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IN THE UNITED STATES COURT OF FEDERAL CLAIMS

No. 15-938 L

BRUCE CIAPESSONI, et al,  
Plaintiffs,  
v.  
THE UNITED STATES,  
Defendant.

**DECLARATION OF JULIE SWANSON RE  
RESPONSES TO SETTLEMENT  
NOTICES**

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I, Julie Swanson, declare as follows:

1. I am employed as a Senior Project Manager by KCC Class Action Services, LLC (“KCC”), located at 3301 Kerner Blvd., San Rafael, California. KCC was appointed as the Settlement Administrator in this matter and is not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto. What follows is an accounting of responses that KCC has received to settlement notices sent pursuant to this Court’s order of July 18, 2019.

2. As of September 9, 2019, KCC has received a total of 8 Withdrawal Forms from Affiliate Class Members postmarked on or before September 2, 2019 and no Withdrawal Forms postmarked after September 2, 2019. In total, KCC has received 8 Withdrawal Forms to date.

3. As of September 9, 2019, KCC has received no requests to withdraw from Opt-In Class Members that are not Affiliate Class Members, i.e., Class Members that previously opted in.

4. As of September 9, 2019, KCC has received a total of 122 Agreements to Be Bound from potential Deemed Settlement Class Members postmarked on or before September 2, 2019 and a total of 6 Agreements to Be Bound postmarked after September 2, 2019. In total, KCC has received 128 Agreements to Be Bound to date.

5. As of September 9, 2019, KCC has received a total of two (2) letters in support of the Settlement Agreement. Attached hereto as Exhibit A is a list of the individuals or entities who submitted letters in support of the Settlement and a copy of each letter of support.

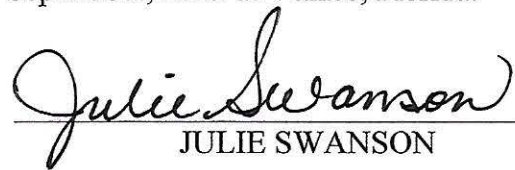
6. As of September 9, 2019, KCC has received no objections to the Settlement Agreement.

7. Insofar that KCC receives any responses to settlement notices after the filing of this declaration, I will file a supplemental declaration providing that new information.

I declare under penalty of perjury under the laws of the United States of America that the

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foregoing is true and correct. Executed this 9th day of September, 2019 at Venice, Florida.

  
\_\_\_\_\_  
JULIE SWANSON

# Exhibit A

**Letters in Support of Settlement**

***Ciapessoni v US Settlement***

*as of September 9, 2019*

**Initial Mailing Date: 8/1/2019**

**Exclusion Deadline: 9/2/2019**

	<u>Name</u>	<u>Address</u>	<u>Phone Number</u>	<u>Signature</u>	<u>Date Submitted/ Postmarked</u>
1	Raisin Bargaining Association Kalem Barserian CEO	2444 Main St Suite 160 Fresno, CA 93721	559-221-1925	Yes	8/28/2019
2	Sun-Maid Growers of California Harry J. Overly President & CEO	13525 S Bethel Ave Kingsburg, CA 93631	559-896-8000	Yes	8/29/2019



2444 Main Street  
Suite 160  
Fresno, CA 93721-2730  
(559) 221-1925  
Fax (559) 221-0725  
www.raisinbargaining.org

Reserve Raisins Class Action  
C/o KCC Class Action Services  
P.O. Box 404011  
Louisville, KY 40233-4011

Re: Support for Settlement Agreement Approval

To whom it may concern:

The Raisin Bargaining Association (“RBA”) submits this comment in favor of the Settlement Agreement in *Ciapessoni v. USA*, Case No. 1:15-cv—00938-LAS. The Raisin Bargaining Association (“RBA”) is a non-profit agricultural cooperative association that incorporated in 1966. The RBA represents and advocates for its grower members in all aspects of their business, such as by negotiating a fair price for its members’ raisins and seeking policy reform to protect its members’ financial and property interests, including those affected by the Raisin Marketing Order that imposed the raisin reserve in years past. The RBA represents approximately 1,000 raisin farmers who produce about 30% of the California raisin crop annually, and as such is the largest organization of California raisin growers.

