Master Case No. 19-cv-3924

Judge Robert M. Dow, Jr.

This Document Relates To:

ALL CASES

DECLARATION OF DR. ROBERT HAGEVOORT

I, Dr. Robert Hagevoort, declare and state as follows:

1. I am one of the three co-founders of the U.S. Dairy Education & Training Consortium and currently serve as its Director of Development. I make this declaration on my own personal knowledge and could testify to the facts stated herein.

2. I earned a bachelor in Tropical Animal Production from the College for Tropical Agriculture (1987) in Deventer, The Netherlands. I also received a M.S. degree in Range Nutrition (1989), and a Ph.D. in Animal Nutrition (1993) both from Texas A&M University.

3. Prior to founding the U.S. Dairy Education & Training Consortium in 2008, I was an independent dairy management consultant primarily in the United States.

4. The U.S. Dairy Education & Training Consortium is a non-profit organization dedicated to providing model dairy management training to the next generation of dairy managers and owners. The U.S Dairy Education & Training Consortium was created to fill the training gap after colleges and universities began closing their dairies and student enrollment in dairy science programs declined at several leading colleges and universities. The U.S. Dairy Education and

Training Consortium currently includes alliances with (15) colleges and universities, including Texas A&M, LSU, and the Universities of Florida, Arizona, Illinois, Missouri, and Washington State.

5. The U.S. Dairy Education & Training Consortium's programs include both field experience at dairy farms with hands-on instruction, as well as classroom lectures. The curriculum frames dairy production through the lens of animal welfare, humane treatment of dairy cows, and environmental issues.

6. The Consortium engages renowned animal welfare experts to provide instruction. Instructors emphasize the proper care and handling of all animals in their respective areas of expertise, along with dedicated sessions on animal movement, milking and breeding, care for distressed animals, and farm employee training. The programs review best animal welfare practices from a global perspective and explore how scientific developments can improve animal welfare. The programs also discuss consumer perspectives and perceptions regarding the importance of animal wellbeing and sharing with consumers how their food is produced.

7. Students participating in the Consortium's programs come from diverse geographic backgrounds and differing levels of exposure to dairy farms. Surveys of past participants indicate approximately two-thirds of program attendees will work on dairy farms or in an allied industry (such as a veterinarian) following graduation. Accordingly, our program helps provide a strong foundation for future dairy farmers and those in the dairy industry to appreciate and respect the animals they are entrusted to care for—a foundation that may otherwise be lacking. Our research areas also include developing dairy employee training materials focusing on multi-lingual and multi-media training materials for use by dairy farms throughout the United States.

8. I am generally familiar with the subject matter of this litigation and understand that the settlement class consists of consumers who purchased fairlife and Fair Oaks Farms dairy products and are concerned about the humane treatment of dairy cows. I understand that the settling parties have agreed, with approval of the court, to direct fifty percent of any left-over settlement funds to the U.S. Dairy Education & Training Consortium as a *cy pres* recipient. If granted an award, the U.S. Dairy Education & Training Consortium will devote such funds to the students' education in the humane treatment of dairy cows including the above-topics.

9. I have been provided a list containing the names of the parties to the lawsuit and their counsel. To the best of my knowledge and belief, neither the U.S Dairy Education & Training Consortium nor its officers have a relationship (business or otherwise) with any of the parties or their counsel.

This declaration was executed this 20th day of July, 2022, at Albuquerque, New Mexico.

I state the foregoing is true and correct to the best of my knowledge and belief under penalty of perjury under the laws of the United States.

Dated: July 20, 2022



Dr. Robert Hagevoort

Exhibit 4

Declaration of Rebecca Spector
The Center for Food Safety

In re Fairlife Milk Products Marketing and Sales Practices Litig.
MDL No. 2909, Lead Case No. 19-cv-03924-RMD-MDW (N.D. Ill.)

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE FAIRLIFE MILK PRODUCTS
MARKETING AND SALES PRACTICES
LITIGATION**

MDL No. 2909
Master Case No. 19-cv-3924
Judge Robert M. Dow, Jr.

This Document Relates to:

ALL CASES

DECLARATION OF REBECCA SPECTOR

I, Rebecca Spector, declare as follows:

1. I am the West Coast Director for the Center for Food Safety (“CFS”). I make this declaration on my own personal knowledge and could testify competently to the facts stated herein.

2. CFS is a nonprofit, public interest organization with over a million members across the country, including more than one hundred thousand in California. CFS is dedicated to protecting our food, farmers, and the environment. In that mission CFS works for a more sustainable, healthy food system in all ways, from farm to fork.

