

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

LOUISIANA MUNICIPAL POLICE
EMPLOYEES' RETIREMENT SYSTEM,
SJUNDE AP-FONDEN, BOARD OF TRUSTEES OF
THE CITY OF FORT LAUDERDALE GENERAL
EMPLOYEES' RETIREMENT SYSTEM,
EMPLOYEES' RETIREMENT
SYSTEM OF THE GOVERNMENT OF THE VIRGIN
ISLANDS, AND PUBLIC EMPLOYEES'
RETIREMENT SYSTEM OF MISSISSIPPI
on behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

GREEN MOUNTAIN COFFEE ROASTERS,
INC., LAWRENCE J. BLANFORD and
FRANCES G. RATHKE,

Defendants.

No. 2:11-CV-00289-WKS

**REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT
OF (I) CLASS REPRESENTATIVES' MOTION FOR FINAL APPROVAL
OF CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION; AND
(II) CLASS COUNSEL'S MOTION FOR AN AWARD OF
ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION EXPENSES**

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Class Representatives and Class Counsel respectfully submit this memorandum of law in further support of (i) Class Representatives' Motion for Final Approval of Class Action Settlement and Plan of Allocation (ECF No. 342), and (ii) Class Counsel's Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses (ECF No. 343) (the "Motions").¹

PRELIMINARY STATEMENT

The proposed Settlement provides for a \$36.5 million cash payment for the benefit of the Class. As detailed in Class Representatives' and Class Counsel's opening papers in support of the Motions (ECF Nos. 342-344), the \$36.5 million cash recovery is based on the Parties' acceptance of a mediator's proposal that the Action be settled for that amount, and represents a very favorable result for the Class in light of the significant challenges that Class Representatives faced in proving falsity, scienter, loss causation, and damages.

Following an extensive Court-approved notice program – including the mailing of more than 188,700 copies of the Notice to potential Class Members and nominees – *not a single Class Member* has objected to any aspect of the Settlement, the Plan of Allocation, or Class Counsel's motion for an award of attorneys' fees and reimbursement of expenses. This is powerful confirmation that the Settlement represents a favorable result for the Class.

Furthermore, only eight individuals have requested exclusion. None of these individuals, however, appear to be members of the Class. Moreover, although institutional investors held the vast majority of Green Mountain common stock outstanding during the Class Period, no

¹ Unless otherwise noted, capitalized terms have the meanings ascribed to them in the Stipulation and Agreement of Settlement dated June 18, 2018 (ECF No. 336-1) (the "Stipulation") or the Joint Declaration of Matthew L. Mustokoff, John C. Browne, and Mark R. Rosen in Support of: (I) Class Representatives' Motion for Final Approval of Class Action Settlement and Plan Of Allocation; and (II) Class Counsel's Motion for an Award of Attorneys' Fees And Reimbursement of Litigation Expenses (ECF No. 344).

institutional investor has objected to the Settlement or fee request, or submitted a request for exclusion. As explained below, this reaction by the Class further demonstrates that the proposed Settlement, the Plan of Allocation, and the request for attorneys' fees and reimbursement of expenses are fair and reasonable, and should be approved.

ARGUMENT

Class Representatives and Class Counsel respectfully submit that their opening papers demonstrate why approval of the Motions is warranted. Now that the time for objecting to the Settlement or requesting exclusion from the Class has passed, the lack of any objections or requests for exclusion from Class Members provides significant additional support for approval of the Motions.

Pursuant to the Court's Order Preliminarily Approving Settlement and Providing for Notice (ECF No. 339) ("Preliminary Approval Order"), the Court-approved Claims Administrator, Epiq Class Action & Claims Solutions, Inc. ("Epiq"), has mailed more than 188,700 copies of the Notice to potential Class Members and nominees. *See* Supplemental Declaration of Alexander Villanova Regarding Mailing of the Notice and Claim Form and Report on Requests for Exclusion Received (the "Supp. Villanova Decl."), attached hereto as Exhibit 4, at ¶ 2. The Notice informed Class Members of the terms of the proposed Settlement and Plan of Allocation, and that Class Counsel would apply for an award of attorneys' fees, for all Plaintiffs' Counsel, in an amount not to exceed 20% of the Settlement Fund and reimbursement of Litigation Expenses (including the reasonable costs and expenses of Class Representatives) in an amount not to exceed \$3,400,000. (As it turned out, Class Representatives actually seek a fee of 17% and reimbursement of less than \$2,600,000 in costs and expenses.)

The Notice also apprised Class Members of their right to object to the proposed Settlement, the Plan of Allocation, and/or the request for attorneys' fees and reimbursement of Litigation

Expenses, their right to exclude themselves from the Class, and the October 1, 2018 deadline for filing objections and for receipt of requests for exclusion.²

On September 17, 2018, pursuant to the schedule approved by the Court in the Preliminary Approval Order, Class Representatives and Class Counsel filed their opening papers in support of the Settlement, the Plan of Allocation, and the fee and expense application. The Motions are supported by, among other things, declarations of the Class Representatives, Plaintiffs' Counsel, and the Claims Administrator. These papers are available on the public docket (*see* ECF Nos. 342-344) and on the settlement website. *See* Supp. Villanova Decl. ¶ 3.

As noted above, in response to the Notice program and the Motions, no Class Member has objected to the Settlement, the Plan of Allocation, or Class Counsel's application for fees and expenses, and only eight requests for exclusion have been received. *See* Supp. Villanova Decl. ¶ 6. Based on the information provided by the opt-outs, none of the persons who requested exclusion appear to be members of the Class.³ Additionally, although institutional investors owned over 80% of the shares of Green Mountain common stock outstanding during the Class Period

² On August 13, 2018, Epiq caused the Summary Notice, which informed readers of the proposed Settlement, how to obtain copies of the Notice and Claim Form, and the deadlines for the submission of Claim Forms, objections, and requests for exclusion, to be published in *Investor's Business Daily* and transmitted over *PR Newswire*. *See* Declaration of Alexander Villanova Regarding: (A) Mailing of the Notice and Claim Form; (B) Publication of the Summary Notice; and (C) Report on Requests for Exclusion Received to Date, dated September 14, 2018, at ¶ 9 (ECF No. 344-6). In addition, copies of the Notice, Claim Form, Stipulation, Preliminary Approval Order, and Complaint were posted on the website specifically created for the Settlement. *Id.* at ¶ 14.

³ The eight requests for exclusion include (i) two individuals that provided no information regarding their Class Period transactions in Green Mountain common stock; (ii) an individual who indicates that he did not purchase any Green Mountain common stock during the Class Period, and, therefore, is not a Class Member; and (iii) five individuals who purchased shares of Green Mountain common stock during the Class Period but sold all of their shares prior to the corrective disclosure on November 9, 2011, and, therefore, are not Class Members because they are not damaged by the misconduct alleged in the Action.

(based on reports filed by institutional investment managers pursuant to Section 13(f) of the Securities Exchange Act of 1934), there were no requests for exclusion or objections by any institutional investors.