The RBA opted in to the Class on behalf of its member growers in 2017. RBA, on behalf of its member growers, fully supports the final approval of the Settlement Agreement. RBA has been an active supporter of this lawsuit since it was filed in 2015. We worked with Class Counsel and the government regarding issues concerning the raisin industry. We also advocated for the settlement to our members.

RBA believes the Settlement Agreement is fair, reasonable and adequate and in the best interests of our members. Any RBA member who did not want to participate in the settlement was given opportunities to withdraw. No RBA grower has expressed any dissatisfaction to RBA regarding the terms of the settlement. Our grower members overwhelmingly have supported the settlement and want the Court to approve it as soon as possible. The settlement payments will help offset some of the financial burdens that many raisin growers experienced over the past few years. RBA is pleased with the results achieved by Class Counsel as reflected in the Settlement Agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "Kalem Barsarian", written over a horizontal line.

Kalem Barsarian

CEO



The World's Favorite

## Sun-Maid Growers of California

Headquarters: 13525 South Bethel Avenue • Kingsburg, CA, U.S.A. 93631-9232

Ph. 559/896-8000 • Fax: 559/897-2362

E-mail: [smaid@sunmaid.com](mailto:smaid@sunmaid.com) • [www.sunmaid.com](http://www.sunmaid.com)

August 28, 2019

Reserve Raisins Class Action  
C/o KCC Class Action Services  
P.O. Box 404011  
Louisville, KY 40233-4011

Re: Support for Finalizing Settlement Agreement

To whom it may concern:

Sun-Maid Growers of California (Sun-Maid<sup>®</sup>) submits this comment in favor of the settlement agreement in *Ciapessoni v. USA*, Case No. 1:15-cv—00938-LAS. Sun-Maid is an agricultural marketing co-operative owned by, and operated on behalf of, approximately 750 family farmers.

Our members farm approximately 40,000 acres of grapes, all located within a 75-mile radius of Fresno, California. Sun-Maid's headquarters is in Kingsburg, California. Sun-Maid has operated since 1912. For more than 100 years, Sun-Maid has been the highest volume processor and packer of natural California raisins in the world. Sun-Maid has opted in to the litigation on behalf of its members.

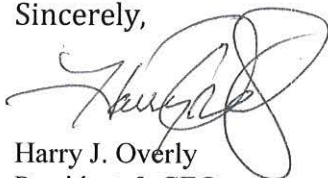
Sun-Maid, on behalf of its member growers, fully supports the final approval of the settlement agreement. Sun-Maid has been an active supporter of this lawsuit since it was filed in 2015. We worked with the growers who serve as the class representatives. We worked with Class Counsel regarding issues concerning the raisin industry and the history of the California Raisin Marketing Order (7 CFR Part 989). We also advocated for the settlement to our members, and backed the lawsuit financially by advancing litigation expenses.

Sun-Maid believes the settlement agreement is fair, reasonable and adequate and in the best interests of our members. Opportunities to withdraw were provided to any Sun-Maid member who did not want to participate in either the lawsuit or the settlement. No participating Sun-Maid grower has expressed any dissatisfaction to Sun-Maid regarding the terms of the settlement. To the contrary, our grower members overwhelmingly support the settlement and are eager to have it approved by the Court as soon as possible. The settlement payments will

August 28, 2019  
Page 2

help offset some of the financial burdens that many raisin growers experienced over the past few years. Sun-Maid is pleased with the results achieved by Class Counsel as reflected in the Settlement Agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry J. Overly", with a large, stylized flourish at the end.

Harry J. Overly  
President & CEO

cc: Edward M. Ruckert