3. As most relevant to this matter, a CFS flagship program is transparency in our food system and protecting the public’s right to know. CFS has spearheaded U.S. public interest work in this area since the organization’s inception in 1997. This program, policy, and consumer campaign work has two major components: (1) promoting food product labeling and process transparency for consumers (“Your Right to Know”); and (2) ensuring that food product labeling is accurate and not misleading. To fulfill this mission, CFS has main offices in San Francisco, CA, Washington DC, and Portland, OR, and other staff stationed remotely, with twenty-one full-time employees, including legal, science, policy, public outreach, and communications staffing.

4. For the past two and a half decades, CFS has been a public interest leader in numerous important food labeling arenas and campaigns. These include but are not limited to: ongoing efforts to ensure accurate, comprehensive nutrition labeling on food products; food safety and food recall disclosures, including under the Food Safety Modernization Act of 2011; maintaining and expanding country of origin labeling (COOL); establishing mandatory labeling for food products produced through genetic engineering; establishing widespread marketplace labeling of “rbGH-free” dairy products; establishing the “Certified Humane” label; and long-term efforts to establish parameters for labeling foods as “Local” and “Climate Friendly.” CFS also helped establish the original 2001 USDA Organic labeling standards via federal rulemaking and since that time has vigilantly worked to safeguard their integrity. As such, CFS is relied on nationally and internationally as a principal source of policy, legal, and scientific expertise for the organic movement.

5. CFS’s program efforts in these relevant areas include but are not limited to: regulatory and legislative drafting; comments to state and federal agencies on proposed food labeling changes; policymaker, stakeholder, and public education; publication of books and articles promoting the public’s right to know; the building and spearheading of broad coalitions; market campaigns and action alerts to members; establishing science-based standards and practices for food labels; and grassroots organizing.

6. CFS also targets false and misleading labeling. Among other actions CFS has taken on this front are significant public education and media efforts to inform consumers about the misleading nature of the unregulated and undefined “natural” food label.

5. CFS has also long worked on the issue of animal welfare in our food system, as part of its broader mission to halt the adverse impacts of industrial agriculture and promote and

protect a more regenerative future for our food. This overlaps two program areas: (1) work to reform industrial animal agriculture and halt the inhumane practices of confined animal feeding operations; and (2) to improve consumer awareness and knowledge of these practices, through labeling and other means of transparency.

6. Specifically, as to labeling and animal welfare, for the past decade-plus, CFS has led public interest efforts to ensure that USDA certified organic labeling for animal food products includes animal welfare considerations. CFS advocated for the original USDA rule in 2016, ten years in the making, that would provide for more space for organic livestock, allowing for their natural behaviors, and prohibit practices like concrete porches for chickens and tail docking and beak clipping. Consumers pay more for organic products because they believe that the animals are treated more humanely and CFS's role has been in ensuring that integrity is represented in the seal. This work continues, as after a 4-year withdrawal that was successfully challenged in court, USDA under the current administration is now going back to reinstate the rules in revised form, a process in which CFS will again provide policy, legal, and scientific expertise to the organic public interest community and work to provide the most humane organic standards possible.

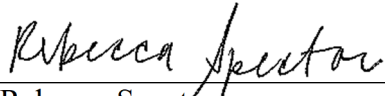
7. Other current work includes: In Oregon, CFS is leading a campaign to win a moratorium on mega-dairies until the state can ensure that these facilities are safe for the environment, climate, communities, and animal welfare. CFS also works to expose greenwashing by dairy companies that source from mega-dairies (confining tens of thousands of cows), ensuring that consumers are aware of the reality behind the milk production despite the bucolic labeling and advertising. These consumer awareness campaigns also include alerting consumers about the prophylactic overuse of antibiotics in industrial animal agriculture as well.

6. I am generally familiar with the subject matter of this litigation and the composition of the class. I understand that the settling parties have agreed, with approval of the court to direct settlement funds *cy pres* to CFS. If granted an award CFS will devote such funds to the most relevant projects to the underlying litigation that produced the award, and I believe that the donation will benefit the class and advance the purposes for which the lawsuit was brought. To summarize, this includes but is not limited to our continuing, extensive work to defend and improve the integrity of product ingredient labeling and various product labels, including for private and government mandate humane labeling standards; public “Right to Know” education for food products; and scientific and legal efforts to improve oversight and labeling of food products and their ingredients. This involves both major campaigns for more extensive labeling of ingredients and targeting false and misleading labeling.

7. CFS has been approved by courts as a *cy pres* recipient in at least one other class action law suit: *Golloher v. Todd Christopher International, Inc.* (N.D. Cal. Case No. 3:12-cv-06002-RS).

8. I have reviewed the names of the parties, lead attorneys, mediator and Judge presiding over this matter and confirm that neither I nor the Center for Food Safety has any relationship (business or otherwise) with any of these persons or entities.

This declaration was executed this 20th day of July, 2022, at San Francisco, California. I state the foregoing under penalty of perjury under the laws of the United States.



Rebecca Spector