

COMMONWEALTH OF KENTUCKY
FAYETTE CIRCUIT COURT
FOURTH DIVISION
Civil Action No. 20-CI-00332

HAYNES PROPERTIES, LLC,
et al.

PLAINTIFFS

vs.

Preliminary Certification Order

BURLEY TOBACCO GROWERS
COOPERATIVE ASSOCIATION,
et al.

DEFENDANTS

On motions and applications to the Court, after multiple hearings, in accordance with its Findings and Opinion entered September 27, 2020, and its announced rulings, and the Court being otherwise duly and sufficiently advised, NOW THEREFORE it is hereby ordered and adjudged as follows:

1. Named Plaintiffs' Motion pursuant to CR 23.01 for Preliminary Class Certification and Appointment of Settlement Class Representatives is GRANTED. Named Plaintiffs — Haynes Properties, LLC (Mitch Haynes), Mitch and Scott Haynes d/b/a Alvin Haynes & Sons (Scott Haynes) and S&GF Management, LLC (Penny Greathouse) — are APPOINTED as class representatives for the Settlement Class.

2. Defendant Greg Craddock's Motion to Preliminarily Certify Settlement Class, to Appoint Class Representatives and to Appoint Class Counsel is DENIED as to the request for appointment of Defendant Greg Craddock as a class representative, MOOTED as to the request to appoint class counsel by the withdrawal of that portion of the motion at the beginning of the hearing on applications for appointment as class counsel, and otherwise GRANTED.

3. The CR 23.07 Application for Appointment as Class Counsel filed by attorneys for the Named Plaintiffs is GRANTED; Katherine K. Yunker and Jason R. Hollon are APPOINTED as Class Counsel.

4. The Settlement Class is PRELIMINARILY CERTIFIED as a CR 23.02(a) and (b) class. Pursuant to CR 23.03(2), this Order:

a. defines the Settlement Class as was ruled in the Findings and Opinion entered September 30, 2020, at page 8;

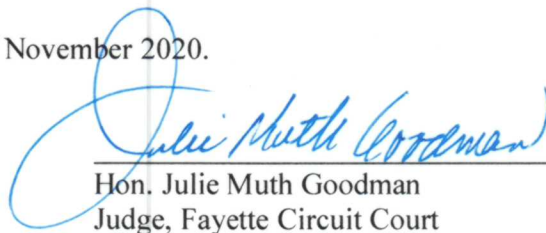
b. defines the Settlement Class claims and issues as (i) the dissolution of the Burley Tobacco Growers Cooperative Association and distribution of its net assets to the Settlement Class and (2) whether the proposed settlement is fair, reasonable, and adequate; and,

c. appoints McBrayer attorneys Katherine K. Yunker and Jason R. Hollon as Class Counsel.

5. This Order granting preliminary class certification may be altered or amended before final judgment.

The Court intends to enter, at a later date, Findings and an Opinion setting out the factual and legal basis for this Order.

SO ORDERED this 6th day of November 2020.



Hon. Julie Muth Goodman
Judge, Fayette Circuit Court

CLERK'S CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of _____, 2020, a true and correct copy of this entered Order was served electronically via the KYeCourts e-filing system, and via U.S. Mail postage prepaid upon the following:

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behalf of himself and all others similarly
situated*

Clerk, Fayette Circuit Court