

IN THE IN THE CIRCUIT COURT OF JASPER COUNTY, MISSOURI  
**NOTICE OF PENDENCY OF CLASS ACTION SETTLEMENT**

**If you owned or occupied residential property located within two (2) miles of the Protein Solutions facility located at 3800 E. 32nd Street, Joplin, Missouri 64804, at any point in time on or after March 15, 2014 to the present, or if you submitted a residential data sheet indicating that you experienced odors from the Protein Solutions facility to Liddle & Dubin, P.C. (Class Counsel) on or before April 15, 2020, you may be a Settlement Class Member.**

**Please read this Notice carefully, as it affects your legal rights.**

(A Circuit Court Judge in Joplin authorized this notice. This is not a solicitation from a lawyer.)

- A proposed settlement has been reached with Protein Solutions, LLC (now known as LinkOne Protein LLC) (“Defendant”), the owner and operator of a an industrial protein processing plant located at 3800 E. 32nd Street, Joplin, Missouri 64804 (“Facility”) to resolve claims brought by the Named Plaintiffs on behalf of a proposed class relating to the alleged emission of noxious odors from the Facility. The proposed settlement has been memorialized in a written agreement between the parties (the “Settlement Agreement”).
- If approved by the Court, the Settlement Agreement requires the Defendant to pay \$975,000 into a fund (the “Settlement Fund”) for the benefit and advantage of the Settlement Class Members, meaning all who participate in and are bound by the proposed settlement, as further defined by the Settlement Agreement.
- This Class Notice explains the proposed settlement, your rights, the available benefits, and how to get them. As a potential Settlement Class Member you have various options that you may exercise before the Court decides whether to approve the proposed settlement.

<b>Your Legal Rights and Options in this Settlement</b>	
<b>MAKE A CLAIM FOR COMPENSATION</b>	Complete the attached Claim Form and submit it with the requested documentation to Class Counsel no later than October 5, 2020. You will be bound by the terms of the Settlement Agreement, and you will have released Defendant from any and all Released Claims as defined in the Settlement Agreement.
<b>EXCLUDE YOURSELF</b>	If you exclude yourself, you will <u>no longer</u> be a Settlement Class Member. This means that you will not be eligible for the benefits or relief in the Settlement. It also means that you will be responsible for pursuing your own claim(s) if you want to do so. You must strictly follow the procedures outlined below and request exclusion no later than September 19, 2020.
<b>OBJECT</b>	Write to the Court about why you do not like the Settlement. You must strictly follow the procedures outlined below for objecting, and you must file your written objection no later than September 19, 2020. If the settlement is approved, you will be bound by it, and you will have released Defendant from any and all Released Claims as defined in the Settlement Agreement.
<b>DO NOTHING</b>	You will be bound by the terms of the Settlement Agreement and you will have released Defendant from any and all Released Claims as defined in the Settlement Agreement.

1. **WHAT IS THIS NOTICE ABOUT?** This Class Notice is to inform you of the proposed settlement of a class action lawsuit against Protein Solutions, LLC (“Defendant”). The lawsuit is pending in Jasper County Circuit Court. This Notice is given by Order of the Judge. It summarizes your rights as set forth in the Settlement Agreement.