Class Representatives and Class Counsel respectfully submit that the absence of any objections or requests for exclusion from Class Members supports a finding that the Settlement is fair, reasonable, and adequate. *See, e.g., Wal-Mart Stores, Inc. v. Visa U.S.A. Inc.*, 396 F.3d 96, 119 (2d Cir. 2005) (finding that “the favorable reaction of the overwhelming majority of class members to the Settlement is perhaps the most significant factor in [the] *Grinnell* inquiry.”); *In re Advanced Battery Techs., Inc. Sec. Litig.*, 298 F.R.D. 171, 176 (S.D.N.Y. 2014) (“The absence of . . . objections and minimal investors electing to opt out of the Settlement provides evidence of Class members’ approval of the terms of the Settlement.”); *In re Sturm, Ruger, & Co. Sec. Litig.*, No. 3:09cv1293 (VLB), 2012 WL 3589610, at *5 (D. Conn. Aug. 20, 2012) (“[T]he absence of objectants may itself be taken as evidencing the fairness of a settlement.”) (internal quotation marks omitted); *In re FLAG Telecom Holdings, Ltd. Sec. Litig.*, No. 02-CV-3400 (CM)(PED), 2010 WL 4537550, at *16 (S.D.N.Y. Nov. 8, 2010) (“The absence of objections to the Settlement supports the inference that it is fair, reasonable and adequate.”).

Moreover, the fact that no institutional investors – sophisticated Class Members which have the largest economic stake in the litigation – have objected or requested exclusion from the Class further underscores the reasonableness of the Settlement. *See, e.g., In re Citigroup Inc. Sec. Litig.*, 965 F. Supp. 2d 369, 382 (S.D.N.Y. 2013) (the reaction of the class supported the settlement where “not a single objection was received from any of the institutional investors that hold the majority of Citigroup stock”); *In re AOL Time Warner, Inc. Sec. & “ERISA” Litig.*, No. MDL 1500, 2006 WL 903236, at *10 (S.D.N.Y. Apr. 6, 2006) (the lack of objections from institutional

investors supported approval of settlement); *In re AT&T Corp. Sec. Litig.*, MDL No. 1399, 2005 WL 6716404, at *4 (D.N.J. Apr. 25, 2005) (approving settlement where “no objections were filed by any institutional investors who had great financial incentive to object”); *In re BankAmerica Corp. Sec. Litig.*, 210 F.R.D. 694, 702-03 (E.D. Mo. 2002) (“The Court takes particular note of the fact that no objections were filed by any of the ‘institutional investors’ who comprise a large part of the plaintiff classes and who will be greatly affected by the outcome of this case”).

The lack of objections by Class Members also supports approval of the Plan of Allocation. *See, e.g., In re Veeco Instruments Inc. Sec. Litig.*, No. 05 MDL 01695 (CM), 2007 WL 4115809, at *14 (S.D.N.Y. Nov. 7, 2007) (“not one class member has objected to the Plan of Allocation which was fully explained in the Notice of Settlement sent to all Class Members. This favorable reaction of the Class supports approval of the Plan of Allocation.”); *Maley v. Del Global Techs. Corp.*, 186 F. Supp. 2d 358, 367 (S.D.N.Y. 2002) (noting lack of objections).

Finally, the uniformly positive reaction of the Class should also be considered with respect to Class Counsel’s motion for an award of attorneys’ fees and reimbursement of Litigation Expenses. The absence of any objections to the requested fee supports a finding that the fee and expense request is fair and reasonable. *See, e.g., In re Veeco Instruments Inc. Sec. Litig.*, No. 05 MDL 01695 (CM), 2007 WL 4115808, at *10 (S.D.N.Y. Nov. 7, 2007) (the reaction of class members to a fee and expense request “is entitled to great weight by the Court” and the absence of any objection “suggests that the fee request is fair and reasonable”); *Maley*, 186 F. Supp. 2d at 374 (the lack of any objection to the fee request supported its approval). In particular, the lack of objections by institutional investors supports approval of the fee request. *See In re Rite Aid Corp. Sec. Litig.*, 396 F.3d 294, 305 (3d Cir. 2005) (the fact that “a significant number of investors in the class were ‘sophisticated’ institutional investors that had considerable financial incentive to object

had they believed the requested fees were excessive” and did not do so, supported approval of the fee request); *In re Bisy Sec. Litig.*, No. 04-CV-3840 (JSR), 2007 WL 2049726, at *1 (S.D.N.Y. July 16, 2007) (lack of objections from institutional investors supported the approval of fee request because “the class included numerous institutional investors who presumably had the means, the motive, and the sophistication to raise objections if they thought the [requested] fee was excessive”).

* * *

In sum, the uniformly positive reaction of the Class is strong evidence that the Settlement achieved is fair, reasonable, and adequate and in the best interests of the Class, that the proposed Plan of Allocation is fair and equitable, and that Class Counsel’s fee and expense application is reasonable.

CONCLUSION

For the foregoing reasons and the reasons set forth in their opening papers in support of the Motions, Class Representatives and Class Counsel respectfully request that the Court approve the proposed Settlement, the proposed Plan of Allocation, and the request for attorneys’ fees and reimbursement of Litigation Expenses. Copies of the (i) proposed Judgment Approving Class Action Settlement; (ii) proposed Order Approving Plan of Allocation of Net Settlement Fund; and (iii) proposed Order Awarding Attorneys’ Fees and Reimbursement of Litigation Expenses are attached hereto as Exhibits 1, 2, and 3 respectively.

Dated: October 15, 2018

Respectfully submitted,

/s/ Matthew L. Mustokoff

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EXHIBIT 1

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

LOUISIANA MUNICIPAL POLICE
EMPLOYEES' RETIREMENT SYSTEM,
SJUNDE AP-FONDEN, BOARD OF TRUSTEES OF
THE CITY OF FORT LAUDERDALE GENERAL
EMPLOYEES' RETIREMENT SYSTEM,
EMPLOYEES' RETIREMENT
SYSTEM OF THE GOVERNMENT OF THE VIRGIN
ISLANDS, AND PUBLIC EMPLOYEES'
RETIREMENT SYSTEM OF MISSISSIPPI
on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

GREEN MOUNTAIN COFFEE ROASTERS,
INC., LAWRENCE J. BLANFORD and
FRANCES G. RATHKE,

Defendants.

No. 2:11-CV-00289-WKS

[PROPOSED] JUDGMENT APPROVING CLASS ACTION SETTLEMENT

WHEREAS, a consolidated class action is pending in this Court entitled *LAMPERS et al. v. Green Mountain Coffee Roasters, Inc. et al.*, Civil Action No. 2:11-CV-00289-WKS (the "Action");

WHEREAS, (a) Louisiana Municipal Police Employees' Retirement System, Sjunde AP-Fonden, Board of Trustees of the City of Fort Lauderdale General Employees' Retirement System, Employees' Retirement System of the Government of the Virgin Islands, and Public Employees' Retirement System of Mississippi, together, the Court-appointed Lead Plaintiffs and Class Representatives in the Action, on behalf of themselves and the other members of the plaintiff class certified by the Court in the Action on July 21, 2017 (the "Class," as defined below), and (b) defendants Keurig Green Mountain, Inc. ("Keurig Green Mountain"), formerly known as

Green Mountain Coffee Roasters, Inc. (“Green Mountain”), Lawrence J. Blanford, and Frances G. Rathke (collectively, the “Defendants,” and together with Class Representatives, on behalf of themselves and the other members of the Class, the “Parties”) have entered into a Stipulation and Agreement of Settlement dated June 18, 2018 (the “Stipulation”), that provides for a complete dismissal with prejudice of the claims asserted against Defendants in the Action on the terms and conditions set forth in the Stipulation, subject to the approval of this Court (the “Settlement”);

WHEREAS, unless otherwise defined in this Judgment, the capitalized terms herein shall have the same meanings as they have in the Stipulation;

WHEREAS, by Order dated July 6, 2018 (the “Preliminary Approval Order”), this Court: (a) preliminarily approved the Settlement; (b) ordered that notice of the proposed Settlement be provided to potential Class Members; (c) provided Class Members with the opportunity either to exclude themselves from the Class or to object to the proposed Settlement; and (d) scheduled a hearing regarding final approval of the Settlement;

WHEREAS, due and adequate notice has been given to the Class;

WHEREAS, the Court conducted a hearing on October 22, 2018 (the “Settlement Hearing”) to consider, among other things, (a) whether the terms and conditions of the Settlement are fair, reasonable and adequate to the Class, and should therefore be approved; and (b) whether a judgment should be entered dismissing the Action with prejudice as against the Defendants; and

WHEREAS, the Court having reviewed and considered the Stipulation, all papers filed and proceedings held herein in connection with the Settlement, all oral and written comments received regarding the Settlement, and the record in the Action, and good cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. **Jurisdiction** – The Court has jurisdiction over the subject matter of the Action, and all matters relating to the Settlement, as well as personal jurisdiction over all of the Parties and each of the Class Members.

