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9 **UNITED STATES DISTRICT COURT**  
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

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12 KATHLEEN SMITH and MATTHEW  
13 DOWNING, on behalf of themselves and all  
others similarly situated,

14 Plaintiffs,

15 v.

16 KEURIG GREEN MOUNTAIN, INC.,

17 Defendant.

Case No. 4:18-cv-06690-HSG  
Assigned to Hon. Haywood S. Gilliam,  
Jr.

**ORDER RE: NOTICE ISSUES FOR  
CERTAIN CLASS MEMBERS  
REGARDING SETTLEMENT**


**ORDER**

This Court, having held a hearing on December 8, 2022 on Plaintiff's Motion for Final Approval and related Motion for Attorneys' Fees, Costs and Service Award, and having considered the Joint Stipulation to Address Notice Issues for Certain Class Members Regarding Settlement, hereby **ORDERS** as follows:

1. The Court APPROVES the Stipulation, and hereby ORDERS the Settlement Administrator to send the electronic mail notice attached hereto as Exhibit 1 to Class Members who did not previously receive such notice and who purchased the Products directly from Defendant on its website.
2. Class Members who receive electronic mail notice pursuant to this Order shall have until January 30, 2023 to file a claim, or to object to or opt out of the Settlement.
3. Notice and administration costs under the Settlement shall not exceed \$900,000.

**IT IS SO ORDERED.**

Dated: 12/21/2022

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge