

LEGAL NOTICE

If you purchased Mariani's Seven-Ounce Packages of Vanilla Yogurt Raisins anywhere in Missouri State between November 14, 2017, and April 18, 2024, a class-action lawsuit may affect your legal rights.

A court authorized this notice. This is not a solicitation from a lawyer.

Your legal rights are affected whether you act or don't act. Read this notice carefully.

You may be affected by a class action lawsuit alleging that Mariani Packing Company, Inc., (the "Defendant") misleadingly under-filled seven-ounce packages of Vanilla Yogurt Raisins ("Products") such that the packages are only filled to 42% capacity with Vanilla Yogurt Raisins and contain 58% empty space. This practice of under-filling, known as slack filling, is alleged to be misleading because the value of the Product is materially less than its value represented by Defendant. Defendant denies these allegations, and the Court has made no determination of liability in either action.

The lawsuit is called *Diesel v. Mariani Packing Company, Inc.* Case No. 4:22-cv-01368-AGF. This lawsuit is pending in the United States District Court for the Eastern District of Missouri. The Court decided that this lawsuit should proceed as a class action, which means that an individual ("Named Plaintiff") will be representing a "Class," or group of people, that could include you. This notice summarizes your legal rights and options if you believe that you are a member of the Class.

More information is available in a detailed notice at the website below. If you believe that you are a Class Member, you have to decide whether to stay in the Class and be bound by the results or ask to be excluded and retain your right to sue Defendant on your own over the alleged claims at issue in this case. There is no money available now and no guarantee that there will be in the future.

What Is This Case About?

Plaintiff alleges the seven-ounce packages of Vanilla Yogurt Raisins were misleadingly under-filled because the Product was only filled to 42% capacity with Vanilla Yogurt Raisins and contains 58% empty space. This practice of under-filling, known as slack filling, is alleged to be misleading as the value of the Product is materially less than its value as represented by Defendant. The Plaintiff is generally asking the Court to award to Class Members the difference in value of the raisins as represented and the value of the raisins received. Defendant denies these allegations. The Court has not yet made any decisions on the merits of Plaintiff's claims against Defendant. The lawyers for the Plaintiff will have to prove the claims alleged in this case.

Who Is Included?

You are a member of the Class if you purchased Mariani's Premium seven-ounce packages of Vanilla Yogurt Raisins in Missouri between November 14, 2017, and April 18, 2024.

Excluded from this Class are (1) the judge assigned to this case; (2) Defendant; (3) any entity in which Defendant has a controlling interest; (4) Defendant's officers, directors, legal representatives, successors, and assigns; and, (5) persons who purchased seven-ounce packages of Vanilla Yogurt Raisins for the purpose of resale.

Who Represents Plaintiff and the Classes?

The Court appointed the following law firm to represent the Class: Harvath Law Group. You may hire your own lawyer to appear in Court for you if you wish; however, if you do, you will be responsible for paying that lawyer on your behalf. Kimberly Diesel is the named plaintiff.

What Are Your Options?

If you believe that you are a Class Member, you have a choice of whether to stay in the Class or not, and you must decide this now. If you stay in the Class, you will be legally bound by all orders and judgments of the Court, and you will not be able to sue, or continue to sue, Defendant as part of any other lawsuit involving the claims at issue in these lawsuits. If money or benefits are obtained on behalf of the Class, either through a settlement or a trial, you will be notified about how to request a share if you are a Class Member. To stay in the Class, you do not have to do anything now.

If you believe that you are a Class Member but ask to be excluded from the Class, you will not get any money or benefits from these lawsuits if any are awarded, but you will keep any rights to sue, or continue to sue, Defendant as part of another lawsuit involving the claims at issue in this lawsuit, and will not be bound by any orders or judgments of the Court. To exclude yourself from the Class, you must send a letter to:

Diesel v. Mariani Packing Company, Inc.
c/o Analytics Consulting LLC
P.O. Box 2003
Chanhassen, MN 55317

postmarked no later August 10, 2024, stating that you want to be excluded. Include (1) the name of the lawsuit, (2) your name and address, (3) a clear statement of intention to exclude yourself, and (4) your signature.

You may also get an exclusion-request form at www.slackfilllitigation.com. You cannot exclude yourself by telephone or by email.

Want More Information?

If you have questions or want a detailed notice or other documents about these lawsuits and your rights, visit www.slackfilllitigation.com, contact Class Counsel at धारवथ@हारवथलॉग्रुप.कॉम, email info@slackfilllitigation.com or write to:

Diesel v. Mariani Packing Company, Inc.
c/o Analytics Consulting LLC
P.O. Box 2003
Chanhassen, MN 55317

Please make sure to put the name of the case: Diesel v. Mariani Packing Company, Inc., in the subject line of any email.

**PLEASE DO NOT CALL OR WRITE TO THE COURT
OR THE CLERK'S OFFICE FOR INFORMATION.
THE COURT CANNOT ANSWER ANY QUESTIONS.**