2. **Incorporation of Settlement Documents** – This Judgment incorporates and makes a part hereof: (a) the Stipulation filed with the Court on June 19, 2018; and (b) the Notice and the Summary Notice, both of which were filed with the Court on September 17, 2018.

3. **The Certified Class** – The Class means the class certified in the Court’s Order dated July 21, 2017, consisting of all persons or entities who purchased or otherwise acquired Green Mountain common stock during the period between February 2, 2011 and November 9, 2011, inclusive (the “Class Period”), and who were damaged thereby. Excluded from the Class are: (i) Defendants; (ii) members of the Immediate Family of each of the Defendants; (iii) any person who was an executive officer and/or director of Green Mountain during the Class Period; (iv) any person, firm, trust, corporation, officer, director, or any other individual or entity in which any Defendant has a controlling interest or which is related to or affiliated with any of the Defendants; and (v) the legal representatives, agents, affiliates, heirs, successors-in-interest, or assigns of any such excluded party. Also excluded from the Class are the persons listed on Exhibit 1 hereto who are excluded from the Class pursuant to request.

4. **Notice** – The Court finds that the dissemination of the Notice and the publication of the Summary Notice: (a) were implemented in accordance with the Preliminary Approval Order; (b) constituted the best notice practicable under the circumstances; (c) constituted notice that was reasonably calculated, under the circumstances, to apprise Class Members of (i) the pendency of the Action; (ii) the effect of the proposed Settlement (including the Releases to be

provided thereunder); (iii) Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses; (iv) their right to object to any aspect of the Settlement, the Plan of Allocation and/or Lead Counsel's motion for attorneys' fees and reimbursement of Litigation Expenses; (v) their right to exclude themselves from the Class; and (vi) their right to appear at the Settlement Hearing; (d) constituted due, adequate, and sufficient notice to all persons and entities entitled to receive notice of the proposed Settlement; and (e) satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, the United States Constitution (including the Due Process Clause), the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4, as amended, and all other applicable law and rules.

5. **Final Settlement Approval and Dismissal of Claims** – Pursuant to, and in accordance with, Rule 23 of the Federal Rules of Civil Procedure, this Court hereby fully and finally approves the Settlement set forth in the Stipulation in all respects (including, without limitation: the amount of the Settlement; the Releases provided for therein; and the dismissal with prejudice of the claims asserted against Defendants in the Action), and finds that the Settlement is, in all respects, fair, reasonable, and adequate to the Class. The Parties are directed to implement, perform and consummate the Settlement in accordance with the terms and provisions contained in the Stipulation.

6. The Action and all of the claims asserted against Defendants in the Action by Class Representatives and the other Class Members are hereby dismissed with prejudice. The Parties shall bear their own costs and expenses, except as otherwise expressly provided in the Stipulation.

7. **Binding Effect** – The terms of the Stipulation and of this Judgment shall be forever binding on Defendants, Class Representatives, and all other Class Members (regardless of whether or not any individual Class Member submits a Claim Form or seeks or obtains a distribution from

the Net Settlement Fund), as well as their respective successors and assigns. The persons listed on Exhibit 1 hereto are excluded from the Class pursuant to request and are not bound by the terms of the Stipulation or this Judgment.

8. **Releases** – The Releases set forth in paragraphs 4, 5 and 6 of the Stipulation, together with the definitions contained in paragraph 1 of the Stipulation relating thereto, are expressly incorporated herein in all respects. The Releases are effective as of the Effective Date. Accordingly, this Court orders that:

(a) Without further action by anyone, and subject to paragraph 9 below, upon the Effective Date of the Settlement, Class Representatives and each of the other Class Members, on behalf of themselves, and their respective heirs, executors, administrators, predecessors, successors, and assigns in their capacities as such, shall be deemed to have, and by operation of law and of this Judgment shall have, fully, finally, and forever compromised, settled, released, resolved, relinquished, waived, and discharged each and every Released Plaintiffs' Claim (including Unknown Claims) against the Defendant Releasees, whether or not such Class Member executes and delivers the Proof of Claim Form or shares in the Net Settlement Fund, and shall forever be barred and enjoined from bringing any action asserting any of the Released Plaintiffs' Claims against any and all of the Defendant Releasees. This Release shall not apply to any Excluded Plaintiffs' Claims (as that term is defined in paragraph 1(v) of the Stipulation).

(b) Without further action by anyone, and subject to paragraph 9 below, upon the Effective Date of the Settlement, Defendants, on behalf of themselves, and their respective heirs, executors, administrators, predecessors, successors, and assigns in their capacities as such, shall be deemed to have, and by operation of law and of this Judgment shall have, fully, finally and forever compromised, settled, released, resolved, relinquished, waived, and discharged each

and every Released Defendants' Claim (including Unknown Claims) against Plaintiff Releasees, and shall forever be barred and enjoined from commencing, maintaining, or prosecuting any or all of the Released Defendants' Claims against any and all of the Plaintiff Releasees. This Release shall not apply to any Excluded Defendants' Claims (as that term is defined in paragraph 1(w) of the Stipulation).

9. Notwithstanding paragraphs 8(a) – (b) above, nothing in this Judgment shall bar any action by any of the Parties to enforce or effectuate the terms of the Stipulation or this Judgment.

10. **Bar Order** – Upon the Effective Date, to the fullest extent provided by law, the Defendant Releasees are hereby discharged from and the Court hereby bars all future claims and claims over by any individual or entity (“Barred Person”) against any of the Defendant Releasees, and by the Defendant Releasees against any Barred Person, for (a) contribution or indemnity (or any other claim or claim over, however denominated on whatsoever theory) arising out of or related to the claims or allegations asserted by Class Representatives in the Action, or (b) any other claim of any type, whether arising under state, federal, common, or foreign law, for which the injury claimed is that Barred Person’s actual or threatened liability to Class Representatives and/or members of the Class (the “Bar Order”); *provided, however*, the Bar Order shall not (a) release any of the Excluded Plaintiffs’ Claims; or (b) preclude the Defendants from seeking to enforce any rights of contribution or indemnification that any Defendant may have against any other Defendant under any contract, corporate charter, or bylaw, or any right against any other Defendant for insurance coverage under any insurance, reinsurance, or indemnity policy.

11. **Judgment Reduction** – Any final verdict or judgment that may be obtained by or on behalf of the Class or a Class Member against any individual or entity subject to the Bar Order

shall be reduced by the greater of: (a) an amount that corresponds to the percentage of responsibility of the Defendants for common damages; or (b) the amount paid by or on behalf of the Defendants to the Class or the Class Member for common damages.

