

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Lauren Biegel, Greg Maroney, Ryan
Cosgrove, Clive Rhoden, Stephen Bradshaw,
Angela Farve and Christina Henderson,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

Blue Diamond Growers,

Defendant.

Case No.: 7:20-cv-03032-CS

**PLAINTIFFS' UNOPPOSED NOTICE OF MOTION AND MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT, PRELIMINARY
CERTIFICATION OF SETTLEMENT CLASS, AND APPROVAL OF NOTICE PLAN**

Plaintiffs¹ Lauren Biegel (“Biegel”), Greg Maroney (“Maroney”), Stephen Bradshaw (“Bradshaw”), Angela Farve (“Farve”), Ryan Cosgrove (“Cosgrove”), Clive Rhoden (“Rhoden”), and Christina Henderson (“Henderson”) (collectively, the “Plaintiffs”), on behalf of themselves and on behalf of those similarly situated, hereinafter the Settlement Class Members, respectfully move this Court for an Order preliminarily approving the proposed class action settlement filed concurrently with this motion on April 19, 2021 (“Settlement”), approving the form of notice, and scheduling the final approval hearing as set forth in the Settlement Agreement attached as Exhibit 1 to the Declaration of Spencer Sheehan filed concurrently on April 19, 2021 (“Sheehan Declaration” or “Sheehan Decl.”). Specifically, the Parties ask that the Court enter the proposed Order, thereby:

1. certifying the Settlement Class and appointing Plaintiffs as the class representatives and their counsel as Class Counsel;
2. preliminarily approving the Settlement Agreement;
3. approving the form and manner of the class action settlement notice;
4. preliminarily certifying the Settlement Class for purposes of settlement only;
5. appointing Angeion Group as Settlement Administrator and direct it to commence the Notice Plan; and
6. scheduling a Final Approval Fairness Hearing to consider final approval of the Settlement.

In support of this Unopposed Motion, Plaintiffs rely on the attached Memorandum of Law, as well as the Declaration of Spencer Sheehan, and the Declaration of Steven Weisbrot, and their supporting exhibits, all documents filed therewith.

¹ Unless otherwise indicated, capitalized terms shall have the same meaning as they do in the Settlement Agreement.

Respectfully submitted on this 19th day of April, 2021.

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