

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

FIRST IMPRESSIONS SALON, INC.,)
et al.,)
)
Plaintiffs,)
)
vs.) Case No. 13-CV-454-NJR-SCW
)
NATIONAL MILK PRODUCERS)
FEDERATION, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

ROSENSTENGEL, District Judge:

This matter is currently before the Court for approval of the Class Notice Plan, which was proposed jointly by the parties (Doc. 325).

The Plan was developed by Hilsoft Notifications, a firm hired by Plaintiffs that specializes in designing, developing, analyzing, and implementing large-scale, un-biased, legal notification plans. The Plan contains a number of components. First, notice will be sent via First Class mail to over 14,000 individual class members who have already been identified. It is possible that more individual class members will be identified. Hilsoft Notifications estimates that at least 90% of identifiable class will receive individual notice.

Second, various print, trade media, and local media will be purchased in an effort to reach potential Class Members for whom individual notice may not be available. For example, ads will be placed in twelve selected trade publications that reach business owners and employees specializing in the grocery, food preparation, and restaurant industries, who are likely to have purchased butter or cheese directly. Internet Banner Notices also will be

placed on the associated websites of these twelve trade publications. Local newspaper ads will run in geographic areas where members of Cooperatives Working Together sold butter and/or cheese at retail locations. Internet Banner Notices also will be placed on the associated websites of these local newspapers. An Informational Release will be issued to approximately 5,000 general media outlets and 5,400 online databases and websites throughout the United States. A website also will be established where the full notice, as well as additional information about the case, can be viewed. Sponsored search listings will be acquired on the three most highly-visited Internet search engines, *Google*, *Yahoo!* and *Bing*, to facilitate locating the case website. A toll-free telephone number and mailing address will be established for individuals to request additional information or ask questions.

The Court finds that the proposed Class Notice Plan satisfies the requirements of Rule 23 and will provide the best notice practicable under the circumstances of this case. *See* FED. R. CIV. P. 23(c)(2). The notice period shall commence on **May 31, 2018** (*see* Doc. 309). Putative class members will have **60 days** from the beginning of the notice period to opt out of the class action (*see* Doc. 309). Before the notice period commences, the parties are authorized to insert the missing information into the notices, including the deadline for opting out, the website, the toll-free number, and the mailing address (*see* Doc. 325-1, pp. 64-76), and to edit the notices for grammar and accuracy.

IT IS SO ORDERED.

DATED: May 8, 2018



NANCY J. ROSENSTENGEL
United States District Judge