12. **Rule 11 Findings** – The Court finds and concludes that the Parties and their respective counsel have complied in all respects with the requirements of Rule 11 of the Federal Rules of Civil Procedure, and the requirements of 28 U.S.C. Section 1927, in connection with the institution, prosecution, defense, and settlement of the Action.

13. **No Admissions** – Neither this Judgment, the Term Sheet, the Stipulation (whether or not consummated), including the exhibits thereto and the Plan of Allocation contained therein (or any other plan of allocation that may be approved by the Court), the negotiations leading to the execution of the Term Sheet and the Stipulation, nor any proceedings taken pursuant to or in connection with the Term Sheet, the Stipulation, and/or approval of the Settlement (including any arguments proffered in connection therewith):

(a) shall be offered against any of the Defendant Releasees as evidence of, or construed as, or deemed to be evidence of, any presumption, concession, or admission by any of the Defendant Releasees with respect to the truth of any fact alleged by Class Representatives or the validity of any claim that was or could have been asserted or the deficiency of any defense that has been or could have been asserted in this Action or in any other litigation, or of any liability, negligence, fault, or other wrongdoing of any kind of any of the Defendant Releasees or in any way referred to for any other reason as against any of the Defendant Releasees, in any civil, criminal, or administrative action or proceeding, other than such proceedings as may be necessary to effectuate the provisions of the Stipulation;

(b) shall be offered against any of the Plaintiff Releasees, as evidence of, or construed as, or deemed to be evidence of, any presumption, concession, or admission by any of the Plaintiff Releasees that any of their claims are without merit, that any of the Defendant Releasees had meritorious defenses, or that damages recoverable in the Action would not have exceeded the Settlement Amount or with respect to any liability, negligence, fault, or wrongdoing of any kind, or in any way referred to for any other reason as against any of the Plaintiff Releasees, in any civil, criminal, or administrative action or proceeding, other than such proceedings as may be necessary to effectuate the provisions of the Stipulation; or

(c) shall be construed against any of the Releasees as an admission, concession, or presumption that the consideration to be given hereunder represents the amount which could be or would have been recovered after trial;

provided, however, that the Parties and the Releasees and their respective counsel may refer to this Judgment and the Stipulation to effectuate the protections from liability granted hereunder and thereunder or otherwise to enforce the terms of the Settlement.

14. **Retention of Jurisdiction** – Without affecting the finality of this Judgment in any way, this Court retains continuing and exclusive jurisdiction over: (a) the Parties for purposes of the administration, interpretation, implementation and enforcement of the Settlement; (b) the disposition of the Settlement Fund; (c) any motion for an award of attorneys’ fees and/or Litigation Expenses by Lead Counsel in the Action that will be paid from the Settlement Fund; (d) any motion to approve the Plan of Allocation; (e) any motion to approve the Class Distribution Order; and (f) the Class Members for all matters relating to the Action.

15. Separate orders shall be entered regarding approval of a plan of allocation and the motion of Lead Counsel for an award of attorneys’ fees and reimbursement of Litigation Expenses.

Such orders shall in no way affect or delay the finality of this Judgment and shall not affect or delay the Effective Date of the Settlement.

16. **Modification of the Agreement of Settlement** – Without further approval from the Court, Class Representatives and Defendants are hereby authorized to agree to and adopt such amendments or modifications of the Stipulation or any exhibits attached thereto to effectuate the Settlement that: (a) are not materially inconsistent with this Judgment; and (b) do not materially limit the rights of Class Members in connection with the Settlement. Without further order of the Court, Class Representatives and Defendants may agree to reasonable extensions of time to carry out any provisions of the Settlement.

17. **Termination of Settlement** – If the Settlement is terminated as provided in the Stipulation or the Effective Date of the Settlement otherwise fails to occur, this Judgment shall be vacated, rendered null and void and be of no further force and effect, except as otherwise provided by the Stipulation, and this Judgment shall be without prejudice to the rights of Class Representatives, the other Class Members and Defendants, and the Parties shall revert to their respective positions in the Action as of the date and time immediately prior to the execution of the Term Sheet on April 13, 2018, as provided in the Stipulation.

18. **Entry of Final Judgment** – There is no just reason to delay the entry of this Judgment as a final judgment in this Action. Accordingly, the Clerk of the Court is expressly directed to immediately enter this final judgment in this Action.

SO ORDERED this _____ day of _____, 2018.

The Honorable William K. Sessions III
United States District Judge

Exhibit 1

List of Persons Excluded from the Class Pursuant to Request

1. Arthur P. Ezzo
Las Vegas, NV
2. Richter Alan Cox
Faith Dawn Cox
Howe, TX
3. Margaret Lois Seewald
Sioux Falls, SD
4. Justin Allen
Huntington, VT
5. William J. Krizsan
Twinsburg, OH
6. Susan E. Walker
Spotsylvania, VA
7. Nancy K. Pope
Naperville, IL
8. Herta Tompkins
Winter Park, FL

EXHIBIT 2

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

LOUISIANA MUNICIPAL POLICE
EMPLOYEES' RETIREMENT SYSTEM,
SJUNDE AP-FONDEN, BOARD OF TRUSTEES OF
THE CITY OF FORT LAUDERDALE GENERAL
EMPLOYEES' RETIREMENT SYSTEM,
EMPLOYEES' RETIREMENT
SYSTEM OF THE GOVERNMENT OF THE VIRGIN
ISLANDS, AND PUBLIC EMPLOYEES'
RETIREMENT SYSTEM OF MISSISSIPPI
on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

GREEN MOUNTAIN COFFEE ROASTERS,
INC., LAWRENCE J. BLANFORD and
FRANCES G. RATHKE,

Defendants.

No. 2:11-CV-00289-WKS

**[PROPOSED] ORDER APPROVING PLAN OF
ALLOCATION OF NET SETTLEMENT FUND**

WHEREAS, this matter came on for hearing on October 22, 2018 (the "Settlement Hearing") on Class Representatives' motion to determine whether the proposed plan of allocation of the Net Settlement Fund ("Plan of Allocation") created by the Settlement achieved in the above-captioned class action (the "Action") should be approved. The Court having considered all matters submitted to it at the Settlement Hearing and otherwise; and it appearing that notice of the Settlement Hearing substantially in the form approved by the Court was mailed to all Class Members who could be identified with reasonable effort, and that a summary notice of the hearing substantially in the form approved by the Court was published in *Investor's Business Daily* and

transmitted over the *PR Newswire* pursuant to the specifications of the Court; and the Court having considered and determined the fairness and reasonableness of the proposed Plan of Allocation; and

WHEREAS, this Order incorporates by reference the definitions in the Stipulation and Agreement of Settlement dated June 18, 2018 (ECF No. 336-1) (the “Stipulation”), and all capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Stipulation.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. **Jurisdiction** – The Court has jurisdiction to enter this Order and over the subject matter of the Action, as well as personal jurisdiction over all of the Parties and each of the Class Members.

2. **Notice** – Notice of Class Representatives’ motion for approval of the proposed Plan of Allocation was given to all Class Members who could be identified with reasonable effort. The form and method of notifying the Class of the motion for approval of the proposed Plan of Allocation satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, the United States Constitution (including the Due Process Clause), the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4, as amended, and all other applicable law and rules; constituted the best notice practicable under the circumstances; and constituted due and sufficient notice to all persons and entities entitled thereto.

3. More than 188,700 copies of the Notice were mailed to potential Class Members and nominees, and there are no objections to the Plan of Allocation.

4. **Approval of Plan of Allocation** – The Court hereby finds and concludes that the formula for the calculation of the claims of Claimants as set forth in the Plan of Allocation mailed to Class Members provides a fair and reasonable basis upon which to allocate the proceeds of the

Net Settlement Fund among Class Members with due consideration having been given to administrative convenience and necessity.

