

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MATT DIFRANCESCO, ANGELA MIZZONI, and LYNN
MARRAPODI, individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

UTZ QUALITY FOODS, INC.,

Defendant.

Civil Action No. 1:14-CV-14744-DPW

PLAINTIFFS' ASSENTED TO MOTION FOR
FINAL APPROVAL OF CLASS ACTION SETTLEMENT

Plaintiffs Matt DiFrancesco, Angela Mizzoni, and Lynn Marrapodi (“Plaintiffs”), on behalf of the proposed Settlement Class and through their undersigned attorneys, hereby move for an order, substantially in the form of the [Proposed] Final Order submitted as Exhibit 3 to the Settlement (Dkt. 93-3), which would:

1. Finally approve the proposed Settlement as fair, reasonable and adequate pursuant to Fed. R. Civ. P. 23;
2. Finally certify the Settlement Class for settlement purposes only;
3. Find that the Notice was the best practicable notice under the circumstances and satisfies all Constitutional and other requirements;
4. Confirm Settlement Class Members who have submitted timely requests for exclusion;
5. Enter Judgment substantially in the form of the [Proposed] Final Judgment submitted as Exhibit 4 to the Settlement (Dkt. 93-4);
6. Retain jurisdiction over the enforcement and implementation of the Settlement

Agreement and any amendments thereto; and

7. Award attorneys' fees and reimbursement of expenses, and class representative service awards.

Pursuant to the Order Authorizing Notice of Class Action Settlement and Notice of Final Fairness Hearing (Dkt. 103), this Motion shall be heard at a fairness hearing before this Court on September 13, 2019, at 3:00 p.m., in Courtroom 1 on the 3rd Floor of the United States District Court for the District of Massachusetts, 1 Courthouse Way, Boston, MA 02210.

WHEREFORE, for the reasons stated herein and as fully discussed in the accompanying memoranda of law, declarations and/or affidavits, counsel for Plaintiffs, on behalf a putative nationwide class, respectfully request this Court to grant the relief requested above in its entirety.

Dated: May 31, 2019

AHDOOT & WOLFSON, PC

By: /s/ Tina Wolfson
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*Counsel for Plaintiffs and
Proposed Settlement Class Counsel*

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

The undersigned counsel certify that they have conferred with counsel for Defendant regarding the subject matter of this Motion and have attempted in good faith to narrow the issues set forth herein, the result of which is that Defendant assents to this Motion.

/s/ Tina Wolfson
Tina Wolfson

CERTIFICATE OF SERVICE

I hereby certify I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 31, 2019.

/s/ Tina Wolfson
Tina Wolfson