- 2. WHAT IS THE LAWSUIT ABOUT?** The lawsuit (*Colson v. Protein Solutions, LLC*, Case number Case No. 19AO-CC00071 (Jasper County Circuit Court) was filed on March 15, 2019, concerning the alleged emission of noxious odors from the Defendant's industrial protein processing plant located at 3800 E. 32nd Street Joplin, MO 64804 (the "Facility"). The lawsuit alleges that certain emissions in the area surrounding the Facility occurred because of Defendant's conduct. The Named Plaintiffs who filed the lawsuit alleges that these emissions have reduced the value of their property and interfered with their ability to use and enjoy their home. Defendant has vigorously denied and continues to deny all claims of wrongdoing and liability.
- 3. WHY IS THE CLASS ACTION BEING SETTLED?** The Court did not decide in favor of Plaintiff or the Defendant. Instead, all sides agreed to settle the claims asserted in the lawsuit to avoid the cost and risk of litigation. The proposed settlement does not mean that any law was broken or that the Defendant did anything wrong. The Defendant denies all legal claims in this case. The Named Plaintiffs and their attorneys, the Class Counsel, believe that the proposed settlement is in the best interest of all Settlement Class Members.
- 4. HOW DO I KNOW IF I'M PART OF THE PROPOSED SETTLEMENT?** The Court has decided that the Settlement Class will include all owners or occupiers of residential property located within a two mile radius of the Defendant's Facility at any point in time from March 15, 2014 to the present (the "Class Period"), **and** all owners or occupiers of residential property who submitted a residential data sheet to Class Counsel concerning odors or emissions from the Facility on or before April 15, 2020. If the Court approves the settlement, the Class Period will continue until the date the Court's approval of the proposed settlement becomes final and non-appealable.
- 5. SUMMARY OF THE PROPOSED SETTLEMENT:** If the Settlement Agreement is approved by the Court, the Defendant will pay the total amount of \$975,000 into the Settlement Fund for the benefit of all Settlement Class Members, each of whom will release his or her claims against Defendant. After the deduction of any court-approved payments (a) to Class Counsel for attorneys' fees and the costs and expenses incurred in the case and (b) to the Named Plaintiffs for bringing the lawsuit on behalf of the Settlement Class, the Settlement Fund will be evenly distributed to the households of all Settlement Class Members who submit a Claim Form approved by Class Counsel.
- 6. WHO ARE THE LAWYERS FOR THE SETTLEMENT CLASS AND HOW WILL THEY BE PAID?** The Court has appointed the following attorneys to represent you and the other Settlement Class Members: Steven D. Liddle and Laura L. Sheets of Liddle & Dubin, P.C., 975 E. Jefferson Ave., Detroit, MI 48207 ("Class Counsel"). Class Counsel has prosecuted this case on a contingency basis. At the Settlement Fairness Hearing, Class Counsel will be seeking the approval of the Settlement Agreement and requesting the Court for an award of attorneys' fees, costs and expenses from the Settlement Fund in an amount not to exceed \$340,000. Class Counsel and Named Plaintiffs also will seek approval of a payment to the Named Plaintiffs from the Settlement Fund in the amount of \$1,500 for their efforts in representing the Settlement Class. You may contact Class Counsel at (800) 536-0045 or [info@ldclassaction.com](mailto:info@ldclassaction.com). You do not need to hire your own lawyer because Class Counsel is working on your behalf. If you want your own lawyer, you may hire one at your own expense.
- 7. CAN I GET PAID AND, IF SO, HOW MUCH?** Each Settlement Class Member who participates in the settlement may submit an attached Claim Form on or before October 5, 2020. If approved by Class Counsel, submission of the Claim Form will permit the Settlement Class Member's household to share, pro rata, in the Settlement Fund. The actual amount of each payment to each household will be the amount of the Settlement Fund remaining after the court-approved payments to Class Counsel and Named Plaintiffs divided by the number of households of the Settlement Class that submit Claim Forms approved by Class Counsel. If you do not submit a Claim Form, or if your submission is incomplete and not approved you will not be entitled to any cash compensation from the Settlement Fund. Class Members who receive

payment from the Settlement Fund should consult their own tax advisors regarding any federal, state, local or other tax consequences of the Settlement.

8. **WHAT AM I GIVING UP TO STAY IN THE SETTLEMENT CLASS?** If the proposed settlement is ultimately approved by the Court, in exchange for Defendant's payment of \$975,000, each Settlement Class Member will release certain claims he or she may have against Defendant and all related people and entities arising during the Class Period (May 15, 2014) until the Court approves the proposed settlement. As set forth more fully in the Settlement Agreement, the claims being released include anything related to or arising from the conduct alleged in the lawsuit, including claims concerning any emission noxious odors from the Facility, except that nothing in the proposed settlement requires the release of any claim for medical harm or personal injuries or illnesses resulting from any medically diagnosed condition, other than temporary physical discomfort, allegedly caused by exposure to or inhalation of emissions from the Protein Solutions Facility. Each Settlement Class Member shall warrant and represent to the Defendant that, as of the date of this Agreement: (1) he or she has not been diagnosed with any disease or physical injury which may have been caused by the action or inaction of any of the Defendant and (2) he or she has not received benefits under Medicare or any other governmental program for any sickness, disease or injury related to the 3D Idapro Facility.
9. **HOW DO I REQUEST TO BE EXCLUDED FROM THIS PROPOSED SETTLEMENT?** If you are a Settlement Class Member and if the Settlement Agreement is approved by the Court, then you will be bound by the terms of the Settlement Agreement unless you submit a request to be excluded. If you exclude yourself, Class Counsel will no longer be representing you and you must pursue your own claims if you so choose. You will also not be entitled to any of the benefits provided by the settlement, and you will have no standing or ability to participate in the approval process or object to the settlement.

