

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

JOY MCFARLAND, Individually and on
Behalf of Others Similarly Situated

PLAINTIFF

v.

NO. 3:16CV00100 JLH

NESTLE USA, INC.; and
NESTLE PREPARED FOODS COMPANY

DEFENDANTS

ORDER OF PRELIMINARY APPROVAL

The Amended Joint Motion for Preliminary Approval of the class-wide settlement and the supporting documentation have come before the Court. It appears that the proposed settlement is fair and reasonable and that the notice of the proposed settlement is appropriate. The Court therefore grants the amended motion (Document #27) and preliminarily finds that the parties' class-wide settlement is fair and reasonable.¹ For purposes of settlement, a Settlement Class is certified consisting of the following class:

The "Settlement Class" or the "Class" consists of all current or former hourly-paid production and maintenance employees who work or worked at the Nestle' processing factory located in Jonesboro, Arkansas, at any time between April 11, 2013 and January 20, 2017. These individuals have been identified in the class lists provided by Nestle' to Class Counsel.

As provided in the proposed settlement agreement, Simpluris, Inc., will serve as "Claims Administrator" in providing notice, objection, claim process and administration services under the Settlement Agreement. No later than forty (40) days before the final fairness hearing, the Claims Administrator must send by first class mail the Notice of Proposed Settlement, including the claim

¹ The previous joint motion is denied as moot. Document #24. Inasmuch as all potential class members will receive notice and an opportunity to opt in, the pending motion for conditional certification and approval of notice is denied without prejudice to renewal if the settlement is not approved. Document #11.

form, to all class members. No later than ten (10) days before the final fairness hearing, the Claims Administrator must send by first class mail a second Notice of Proposed Settlement, including the claim form, to all class members who have not yet filed consents to participate.

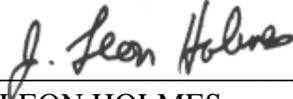
IT IS HEREBY ORDERED that the form and content of the Notice of Proposed Settlement set forth in the Joint Motion for Preliminary Approval is adequate, proper, comports with Due Process and are hereby approved.

A final fairness hearing will be held on August 22, 2017, at 1:15 p.m., at the U.S. District Court for the Eastern District of Arkansas, 615 South Main St., Room 312, Jonesboro, Arkansas 72401.

Counsel for the Parties must file motion papers for final approval of all terms of the Settlement Agreement no later than fourteen (14) days before the final fairness hearing.

This action is stayed pending the Court's ruling on the settlement at the final approval hearing.

IT IS SO ORDERED this 18th day of April, 2017.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE