

**COMMONWEALTH OF KENTUCKY  
FAYETTE CIRCUIT COURT  
FOURTH DIVISION**

**Civil Action No. 20-CI-00332**

*filed electronically*

**HAYNES PROPERTIES, LLC, et al.**

**PLAINTIFFS**

v.

**BURLEY TOBACCO GROWERS  
COOPERATIVE ASSOCIATION, et al.**

**DEFENDANTS**

---

**Settlement Class Counsel's  
Status Report**

---

Settlement Class Counsel, Katherine K. Yunker and Jason R. Hollon, hereby provide the following status report detailing recent actions taken in the administration of the Settlement.

Class Counsel state as follows:

1. In November 2022, the Settlement Administrator mailed 2,598 checks in an amount of up to \$3,930 each as a second distribution to eligible Class members. Some of those being sent the second distribution owed outstanding Tobacco Administrative Grading Service (TAGS) fees, which were subtracted from the amount sent to each such person.

2. Further, checks were mailed in November and December 2022 to four other eligible Class members. Three of these checks included the initial distribution and second distribution, and the remaining check was for the second distribution only.

3. In all, 2,602 Class members have been issued distributions in a total amount of up to \$9,600.00 each. Class Counsel are working with the Settlement Administrator to secure updated addresses or other information about the eligible class member for checks that have been returned or which remain unnegotiated.

4. All deadlines to apply for eligible class membership have passed and it is too late to qualify for a share in the Co-op's dissolution.

5. In accordance with prior Orders, McBrayer PLLC was paid an attorney's fee proportional to the second distribution described in paragraph 1 herein.

6. Class Counsel directed the restructuring of the informational website maintained by the Settlement Administrator (homepage: btgcasettlement.com) to focus on news and timely information about settlement distributions and how to update one's W-9, rather than the prior focus on approval of the settlement and qualifying to share in the net dissolution proceeds of the Co-op.

7. Class Counsel is preparing a proposed mailing to be sent to Class members regarding the Burley and Dark Tobacco Producers Association as required by the Court's 7/28/21 Amended Opinion and Order Approving Partial Settlement. Class Counsel will submit the proposed mailing for Court review and approval once complete.

Respectfully submitted,

/s/ Katherine K. Yunker

Katherine K. Yunker (KBA # 79592)

/s/ Jason R. Hollon

Jason R. Hollon (KBA # 96148)

MCBRAYER PLLC  
201 E. Main Street, Suite 900  
Lexington, KY 40507-1361  
(859) 231-8780

*Settlement Class Counsel*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 16th day of February 2023, electronically via the e-filing system and via electronic mail upon the following:

Jeremy S. Rogers  
Dinsmore & Shohl LLP  
101 South Fifth Street, Suite 2500  
Louisville, KY 40202  
jeremy.rogers@dinsmore.com

Kevin G. Henry  
Charles D. Cole  
Sturgill, Turner, Barker & Maloney PLLC  
333 West Vine Street, Suite 1500  
Lexington, KY 40507  
khenry@sturgillturner.com  
ccole@sturgillturner.com

*Courtesy Copy* (emailed):  
Hon. Julie Muth Goodman  
c/o Alicia Dean  
[aliciadean@kycourts.net](mailto:aliciadean@kycourts.net)

W. Henry Graddy, IV  
Dorothy T. Rush  
W. H. Graddy & Associates  
137 North Main St.  
Versailles, KY 40383  
hgraddy@graddylaw.com  
dtrush2@gmail.com

and via first-class U.S. Mail, postage prepaid, on the unrepresented objectors listed on Schedule A of the Opinion and Order entered June 11, 2021, at the addresses given in their respective objections:

J.B. Amburgey	David Barnes	Jacob Barnes
Robert E. Barton	Ben Clifford	Lincoln Clifford
Wayne Cropper	Josh Curtis	George M. Darnell
Jennifer Darnell	Brent Dunaway	Michael Furnish
William David Furnish	Leonard Edwin (Eddie) Gilkison	Bill G. Hall
Dudley Wayne Hatcher	Steve Lang	Berkley Marks
Bruce Quarles	Travis Quarles	Steven Quarles
Danny Townsend	Jerry Rankin	Richard Sparks
Jarrod Stephens	Addison Thomson	William A. Thomson
Judy Townsend		

/s/ Katherine K. Yunker  
Settlement Class Counsel