

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

JUDY JIEN, et al.,

Plaintiffs,

v.

PERDUE FARMS, INC., et al.,

Defendants.

C.A. No. 1:19-CV-2521-SAG

**PLAINTIFFS' MOTION FOR  
PRELIMINARY APPROVAL OF  
SETTLEMENTS WITH WMS AND  
PECO DEFENDANTS, CERTIFICATION  
OF SETTLEMENT CLASS, AND  
APPOINTMENT OF SETTLEMENT  
CLASS COUNSEL**

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Plaintiffs Judy Jien, Kieo Jibidi, Elaisa Clement, Glenda Robinson, and Emily Earnest (collectively "Plaintiffs") hereby move for an Order granting preliminary approval of the settlements reached between Plaintiffs and Defendants Peco Foods, Inc. (hereinafter "Peco") and Webber, Meng, Sahl & Company, Inc. (hereinafter "WMS") (collectively "Settling Defendants"). The settlement terms are memorialized in a written agreements entered into by the parties on November 18-19, 2021 (WMS) and on December 16, 2021 (Peco) ("Settlement Agreements").

Plaintiffs respectfully request that the Court:

- a) Grant preliminary approval of the Settlement Agreements;
- b) Certify the proposed Settlement Class;
- c) Appoint the Named Plaintiffs in this litigation—Judy Jien, Kieo Jibidi, Elaisa Clement, Glenda Robinson, and Emily Earnest—as class representatives of the Settlement Class;
- d) Appoint the law firms Handley Farah & Anderson PLLC; Cohen Milstein Sellers & Toll, PLLC; and Hagens Berman Sobol Shapiro LLP (which currently serve as Interim Co-Lead Counsel) as Settlement Class Counsel;

- e) Direct Settlement Class Counsel to submit a motion to approve a plan of notice of the Settlement Agreements at an appropriate time, *i.e.* after Defendants have produced contact information regarding Settlement Class members and prior to Plaintiffs moving for final approval of the Settlement Agreements; and
- f) Grant a stay of all proceedings in this litigation against the Released Parties (as defined in the Settlement Agreements) except as necessary to effectuate the Settlement Agreements or otherwise agreed to by the settling parties.

This motion is made on the grounds that the Settlement Agreements, which provide a \$3,000,000 cash payment (Peco) for the Settlement Class and material cooperation by WMS and Peco in the litigation against the remaining Defendants, are fair, reasonable, and adequate, thereby satisfying the requirements of Rule 23(e) of the Federal Rules of Civil Procedure. This motion is based on the Settlement Agreements; the Memorandum in Support of Motion for Preliminary Approval of Settlements with WMS and Peco Defendants, Certification of Settlement Class, and Appointment of Settlement Class Counsel; and the Declaration of George F. Farah (all four of which accompany this motion).

Dated: December 17, 2021

Respectfully submitted,

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