

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NEVERSINK GENERAL STORE and  
BRENDA TOMLINSON,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

MOWI USA, LLC, MOWI DUCKTRAP,  
LLC, MOWI USA HOLDING, LLC, and  
MOWI ASA,

Defendants.

Case No. 1:20-cv-09293-PAE

**PLAINTIFFS' UNOPPOSED NOTICE  
OF MOTION AND MOTION FOR  
PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT,  
PRELIMINARY CERTIFICATION OF  
SETTLEMENT CLASS, AND  
APPROVAL OF NOTICE PLAN**

Plaintiffs Neversink General Store and Brenda Tomlinson (“Plaintiffs”) respectfully move this Court for an Order preliminarily approving the proposed class action settlement filed concurrently with this motion on March 16, 2021 (“Settlement”), approving the form of notice, and scheduling the final approval hearing as set forth in the Settlement Agreement<sup>1</sup> attached as Exhibit 1 to the Declaration of Jonathan Shub filed concurrently on March 16, 2021 (“Shub Declaration”). Specifically, the Parties ask that the Court enter the proposed Order, thereby:

1. certifying the Settlement Class and appointing Plaintiffs as the class representatives and their counsel as Class Counsel;
2. preliminarily approving the Settlement Agreement;
3. approving the form and manner of the class action settlement notice;
4. preliminarily certifying the Settlement Class for purposes of settlement only;
5. appointing Angeion Group as Settlement Administrator and direct it to commence the Notice Plan; and

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<sup>1</sup> Unless otherwise indicated, capitalized terms shall have the same meaning as they do in the Settlement Agreement.

6. scheduling a Final Approval Fairness Hearing to consider final approval of the Settlement.

In support of this Unopposed Motion, Plaintiffs rely on the attached Memorandum of Law, as well as the Declaration of Jonathan Shub, and the Declaration of Gary M. Klinger, and their supporting exhibits, all documents filed therewith.

Respectfully submitted on this 16th day of March, 2021.

**SHUB LAW FIRM LLC**

By: /s/ Jonathan Shub

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\*Application to be Admitted Pro Hac Vice forthcoming

*Counsel for Plaintiffs and the Proposed Class*