5. The Court hereby finds and concludes that the Plan of Allocation is, in all respects, fair and reasonable to the Class. Accordingly, the Court hereby approves the Plan of Allocation proposed by Class Representatives.

6. **No Impact on Judgment** – Any appeal or any challenge affecting this Court’s approval regarding any plan of allocation of the Net Settlement Fund shall in no way disturb or affect the finality of the Judgment.

7. **Retention of Jurisdiction** – Exclusive jurisdiction is hereby retained over the Parties and the Class Members for all matters relating to this Action, including the administration, interpretation, effectuation, or enforcement of the Stipulation and this Order.

8. **Entry of Order** – There is no just reason for delay in the entry of this Order, and immediate entry by the Clerk of the Court is expressly directed.

SO ORDERED this _____ day of _____, 2018.

The Honorable William K. Sessions III
United States District Judge

EXHIBIT 3

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

LOUISIANA MUNICIPAL POLICE
EMPLOYEES' RETIREMENT SYSTEM,
SJUNDE AP-FONDEN, BOARD OF TRUSTEES OF
THE CITY OF FORT LAUDERDALE GENERAL
EMPLOYEES' RETIREMENT SYSTEM,
EMPLOYEES' RETIREMENT
SYSTEM OF THE GOVERNMENT OF THE VIRGIN
ISLANDS, AND PUBLIC EMPLOYEES'
RETIREMENT SYSTEM OF MISSISSIPPI
on behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

GREEN MOUNTAIN COFFEE ROASTERS,
INC., LAWRENCE J. BLANFORD and
FRANCES G. RATHKE,

Defendants.

No. 2:11-CV-00289-WKS

[PROPOSED] ORDER AWARDING ATTORNEYS' FEES AND EXPENSES

WHEREAS, this matter came on for hearing on October 22, 2018 (the "Settlement Hearing") on Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses. The Court having considered all matters submitted to it at the Settlement Hearing and otherwise; and it appearing that notice of the Settlement Hearing substantially in the form approved by the Court was mailed to all Class Members who could be identified with reasonable effort, and that a summary notice of the hearing substantially in the form approved by the Court was published in *Investor's Business Daily* and transmitted over the *PR Newswire* pursuant to the specifications of the Court; and the Court having considered and determined the

fairness and reasonableness of the award of attorneys' fees and Litigation Expenses requested; and

WHEREAS, this Order incorporates by reference the definitions in the Stipulation and Agreement of Settlement dated June 18, 2018 (ECF No. 336-1) (the "Stipulation"), and all capitalized terms not otherwise defined herein shall have the same meanings as set forth in the Stipulation.

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. **Jurisdiction** – The Court has jurisdiction to enter this Order and over the subject matter of the Action, as well as personal jurisdiction over all of the Parties and each of the Class Members.

2. **Notice** – Notice of Lead Counsel's motion for an award of attorneys' fees and reimbursement of Litigation Expenses was given to all Class Members who could be identified with reasonable effort. The form and method of notifying the Class of the motion for an award of attorneys' fees and reimbursement of Litigation Expenses satisfied the requirements of Rule 23 of the Federal Rules of Civil Procedure, the United States Constitution (including the Due Process Clause), the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4, as amended (the "PSLRA"), and all other applicable law and rules; constituted the best notice practicable under the circumstances; and constituted due and sufficient notice to all persons and entities entitled thereto.

3. **Fee and Expense Award** – Plaintiffs' Counsel are hereby awarded attorneys' fees in the amount of _____% of the Settlement Fund and \$ _____ in reimbursement of Plaintiffs' Counsel's Litigation Expenses (which fees and expenses shall be paid from the Settlement Fund), which sums the Court finds to be fair and reasonable. Lead

Counsel shall allocate the attorneys' fees awarded amongst Plaintiffs' Counsel in a manner which they, in good faith, believe reflects the contributions of such counsel to the institution, prosecution, and settlement of the Action.

4. **Factual Findings** – In making this award of attorneys' fees and expenses to be paid from the Settlement Fund, the Court has considered and found that:

(a) The Settlement has created a fund of \$36,500,000 in cash that has been funded into escrow pursuant to the terms of the Stipulation, and that numerous Class Members who submit acceptable Claim Forms will benefit from the Settlement that occurred because of the efforts of Plaintiffs' Counsel;

(b) The fee sought by Lead Counsel has been reviewed and approved as reasonable by Class Representatives, institutional investors that oversaw the prosecution and resolution of the Action;

(c) More than 188,700 copies of the Notice were mailed to potential Class Members and nominees stating that Lead Counsel would apply for attorneys' fees in an amount not to exceed 20% of the Settlement Fund and Litigation Expenses in an amount not to exceed \$3,400,000;

(d) Lead Counsel have conducted the litigation and achieved the Settlement with skill, perseverance, and diligent advocacy;

(e) The Action raised a number of complex issues;

(f) Had Lead Counsel not achieved the Settlement there would remain a significant risk that Class Representatives and the other members of the Class may have recovered less or nothing from Defendants;

(g) Plaintiffs' Counsel devoted more than 60,300 hours, with a lodestar value of approximately \$28,543,600, to achieve the Settlement; and

(h) The amount of attorneys' fees awarded and Litigation Expenses to be reimbursed from the Settlement Fund are fair and reasonable and consistent with awards in similar cases.

5. **PLSRA Awards** – Class Representative Louisiana Municipal Police Employees' Retirement System is hereby awarded \$_____ from the Settlement Fund as reimbursement for its reasonable costs and expenses directly related to its representation of the Class.

6. Class Representative Sjunde AP-Fonden is hereby awarded \$_____ from the Settlement Fund as reimbursement for its reasonable costs and expenses directly related to its representation of the Class.

7. Class Representative Board of Trustees of the City of Fort Lauderdale General Employees' Retirement System is hereby awarded \$_____ from the Settlement Fund as reimbursement for its reasonable costs and expenses directly related to its representation of the Class.

8. Class Representative Employees' Retirement System of the Government of the Virgin Islands is hereby awarded \$_____ from the Settlement Fund as reimbursement for its reasonable costs and expenses directly related to its representation of the Class.

9. Class Representative Public Employees' Retirement System of Mississippi is hereby awarded \$_____ from the Settlement Fund as reimbursement for its reasonable costs and expenses directly related to its representation of the Class.

10. **No Impact on Judgment** – Any appeal or any challenge affecting this Court’s approval regarding any attorneys’ fees and expense application shall in no way disturb or affect the finality of the Judgment.

11. **Retention of Jurisdiction** – Exclusive jurisdiction is hereby retained over the Parties and the Class Members for all matters relating to this Action, including the administration, interpretation, effectuation, or enforcement of the Stipulation and this Order.

12. **Termination of Settlement** – In the event that the Settlement is terminated or the Effective Date of the Settlement otherwise fails to occur, this Order shall be rendered null and void to the extent provided by the Stipulation.

13. **Entry of Order** – There is no just reason for delay in the entry of this Order, and immediate entry by the Clerk of the Court is expressly directed.

SO ORDERED this _____ day of _____, 2018.

