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Food & Consumer Packaged Goods Litigation

# Court Grants Preliminary Approval of Kashi All Natural Settlement

*Eggnatz v. Kashi Co.*, No. 12-cv-21678 (S.D. Fla.): The Court preliminarily approved a settlement in this a putative class alleging that Kashi products were mislabeled as "all natural" and containing "nothing artificial" despite containing GMOs. The terms of the agreement are as follows: Kashi will reimburse class members with proof of purchase at a rate of \$0.55 per unit, with no limit on the number of units for which class member can be reimbursed. For class members with no proof of purchase, reimbursement will be limited to 50 units (or \$27.50). Kashi also agrees to provide Plaintiffs' counsel with compliance information regarding Non-GMO Verified label designations for a period of three years, and will remove the phrases "All Natural," "100% Natural," and "Nothing Artificial" from labels on products containing any of the challenged ingredients. Kashi agrees that the total amount available to the class will be at least \$2 million (but not more than \$3.99 million), and Kashi will not oppose class counsel's request for attorney's fees of up to \$1.5 million. *Order not currently available.*

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