

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: 22cv5443 (DLC)
BREEANNE BUCKLEY PENI, individually :
and on behalf of all others similarly : ORDER
situated, :
: :
Plaintiff, :
-v- :
: :
DAILY HARVEST, INC., et al., :
: :
Defendants. :
: :
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DENISE COTE, District Judge:

On October 9, 2024, this district's Pro Se Intake Unit received a request from Aleta Reese to opt out of the proposed class action settlement with defendants Daily Harvest, Inc. and Second Bite Foods, Inc. ("Settling Defendants"). The opt-out deadline was July 24, 2024.

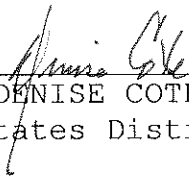
A final approval hearing on the settlement was held on October 15, and Ms. Reese's request to opt out was denied. An Order of October 15 gave Ms. Reese until November 12 to submit a claim form to the Settlement Administrator and directed the Settling Defendants to serve the Order of October 15 on Ms. Reese. An Opinion and Order of October 24 stated the reasons for the denial of Ms. Reese's untimely request to opt out. Accordingly, it is hereby

ORDERED that the Settling Defendants shall serve the

Opinion and Order of October 24 on Ms. Reese by **October 28, 2024.**

IT IS FURTHER ORDERED that the Settling Defendants shall file proof of service of the Order of October 15 and the Opinion and Order of October 24 on ECF by **October 30, 2024.**

Dated: New York, New York
October 25, 2024



DENISE COTE
United States District Judge