The Honorable William K. Sessions III
United States District Judge

EXHIBIT 4

**UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT**

LOUISIANA MUNICIPAL POLICE
EMPLOYEES' RETIREMENT SYSTEM,
SJUNDE AP-FONDEN, BOARD OF TRUSTEES OF
THE CITY OF FORT LAUDERDALE GENERAL
EMPLOYEES' RETIREMENT SYSTEM,
EMPLOYEES' RETIREMENT
SYSTEM OF THE GOVERNMENT OF THE VIRGIN
ISLANDS, AND PUBLIC EMPLOYEES'
RETIREMENT SYSTEM OF MISSISSIPPI
on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

GREEN MOUNTAIN COFFEE ROASTERS,
INC., LAWRENCE J. BLANFORD and
FRANCES G. RATHKE,

Defendants.

No. 2:11-CV-00289-WKS

**SUPPLEMENTAL DECLARATION OF ALEXANDER VILLANOVA REGARDING
MAILING OF THE NOTICE AND CLAIM FORM AND REPORT ON
REQUESTS FOR EXCLUSION RECEIVED**

I, Alexander Villanova, hereby declare under penalty of perjury as follows:

1. I am a Project Manager employed by Epiq Class Action & Claims Solutions, Inc. (“Epiq”). Pursuant to the Court’s July 6, 2018 Order Preliminarily Approving Settlement and Providing for Notice (“Preliminary Approval Order”) (ECF No. 339), Class Counsel were authorized to retain Epiq to act as the Claims Administrator in connection with the Settlement of the above-captioned action.¹ I submit this declaration as a supplement to my earlier declaration, the Declaration of Alexander Villanova Regarding: (A) Mailing of the Notice and Claim Form; (B) Publication of the Summary Notice; and (C) Report on Requests for Exclusion Received to Date, dated September 14, 2018 (the “Mailing Declaration”) (ECF No. 344-6).

DISSEMINATION OF THE NOTICE PACKET

2. Since the execution of the Mailing Declaration, Epiq has continued to disseminate copies of the Notice and Claim Form (together, the “Notice Packet”) in response to requests from potential Class Members, brokers and other nominees. Through October 14, 2018, Epiq has disseminated a total of 188,745 Notice Packets to potential Class Members and nominees.

CALL CENTER SERVICES AND SETTLEMENT WEBSITE

3. Epiq continues to maintain the toll-free telephone number ((888)-836-0903) and Interactive Voice Recording to accommodate inquiries from potential Class Members. Epiq also continues to maintain the dedicated website (www.GreenMountainSecuritiesLitigation.com) to assist potential Class Members. On September 18, 2018, Epiq posted to the website copies of the papers filed in support of Class Representatives’ motion for final approval of the Settlement and Plan of Allocation and Class Counsel’s motion for an award of attorneys’ fees and

¹ Unless otherwise defined herein, all capitalized terms have the meanings set forth in the Stipulation and Agreement of Settlement dated June 18, 2018 previously filed with the Court. See ECF No. 338.

reimbursement of Litigation Expenses. Epiq will continue maintaining and, as appropriate, updating the website and toll-free telephone number until the conclusion of the administration.

REQUESTS FOR EXCLUSION RECEIVED

4. The Notice informed potential Class Members that requests for exclusion were to be mailed or delivered to Green Mountain Securities Litigation, EXCLUSIONS, c/o Epiq Class Action & Claims Solutions, Inc., P.O. Box 3076, Portland, OR 97208-3076, such that they were received no later than October 1, 2018. Epiq has been monitoring all mail delivered to that post office box.

5. As reported in the Mailing Declaration, as of September 14, 2018, Epiq had received two requests for exclusion. Since the execution of the Mailing Declaration, Epiq has received 6 additional requests for exclusion from the Class. Copies of the 6 requests for exclusion received since the Mailing Declaration are attached hereto as Exhibit A.

6. As of October 14, 2018, Epiq has received a total of 8 requests for exclusion. A table listing all requests for exclusion received is attached hereto as Exhibit B. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on October 15, 2018, at Beaverton, Oregon.



Alexander Villanova

EXHIBIT A

Exclusion Request - 3

I would like to EXCLUDE myself from the Class.

		<u>PRICE</u>	<u>TOTAL=</u>
<u>BGT</u> 400	3/9/11	42.4299	16,988.96
<u>SOLD</u> 400	3/10/11	56.27	22,485.56
			<u>MADE: 5,496.60</u>
<u>BGT</u> 300	3/21/11	61.1349	18,347.47
<u>SOLD</u> 300	4/6/11	66.24	19,854.64
			<u>MADE: 1,507.17</u>

SELLER:

Margaret Lois Sewald



Sioux Falls, S.D.

57107



Lois Seewald

Sioux Falls, SD 57107-0428

Sioux Falls, SD 57107

18 SEP 2018 PM 2 L



Green Mountain Securities Litigation
EXCLUSIONS %o Epi^g Class Action & Claims
Solutions, Inc.

P.O. Box 3076
Portland, Or.

97208-307676

97208-3076

Exclusion Request - 4

Green Mountain Securities Litigation

EXCLUSIONS

c/o Epiq Class Action and Claims Solutions, Inc.

PO BOX 3076

Portland, OR

97208-3076

To whom it may concern,

I am writing to be excluded from the above class action suit.

My name is Justin Allen, [REDACTED], Huntington, VT 05462. I can be contacted at [REDACTED]

I request exclusion from the Class in LAMPERS et al v. Green Mountain Coffee Roasters, Inc. et al, Civil Action No. 2:11-CV-00289-WKS. The number of shares of Green Mountain common stock that I owned as of the opening of the trading on February 2, 2011 was 40 shares at \$3.97 purchased on 9-29-2007 and 54 shares at \$5.86 purchased on 3-29-2008. I did not purchase any stocks during the Class Period (February 2, 2011 and November 9, 2011).

Sincerely,

Justin Allen

CERTIFIED MAIL®

From: Justin Allen

Huntington VT 05462



7017 3040 0000 6902 9682

97208



U.S. POSTAGE PAID
FCM LETTER
SOUTH BURLINGTON, VT
05403
SEP 20, 18
AMOUNT
\$6.20
R2304H108633-03

RETURN RECEIPT
REQUESTED

SEP 24 2018

To: Green Mountain Securities Litigation,
Exclusions c/o Epiq class Action
and claims solutions, INC

P.O. Box 3076
Portland OR 97208-3076

Ready **P**ost.

Document Mailer

UNITED STATES POSTAL SERVICE

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

933000006
6" x 9" Envelope

\$.49

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Product Code 933000006
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the United States Postal Service®
MADE IN THE U.S.A.



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00 00 00

Exclusion Request - 5


September 21, 2018

Green Mountain Securities Litigation Exclusions
c/o Epiq Class Actions & Claims Solutions
PO Box 3076
Portland, OR 97208-3076

Please exclude me from your class action law suit, Green Mountain Securities Litigation . Class in LAMPERS et al. v. Green Mountain Coffee Roasters, Inc. et al., Civil Action No 2:11-CV00289-WKS.

Purchased 100 shares @ 82.37 on May 19, 2011 Sold 100 shares @ 103.17 on Aug 9, 2011

Purchased 100 shares @ 104.74 on Aug 15, 2011 Sold 100 shares @ 84.17 on Oct 7, 2011



William J. Krizsan

[REDACTED]
Twinsburg OH 44087

Tel No [REDACTED]

E-mail [REDACTED]

WILLIAM J. KRIZSAN

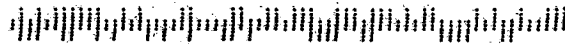
TWINSBURG OH. 44087

21 SEP 2018 PM 11



GREEN MOUNTAIN SECURITIES LITIGATION EXCLUSIONS
P.O. 130X 3076
PORTLAND, OR 97208-3076

97208-307676



C/O EPIQ CLASS ACTIONS & CLAIMS SOLUTIONS

Exclusion Request - 6

September 27, 2018

Dear SHARON,

I, SUSAN E. WALKER do NOT
WANT to be a member of the class
AND REQUEST EXCLUSION from the
CLASS IN LAMPERS et al. v. GREEN
MOUNTAIN Coffee Roasters, Inc. et al.,
Civil Action No. 2:11-cv-00289-WKS";
I brought 100 shares on 8/11/11 for
10,011.00 AND SOLD ONE WEEK later
ON 8/19/11 FOR \$8,510.00.

