

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

ALESSANDRO BERNI, GIUSEPPE )	
SANTOCHIRICO, MASSIMO SIMIOLI, and )	
DOMENICO SALVATI, on behalf of themselves )	Case No. 1:16-cv-04196(ENV)(SLT)
and all others similarly situated, )	
)	
Plaintiffs, )	
)	
v. )	
)	
BARILLA G. e R. FRATELLI, S.p.A., and )	
BARILLA AMERICA INC. d/b/a BARILLA )	
USA, )	
)	
Defendants. )	

**NOTICE OF UNOPPOSED MOTION AND UNOPPOSED MOTION  
FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law in Support of Plaintiff’s Unopposed Motion for Preliminary Approval of Class Action Settlement, the Joint Declaration of Daniella Quitt and Ronen Sarraf, and the accompanying Class Action Settlement Agreement and the exhibits attached thereto, Plaintiffs will move this Court before the Honorable Steven L. Tiscione, United States District Court, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, NY 11201, at such date and time as the Court may direct, for an order (1) preliminarily approving the settlement of this class action; (2) provisionally certifying the class pursuant to Rules 23(a) and (b)(2) of the Federal Rules of Civil Procedure for the purpose of the settlement; (3) approving the notice plan; (4) setting a date and time for the fairness hearing; and (5) for such further relief as this Court deems just and proper.

Plaintiffs have conferred with Defendants who do not oppose this motion.

The Parties’ proposed Order is being filed concurrently herewith.

Dated: April 25, 2018

**HARWOOD FEFER LLP**

/s/ Daniella Quitt

Robert I. Harwood

Daniella Quitt

488 Madison Ave., 8th Floor

New York, New York 10022

Tel.: (212) 935-7400

Fax: (212) 753-3630

**SARRAF GENTILE LLP**

/s/ Ronen Sarraf

Joseph Gentile

14 Bond Street, Suite 212

Great Neck, New York 11021

Tel: (516) 699-8890

Fax: (516) 699-8968

*Counsel for Plaintiffs*