

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

IN RE: WHOLESALE GROCERY PRODUCTS ANTITRUST LITIGATION	Civil No. 09-md-02090 ADM/TNL
THIS DOCUMENT RELATES TO: ALL ACTIONS	

**ORDER GRANTING
MIDWEST PLAINTIFFS' MOTION FOR DISTRIBUTION
OF NET SETTLEMENT FUND**

On February 7, 2018, the undersigned United District Court Judge held a hearing on Midwest Plaintiffs' Motion for Distribution of the Net Settlement Fund to the Champaign Non-Arbitration Class [Docket No. 905]. Elizabeth R. Odette, Esq., Lockridge Grindal Nauen P.L.L.P., Minneapolis, MN, appeared on behalf of Midwest Plaintiffs. Stephen P. Safranski, Esq., Robins Kaplan LLP, Minneapolis, MN, appeared on behalf of Defendant Supervalu, Inc. No objections to the Motion were filed or raised at the hearing.

The Court has reviewed the Motion, its accompanying memorandum, declaration and the exhibits thereto, and the file in this matter.

Accordingly, **IT IS HEREBY ORDERED THAT** Midwest Plaintiffs' proposed plan of distribution, as detailed in the Motion, to distribute the Net Settlement Fund to

qualified claimants of the Settlement Class is **GRANTED**. In accordance with this Order,

(1) The Court approves the recommendation of Settlement Administrator JND Legal Administration LLC (“JND”) and Co-Lead Counsel appointed in this matter that:

- a. The 23 valid and qualified claims identified in Exhibit 1 to the Declaration of Elizabeth R. Odette (“Odette Declaration”) [Docket No. 910] in support of the Motion for Distribution of Net Settlement Fund are accepted; and
- b. The 295 unqualified claims identified in Exhibit A to the Supplemental Declaration of Jennifer Keough [Docket No. 913] in support of the Motion for Distribution of Net Settlement Fund are denied for failing to contain the information required to verify the individual or entity submitting the claim form as a member of the Champaign DC Non-Arbitration Class. The Court has reviewed the 18 responses sent to JND by claimants whose claim forms were rejected. See Keough Suppl. Decl. Ex. C. None of the responses are valid objections because no response includes the information required to verify that the individual or entity submitting the rejected claim form is a member of the Champaign DC Non-Arbitration Class.

(2) The Court authorizes payment of the Net Settlement Fund to the 23 eligible claimants pursuant to the proposed distribution.

(3) The Escrow Agent shall distribute the Net Settlement Fund in the amount of \$4,549,000.00 to Settlement Administrator JND, and JND shall distribute the Net Settlement Fund as described in the *pro rata* distribution chart filed herein as Exhibit 1 to the Odette Declaration [Docket No. 910].

IT IS SO ORDERED.

BY THE COURT:

Dated: February 7, 2018

s/Ann D. Montgomery
ANN D. MONTGOMERY
United States District Judge