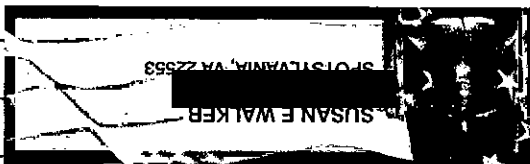
(SUSAN E. WALKER

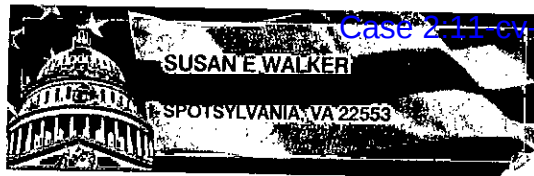
[REDACTED]
SPOTSYLVANIA, VIRGINIA 22553
[REDACTED]

Susan E. Walker

Spoke w/ Brittany @ [REDACTED]
to exclude myself on 9/27/18 - please
note I did not receive this notice
until yesterday late.

* Note copy for Records.





GREEN MOUNTAIN COFFEE ROASTERS SECURITIES LITIGATION EXCLUSIONS
C/O EPIG CLASS ACTION CLAIMS SOLUTIONS
10300 S.W. ALLEN BLVD.
BEAVERTON, OREGON 97005

ATTN: SHARON CHASTAIN

PRESS FIRMLY TO SEAL

PRESS FIRMLY TO SEAL

PRIORITY ★ MAIL ★ EXPRESS™

OUR FASTEST SERVICE IN THE U.S.

WHEN USED INTERNATIONALLY,
A CUSTOMS DECLARATION
LABEL MAY BE REQUIRED.



EP13F July 2013 OD: 12.5 x 9.5



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U.S. POSTAGE PAID
PME 1-Day
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22553
SEP 26, 18
AMOUNT
\$24.70
R2304H107543-33



EE152695561US

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EXPRESS™

CUSTOMER USE ONLY

FROM: (PLEASE PRINT) _____ PHONE () _____

PAYMENT BY ACCOUNT (if applicable)

DELIVERY OPTIONS (Customer Use Only)

SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

Delivery Options

No Saturday Delivery (delivered next business day)

Sunday/Holiday Delivery Required (additional fee, where available*)

10:30 AM Delivery Required (additional fee, where available*)

*Refer to USPS.com® or local Post Office™ for availability.

TO: (PLEASE PRINT) _____ PHONE () _____

Green Mountain Coffee Roasters
Securities Litigation Exclusions
C/o Epig Class Action Claims Solutions
10300 SW Allen Blvd
Beaverton OR
97005 Attn: Sharon Chaston

- For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.
- \$100.00 Insurance included.

ORIGIN (POSTAL SERVICE USE ONLY)

1-Day 2-Day Military DPO

PO ZIP Code 22553	Scheduled Delivery Date (MM/DD/YY) 9/27/18	Postage \$ 24.70
Date Accepted (MM/DD/YY) 9/26/18	Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input checked="" type="checkbox"/> 3:00 PM <input type="checkbox"/> 12 NOON	Insurance Fee \$ —
Time Accepted 1:18 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	10:30 AM Delivery Fee \$ —	Return Receipt Fee \$ —
Special Handling/Fragile \$ —	Sunday/Holiday Premium Fee \$ —	Live Animal Transportation Fee \$ —
Flat Rate <input checked="" type="checkbox"/> Flat Rate	Acceptance Employee Initials S.W.	Total Postage & Fees \$ 24.70

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt (MM/DD/YY)	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Delivery Attempt (MM/DD/YY)	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature

LABEL 11-B, OCTOBER 2016

PSN 7890-02-000-8996

3-ADDRESSEE COPY



UNITED STATES
POSTAL SERVICE.

Exclusion Request - 7

September 24, 2018

Nancy K. Pope
[REDACTED]

Naperville, IL 60540-6635

Nancy K. Pope Requests Exclusion from the Class in LAMPERS
et al. v. the Green Mountain Coffee Roasters, Inc. et al.
Civil Action No. 2:11-CV-00289-WKS.

EXCLUSIONS:

Address : Nancy K. Pope
[REDACTED]

Naperville, IL 60540-6635

Telephone: [REDACTED]

Eleanor R. King (deceased 10/20/11)

Contact person: Nancy K. Pope

Merrill Lynch purchased Green Mountain Coffee Ros for Eleanor R. King.

Date acquired: 4/5/11;4/6/11;6/8/11 Date Liquidated 11/01/11

No shares owned on 2/2/11.

Date Bought	Shares	Price Bought	Price Sold
4/5/11	1	66.038	66.
4/6/11	6	65.9085	395.
6/8/11	6	75.8737	455.
Date Sold	Shares	Price Sold	Total
11/1/11	13	62.3952	811.

Yours truly,

Nancy K. Pope

P.O. Box 2044
Lakewood, NJ 08701



Merrill Lynch
Office Serving Your Account

CLEARWATER, FL 34621
(727) 799-5600

NANCY K POPE
NAPERVILLE IL 60540

NANCY K POPE TTEE
U/A DTD 02/10/1981
BY ELEANOR R KING
NAPERVILLE IL 60540

Account Number:

** Not Mailed **

TRADE CONFIRMATION

Date: April 6, 2011

We confirm the following transaction(s) subject to the agreement below.

BOUGHT

Processing Fee	Trade Date
Transaction Fee	Settle Date
Accrued Interest/Dividends	ML Symbol
	Security #
	Cusip #
NET AMOUNT	FA #

EXECUTED 100% AGENCY WE MAKE A MARKET IN THIS ISSUE PRICE SHOWN IS AN AVERAGE PRICE. DETAILS REGARDING ACTUAL PRICES, REMUNERATION AND THE CAPACITY IN WHICH ML ACTED ARE AVAILABLE UPON REQUEST. ML ACTED AS AGENT PER CONSULTS CLIENT AGREEMENT

SEE ABOVE FOR TRANSACTION DETAILS

BOUGHT **GREEN MOUNTN COFFEE ROS**

Quantity	6	Price	65.908500	Amount	395.45	Trade Date	04/06/11
Processing Fee						Settle Date	04/11/11
Transaction Fee						ML Symbol	GMCRR
Accrued Interest/Dividends						Security #	310H7
						Cusip #	393122106
NET AMOUNT				395.45		FA #	1079

EXECUTED 100% AGENCY WE MAKE A MARKET IN THIS ISSUE PRICE SHOWN IS AN AVERAGE PRICE. DETAILS REGARDING ACTUAL PRICES, REMUNERATION AND THE CAPACITY IN WHICH ML ACTED ARE AVAILABLE UPON REQUEST. ML ACTED AS AGENT PER CONSULTS CLIENT AGREEMENT

SEE ABOVE FOR TRANSACTION DETAILS

Merrill Lynch Wealth Management makes available products and services offered by Merrill Lynch, Pierce, Fenner & Smith Incorporated (MLPF&S) and other subsidiaries of Bank of America Corporation. MLPF&S is a registered broker-dealer, member Securities Investor Protection Corporation (SIPC) and a wholly owned subsidiary of Bank of America Corporation. Investment products:

Are Not FDIC Insured | Are Not Bank Guaranteed | May Lose Value

P.O. Box 2044
Lakewood, NJ 08701



Merrill Lynch
Office Serving Your Account
[REDACTED]
CLEARWATER, FL 34621
(727) 799-5600

NANCY K POPE
[REDACTED]
NAPERVILLE IL 60540

NANCY K POPE TTEE
U/A DTD 02/10/1981
BY ELEANOR R KING
[REDACTED]
NAPERVILLE IL 60540

Account Number: [REDACTED]

** Not Mailed **

TRADE CONFIRMATION

Date: June 8, 2011

We confirm the following transaction(s) subject to the agreement below.