To exclude yourself from the proposed settlement, you must mail a written request for exclusion to Class Counsel at the following address: Liddle & Dubin, P.C. Attn: Protein Solutions Opt-Outs, 975 E. Jefferson Ave., Detroit, MI 48207. This request for exclusion must be postmarked no later than September 19, 2020. The request for exclusion must be in writing and contain the following: (a) the caption or other identification of the lawsuit at the top of the first page with the phrase "Request for Exclusion" underneath it; (b) the potential Settlement Class Member's full name, street address, email address, and telephone number; (c) the following statement requesting exclusion:

"I do not want to be a member of the Settlement Class *Colson v. Protein Solutions, LLC*, Case number Case No. 19AO-CC00071 (Jasper County Circuit Court). I understand that I will not participate in or receive any monetary benefit of the proposed settlement. I also understand that, if I want to pursue any right or claim I may have, it will be my responsibility to do so at my own expense."

and (d) be signed by the potential Settlement Class Member seeking to be excluded from the proposed settlement.

In order to be a valid request for exclusion, you must also provide a copy of a driver's license or state identification card. Any potential Settlement Class Member's request for exclusion that does not meet these requirements is deemed invalid and ineffective and the potential Settlement Class Member will be considered included as part of the Settlement Class for purposes of the proposed settlement.

10. **HOW DO I TELL THE COURT THAT I LIKE OR OBJECT TO THE PROPOSED SETTLEMENT?** If you are a potential Settlement Class Member and you do not properly request to be excluded, you can tell the Court you like the proposed settlement and that it should be approved, or that you object to the proposed settlement or any particular part of it. Settlement Class Members desiring to say that the settlement should be approved or who wish to object must submit their comments in

writing to Class Counsel at the following address: Liddle & Dubin, P.C., Attn: Protein Solutions Objections, 975 E. Jefferson Ave. Detroit, MI 48207.

Any objection must be postmarked no later than September 19, 2020. You can submit an objection by yourself or, if you like, you can hire a lawyer to assist you. Objections must be in writing and contain the following: (a) the caption of the lawsuit at the top of the first page with the phrase "Notice of Objection" underneath it; (b) the Settlement Class Member's full name, address, and telephone number; (c) the name and address of each lawyer or other person assisting you in filing the objection, if any; (d) the reason, grounds, and basis for the objection, including any legal authority supporting the objection the Settlement Class Member would like the Court and other parties to consider; (e) the signature of the Settlement Class Member who is objecting; and (f) copies of all documents the Settlement Class Member intends to present to the Court in support of the objection, if any. If an objection is submitted by someone purporting to represent a Settlement Class Member, in addition to the Settlement Class Member's signature the objection must attach sufficient documentation to support the person's legal authority to represent the Settlement Class Member. In order to be a valid objection, you must also provide a copy of a driver's license or state identification card.

Objections that do not meet the requirements set forth above will be deemed invalid and the Court will not consider them. Class Counsel and Defendant reserve the right to challenge the validity and grounds of any objection. If you do not submit a written objection in accordance with the deadline and procedure set forth above, you will waive your rights to be heard at the Settlement Fairness Hearing and to appeal from any order or judgment of the Court concerning the matter.

- 11. WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE PROPOSED SETTLEMENT?** The Court will hold a Settlement Fairness Hearing on October 6, 2020, at 1:30 p.m. at the Jasper County Circuit Court, 601 Pearl Ave, Joplin, MO 64801. At this hearing the Court will consider whether the Settlement Agreement and proposed settlement is a fair, reasonable, and adequate resolution of the lawsuit. If there are timely and properly submitted objections, the Court will consider them and any response the Parties may have. You do not have to attend the Settlement Fairness Hearing. Class Counsel will answer questions the Court may have. But, you are welcome to attend at your own expense provided you have not excluded yourself from the proposed settlement. If you timely and properly send an objection, you may attend the Settlement Fairness Hearing and talk about your objection, or you may have your own lawyer do so. However, you do not have to attend even if you send an objection. As long as you timely and properly sent your written objection, the Court will consider it even if you do not attend.
- 12. WHAT HAPPENS IF I DO NOTHING AT ALL?** If you do nothing at all, and you are a Settlement Class Member, you will be bound by the proposed settlement if the Court approves it. You will release your claims, but you will not receive any payment from the Settlement Fund.
- 13. ARE MORE DETAILS ABOUT THE PROPOSED SETTLEMENT AND MY RIGHTS UNDER THE PROPOSED SETTLEMENT AVAILABLE?** This Class Notice is a summary and does not describe all details of the Settlement Agreement or the proposed settlement. More details are in the Settlement Agreement. For a complete, definitive statement of the terms of the Proposed Settlement, refer to the Settlement Agreement at [www.ldclassaction.com](http://www.ldclassaction.com). You may also contact Class Counsel at (800) 536-0045 or [info@ldclassaction.com](mailto:info@ldclassaction.com) for more details of the lawsuit.

**PLEASE DO NOT CONTACT THE COURT WITH QUESTIONS ABOUT THIS NOTICE.**