

COMMONWEALTH OF KENTUCKY
FAYETTE CIRCUIT COURT
FOURTH DIVISION
CIVIL ACTION NO. 20-CI-00332

HAYNES PROPERTIES, LLC,
et al.

PLAINTIFFS

vs.

BURLEY TOBACCO GROWERS
COOPERATIVE ASSOCIATION, *et*
al.

DEFENDANTS

AGREED ORDER

This matter came before the Court by Agreement of the parties, with reference to the Order of this Court entered December 15, 2020, and its proposed amendment, and the Order Directing Notice of Proposed Settlement to Settlement Class and Scheduling Fairness Hearing of this Court entered November 17, 2020 and the Court being otherwise duly and sufficiently advised, IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. It is impracticable and too expensive to notify all of the interested persons/members of the Settlement Class individually of any application for an allowance of attorney's fees and costs from any common fund recovered herein, particularly given that the Court has previously entered an Agreed Order for giving notice of any attorney-fee application pursuant to CR 23.08 and the unknown members of the Settlement Class. Therefore, pursuant to KRS 412.070(1), personal or individual notice may be dispensed with and in lieu thereof, notice shall be given by an advertisement pursuant to KRS Chapter 424.

2. Notification to all of the interested persons/members of the Settlement Class individually of any application for an allowance of attorney's fees and costs from any common fund recovered shall be by the publication of the advertisement in the form attached hereto as

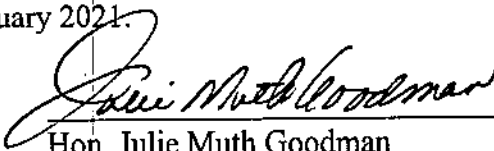
Exhibit A in the following newspapers: the Lexington Herald-Leader, the Owensboro Messenger-Inquirer, The Tennessean, The Kansas City Star, The Indianapolis Star, The Columbus Dispatch, and the Charleston Gazette-Mail.

3. Pursuant to KRS 424.130, publication of the advertisement shall be done no fewer than two (2) times and at least one (1) publication shall occur not less than seven (7) days nor more than twenty-one (21) days prior to January 29, 2021. Pursuant to KRS 424.160, the advertisement shall be set in no larger than seven (7) point type on solid leading.

4. A copy of the advertisement in the form attached hereto as Exhibit A along with any application for an allowance of attorney's fees and costs from the common fund shall be posted on the settlement website (www.BTGCASettlement.com). The link to this posting must be displayed prominently on the homepage of the settlement website and in a manner in which the public can readily and with minimal effort identify the location of and easily retrieve the advertisement and any application for an allowance of attorney's fees and costs from the common fund.

5. This notice to the interested persons/members of the Settlement Class is appropriate and reasonable, and constitutes notice given of any such application for attorney's fees and costs by an advertisement pursuant to KRS 412.070(1) and KRS Chapter 424.

SO ORDERED this 6 day of January 2021.



Hon. Julie Muth Goodman
Judge, Fayette Circuit Court

TENDERED BY:

/s/Robert E. Maclin, III

Robert E. Maclin, III (Ky Bar #43025)
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Counsel for Plaintiffs and Class Representatives

HAVE SEEN, AGREED:

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Counsel for Defendant Greg Craddock

CLERK'S CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____, 2021, a true and correct copy of this entered Order was served electronically via the KYeCourts e-filing system, and via U.S. Mail postage prepaid upon the following:

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Growers Cooperative Association*

CLERK, FAYETTE CIRCUIT COURT

Exhibit A

LEGAL NOTICE

**To: Members of The Settlement Class/Interested Persons in
Haynes Properties, LLC, et al v. Burley Tobacco Growers Cooperative Association, Fayette Circuit Court; Case No. 20-CI-00332**



At the Fairness Hearing in this case, *Haynes Properties, LLC, et al. v. Burley Tobacco Growers Cooperative Association*, Fayette Circuit Court, Case No. 20-CI-332, scheduled for February 24, 2021, beginning at the hour of 9:00 a.m. at the Robert J. Stephens Courthouse, 120 N. Limestone, Lexington, Kentucky 40507, the Court will consider whether to approve a partial settlement of the claims asserted in this case by the Named Plaintiffs against the Defendant Burley Tobacco Grower's Cooperative Association and to award attorneys' fees and other expenses. A petition for attorney's fees may be made for an amount up to 25% of the net assets in addition to expenses and/or class representative service awards.

Please take notice that any petition for attorney's fees, expenses, and/or class representatives service awards shall be filed on or before January 15, 2021.

The public has a right to review any petition for attorney's fees, expenses, and/or class representatives service awards and the petitions and any other filings requesting a fee or service award will be made available on the settlement website (www.BTGCASettlement.com). Additionally, a copy of any petition for attorney's fees, expenses, and/or class representatives service awards may be obtained by writing to 1650 Arch Street, Suite 2210, Philadelphia, PA 19103, calling 1-859-551-3622, or emailing ClassCounsel@mcbayerfirm.com. All other information regarding the settlement may be obtained by visiting www.BTGCASettlement.com.

Any member of the Settlement Class has the right to object to any petition for attorney's fees, expenses, and/or class representatives service awards. To object, you must send a letter saying that you object

to the petition for attorney's fees, expenses, and/or class representatives service awards in *Haynes Properties, LLC, et al. v. Burley Tobacco Growers Cooperative Association*, No. 20-CI-332. Be sure to include your name, address, telephone number, your signature, and the reason(s) that you object to the settlement. Please do not call the Court.

You must mail your objection, postmarked no later than January 29, 2021 and addressed to the Court:

Judge Julie Muth Goodman
Fayette Circuit Court, Fourth Division
120 N. Limestone Street; Third Floor
Lexington, KY 40507