BOUGHT GREEN MOUNTN COFFEE ROS

Quantity	6	Price	75.873700	Amount	455.24	Trade Date	06/08/11
Processing Fee						Settle Date	06/13/11
Transaction Fee						ML Symbol	GMCR
Accrued Interest/Dividends						Security #	310H7
						Cusip #	393122106
NET AMOUNT				455.24		FA #	1079

EXECUTED 100% AGENCY WE MAKE A MARKET IN THIS ISSUE PRICE SHOWN IS AN AVERAGE PRICE. DETAILS REGARDING ACTUAL PRICES, REMUNERATION AND THE CAPACITY IN WHICH ML ACTED ARE AVAILABLE UPON REQUEST. ML ACTED AS AGENT PER CONSULTS CLIENT AGREEMENT

SEE ABOVE FOR TRANSACTION DETAILS

SOLD [REDACTED]

Quantity	[REDACTED]	Trade Date	[REDACTED]
Processing Fee	[REDACTED]	Settle Date	[REDACTED]
Transaction Fee	[REDACTED]	ML Symbol	[REDACTED]
Accrued Interest/Dividends	[REDACTED]	Security #	[REDACTED]
	[REDACTED]	Cusip #	[REDACTED]
NET AMOUNT	[REDACTED]	FA #	[REDACTED]

EXECUTED 100% AGENCY WE MAKE A MARKET IN THIS ISSUE PRICE SHOWN IS AN AVERAGE PRICE. DETAILS REGARDING ACTUAL PRICES, REMUNERATION AND THE CAPACITY IN WHICH ML ACTED ARE AVAILABLE UPON REQUEST. ML ACTED AS AGENT PER CONSULTS CLIENT AGREEMENT

SEE ABOVE FOR TRANSACTION DETAILS

Merrill Lynch Wealth Management makes available products and services offered by Merrill Lynch, Pierce, Fenner & Smith Incorporated (MLPF&S) and other subsidiaries of Bank of America Corporation. MLPF&S is a registered broker-dealer, member Securities Investor Protection Corporation (SIPC) and a wholly owned subsidiary of Bank of America Corporation. Investment products:

Are Not FDIC Insured | Are Not Bank Guaranteed | May Lose Value

Account Number: [REDACTED]

Date: 06/08/2011

Page 1 of 3



TRADE DETAILS (continued)

SOLD

Quantity		Trade Date	
Processing Fee		Settle Date	
Transaction Fee		ML Symbol	
Accrued Interest/Dividends		Security #	
		Cusip #	
NET AMOUNT		FA #	

EXECUTED 100% AGENCY. ML ACTED AS AGENT. PER CONSULTS CLIENT AGREEMENT.

SEE ABOVE FOR TRANSACTION DETAILS

SOLD

GREEN MOUNTN COFFEE ROS

Quantity	13	Price	62.395200	Amount	811.14	Trade Date	11/01/11
Processing Fee						Settle Date	11/04/11
Transaction Fee				0.02		ML Symbol	GMCR
Accrued Interest/Dividends						Security #	310H7
						Cusip #	393122106
NET AMOUNT				811.12		FA #	1079

EXECUTED 100% AGENCY. WE MAKE A MARKET IN THIS ISSUE ML ACTED AS AGENT. PER CONSULTS CLIENT AGREEMENT.

SEE ABOVE FOR TRANSACTION DETAILS

SOLD

Quantity		Trade Date	
Processing Fee		Settle Date	
Transaction Fee		ML Symbol	
Accrued Interest/Dividends		Security #	
		Cusip #	
NET AMOUNT		FA #	

EXECUTED 100% AGENCY. WE MAKE A MARKET IN THIS ISSUE PRICE SHOWN IS AN AVERAGE PRICE. DETAILS REGARDING ACTUAL PRICES, REMUNERATION AND THE CAPACITY IN WHICH ML ACTED ARE AVAILABLE UPON REQUEST. ML ACTED AS AGENT. PER CONSULTS CLIENT AGREEMENT.

SEE ABOVE FOR TRANSACTION DETAILS

SOLD

Quantity		Trade Date	
Processing Fee		Settle Date	
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		Cusip #	
NET AMOUNT		FA #	

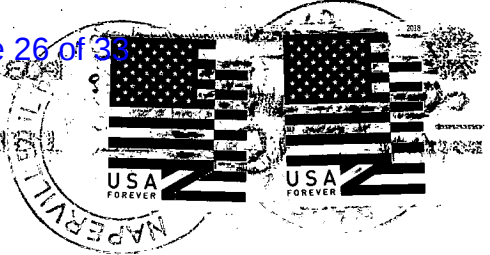
EXECUTED 100% AGENCY. PRICE SHOWN IS AN AVERAGE PRICE. DETAILS REGARDING ACTUAL PRICES, REMUNERATION AND THE CAPACITY IN WHICH ML ACTED ARE AVAILABLE UPON REQUEST. ML ACTED AS AGENT. PER CONSULTS CLIENT AGREEMENT.

SEE ABOVE FOR TRANSACTION DETAILS

P

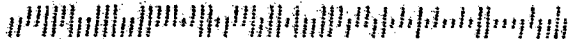
Nancy K. Pope
[Redacted]
Naperville, IL 60540

5 SUBURBAN IL 60540
25 SEP 2018 PM 5:01



Green Mountain Securities Litigation
EXCLUSIONS
c/o Epic Class Action & Claims Solutions, Inc.
P.O. Box 3076
Portland, OR 97208-3076

97208-307676



Exclusion Request - 8

9/26/18

TO WHOM IT MAY CONCERN:

THIS IS TO LET YOU KNOW
I EXCLUDE MYSELF FOR THIS
LAW SUIT.

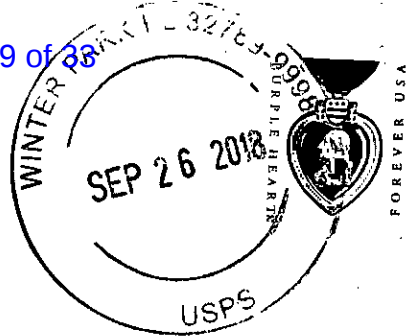
Sincerely,

Herta Tompkins



Herta Tompkins

Winter Park FL 32792-1023



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P.O. Box 3076
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USPS TRACKING NUMBER



International shipments, the maximum weight is 4 lbs.

EXHIBIT B

Exclusion Requests

Number	Name	City	State
1	Arthur P. Ezzo	Las Vegas	NV
2	Richter Alan Cox and Faith Dawn Cox	Howe	TX
3	Margaret Lois Seewald	Sioux Falls	SD
4	Justin Allen	Huntington	VT
5	William J. Krizsan	Twinsburg	OH
6	Susan E. Walker	Spotsylvania	VA
7	Nancy K. Pope	Naperville	IL
8	Herta Tompkins	Winter Park	FL