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November 12, 2015

Food & Consumer Packaged Goods Litigation

Parties Move for Settlement Approval in Annie Chun MSG Case

Petersen v. CJ America, Inc., No. 3:14-cv-02570 (S.D. Cal.): In a putative class action alleging claims under California's consumer protection statutes, as well as breach of express warranty, claiming that Defendant's Annie Chun's prepackaged food products are misrepresented as having "No MSG Added," when in fact they contain MSG, the parties moved for preliminary approval of settlement. The proposed settlement terms are as follows: Defendant will establish a settlement fund in the amount of \$1.5 million from which each class member may claim \$1.50 per product up to 10 products (or \$15.00) without proof of purchase. Defendants will pay up to \$5,000 per class representative as incentive awards from the settlement fund and up to \$375,000 in attorney fees. Any remainder will go in cy pres to the Mayo Clinic, Action for Healthy Kids, and National Farm to School Network. Finally, Defendant agrees not to order or print labels or packaging on the subject products bearing the phrase "No MSG Added" or to market or advertise them as such for a period of three years.

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