

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

	x	
IN RE MUSHROOM DIRECT	:	Master File No. 06-0620
PURCHASER ANTITRUST	:	
LITIGATION	:	
	:	
THIS DOCUMENT RELATES TO:	:	
	:	
	:	
Cardile Mushrooms, Inc. and Cardile	:	
Brothers Mushroom Packaging, Inc.	x	

**DIRECT PURCHASER CLASS PLAINTIFFS’ MOTION TO SEVER AND FOR
PRELIMINARY APPROVAL OF SETTLEMENT AND APPROVAL OF
THE FORM AND MANNER OF NOTICE TO THE CLASS
AND PROPOSED SETTLEMENT SCHEDULE**

Pursuant to Federal Rule of Civil Procedure 23, Direct Purchaser Class Plaintiffs (“Plaintiffs”) respectfully move for entry of the Order to Sever and for Preliminary Approval proposed herewith (annexed as Exhibit 3 to the Declaration of Bruce E. Gerstein) which would:

(1) grant preliminary approval of the proposed Direct Purchaser Class Settlement with Defendant Cardile Mushrooms, Inc. and Cardile Brothers Mushroom Packaging, Inc. (“CMI”); (2) approve the form and manner of notice described in the accompanying Memorandum of Law and annexed hereto as Exhibit 5 to the Declaration of Bruce E. Gerstein; (3) set a date for a final fairness hearing with regard to the settlement; and (4) grant Plaintiffs’ motion to sever and stay proceedings in the Direct Purchaser Class Action against CMI until such time as the Court renders a final decision regarding the approval of the Settlement.

The grounds for this motion are set forth in the accompanying Memorandum of Law, Declaration of Bruce E. Gerstein, and the exhibits thereto.

Dated: April 16, 2019

/s Bruce E. Gerstein

Bruce E. Gerstein

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CERTIFICATE OF SERVICE

I, Bruce E. Gerstein, certify that on this 16th day of April, 2019, I caused the foregoing Direct Purchaser Class Plaintiffs' Motion to Sever and for Preliminary Approval of Settlement and Approval of the Form and Manner of Notice to the Class and Proposed Settlement Schedule to be filed on the Court's ECF system where it is available for viewing and downloading.

s/ Bruce E. Gerstein _____
Bruce E. Gerstein