

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND**

JUDY JIEN, et al.,

Plaintiffs,

v.

PERDUE FARMS, INC., et al.,

Defendants.

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

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL  
OF SETTLEMENT WITH CARGILL MEAT SOLUTIONS CORPORATION,  
SANDERSON FARMS, INC., AND WAYNE FARMS LLC, CERTIFICATION OF  
SETTLEMENT CLASS, AND APPOINTMENT OF SETTLEMENT CLASS COUNSEL**

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Plaintiffs Judy Jien, Kieo Jibidi, Elaisa Clement, Glenda Robinson, Emily Earnest, and Kevin West (collectively “Plaintiffs”) hereby move for an Order granting preliminary approval of the settlements reached between Plaintiffs and the following Defendants: Cargill Meat Solutions Corporation, Sanderson Farms, Inc., and Wayne Farms LLC<sup>1</sup> (collectively “Settling Defendants”). The settlement terms are memorialized in written agreements entered into by Cargill Meat Solutions Corporation (“Cargill”) and Plaintiffs on May 2, 2022; by Sanderson Farms, Inc. (“Sanderson”) and Plaintiffs on July 21, 2022; and by Wayne Farms LLC (“Wayne”) and Plaintiffs on July 21, 2022. These three written agreements are collectively referred to as the “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, Emily Earnest, and Kevin West—as class representatives of the Settlement Class;
- d) Appoint the law firms Handley Farah & Anderson PLLC, Cohen Milstein Sellers & Toll, PLLC, and Hagens Berman Sobol Shapiro LLP (which currently serve as Interim Co-Lead Counsel) as Settlement Class Counsel;
- e) Direct Settlement Class Counsel to submit a motion to approve a plan of notice of the Settlement 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

---

<sup>1</sup> Wayne Farms, LLC includes its affiliate WFSP Foods, LLC.

- 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 as otherwise agreed to by the settling parties.

This motion is made on the grounds that the Settlement Agreements, which provide a total of \$84,800,000 (eighty-four million eight hundred thousand U.S. dollars) cash payment for the Settlement Class and material cooperation by Settling Defendants 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 Settlement with Cargill Meat Solutions Corporation, Sanderson Farms, Inc., and Wayne Farms LLC, Certification of Settlement Class, and Appointment of Settlement Class Counsel; and the Declaration of Shana E. Scarlett (all three of which accompany this motion).

Dated: September 9, 2022

Respectfully submitted,

/s/ Shana E. Scarlett

Shana E. Scarlett (admitted *pro hac vice*)  
Rio S. Pierce (admitted *pro hac vice*)  
HAGENS BERMAN SOBOL SHAPIRO LLP  
715 Hearst Avenue, Suite 202  
Berkeley, CA 94710  
Tel: (510) 725-3000  
shanas@hbsslaw.com  
riop@hbsslaw.com

Steve W. Berman (admitted *pro hac vice*)  
Breanna Van Engelen (admitted *pro hac vice*)  
Abigail D. Pershing (admitted *pro hac vice*)  
HAGENS BERMAN SOBOL SHAPIRO LLP  
1301 Second Avenue, Suite 2000  
Seattle, Washington 98101  
Tel: (206) 623-7292  
steve@hbsslaw.com  
breannav@hbsslaw.com

abigailp@hbsslaw.com

Dated: September 9, 2022

/s/ Brent W. Johnson

Benjamin D. Brown (admitted *pro hac vice*)  
Brent W. Johnson (admitted *pro hac vice*)  
Daniel Silverman (admitted *pro hac vice*)  
Alison S. Deich (admitted *pro hac vice*)  
COHEN MILSTEIN SELLERS & TOLL PLLC  
1100 New York Avenue NW, 5th Floor  
Washington, DC 20005  
Telephone: (202) 408-4600  
Fax: (202) 408-4699  
bbrown@cohenmilstein.com  
bjohnson@cohenmilstein.com  
dsilverman@cohenmilstein.com  
adeich@cohenmilstein.com

Dated: September 9, 2022

/s/ George F. Farah

George F. Farah (admitted *pro hac vice*)  
Rebecca P. Chang (admitted *pro hac vice*)  
HANDLEY FARAH & ANDERSON PLLC  
33 Irving Place  
New York, NY 10003  
Telephone: (212) 477-8090  
gfarah@hfajustice.com  
rchang@hfajustice.com

Matthew K. Handley (D. Md. Bar # 18636)  
Stephen Pearson (admitted *pro hac vice*)  
HANDLEY FARAH & ANDERSON PLLC  
200 Massachusetts Avenue, NW, Seventh Floor  
Washington, DC 20001  
Telephone: (202) 559-2433  
mhandley@hfajustice.com  
spears@hfajustice.com

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

**CERTIFICATE OF SERVICE**

I hereby certify that on September 9, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice to counsel for all parties that have appeared in this case.

*/s/ Shana E. Scarlett* \_\_\_\_\_