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The Honorable Robert S. Lasnik

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BRUCE CORKER d/b/a RANCHO ALOHA;  
COLEHOUR BONDERA and MELANIE  
BONDERA, husband and wife d/b/a  
KANALANI OHANA FARM; ROBERT SMITH  
and CECELIA SMITH, husband and  
wife d/b/a SMITHFARMS; and SMITHFARMS,  
LLC, a Hawaii limited liability company, on behalf  
of themselves and others similarly situated,

Plaintiffs,

v.

COSTCO WHOLESALE CORPORATION, a  
Washington corporation; AMAZON.COM, INC., a  
Delaware corporation; HAWAIIAN ISLES KONA  
COFFEE, LTD., LLC, a Hawaiian limited liability  
company; COST PLUS/WORLD MARKET, a  
subsidiary of BED BATH & BEYOND, a New York  
corporation; BCC ASSETS, LLC d/b/a BOYER'S  
COFFEE COMPANY, INC., a Colorado  
corporation; L&K COFFEE CO. LLC, a Michigan  
limited liability company; MULVADI  
CORPORATION, a Hawaii corporation; COPPER  
MOON COFFEE, LLC, an Indiana limited liability  
company; GOLD COFFEE ROASTERS, INC., a  
Delaware corporation; CAMERON'S COFFEE  
AND DISTRIBUTION COMPANY, a Minnesota  
corporation; PACIFIC COFFEE, INC., a Hawaii  
corporation; THE KROGER CO., an Ohio  
corporation; WALMART INC., a Delaware  
corporation; BED BATH & BEYOND INC., a New  
York corporation; ALBERTSONS COMPANIES  
INC., a Delaware Corporation; SAFEWAY INC., a  
Delaware Corporation; MNS LTD., a Hawaii

CASE NO. 2:19-CV-00290-RSL

**NOTICE OF SETTLEMENT WITH  
THE KROGER CO. AND REQUEST  
TO STAY DEADLINES**

Noted for Consideration: October 19,  
2021

1 Corporation; THE TJX COMPANIES d/b/a T.J.  
2 MAXX, a Delaware Corporation; MARSHALLS OF  
3 MA, INC. d/b/a MARSHALLS, a Massachusetts  
4 corporation; SPROUTS FARMERS MARKET,  
INC. a Delaware corporation; COSTA RICAN  
5 GOLD COFFEE CO., INC., a Florida Corporation;  
6 and KEVIN KIHNKE, an individual,

7  
8 Defendants.

9 Plaintiffs notify the Court that they have reached a proposed class-wide settlement with  
10 Defendant The Kroger Co. ("Kroger"). The parties have executed a term sheet, and are working  
11 diligently on a full settlement agreement to be submitted with a motion for preliminary approval.  
12 The settling parties request that the Court stay all deadlines as to Kroger.

13 A proposed order is attached.

14 Dated: October 19, 2021

15 KARR TUTTLE CAMPBELL

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17 Nathan T. Paine, WSBA #34487  
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and the Proposed Class*

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The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BRUCE CORKER d/b/a RANCHO ALOHA;  
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BONDERA, husband and wife d/b/a  
KANALANI OHANA FARM; and ROBERT  
SMITH and CECELIA SMITH, husband and  
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Washington corporation; AMAZON.COM,  
INC., a Delaware corporation; HAWAIIAN  
ISLES KONA COFFEE, LTD., LLC, a  
Hawaiian limited liability company; COST  
PLUS/WORLD MARKET, a subsidiary of  
BED BATH & BEYOND, a New York  
corporation; BCC ASSETS, LLC d/b/a  
BOYER'S COFFEE COMPANY, INC., a  
Colorado corporation; JAVA LLC, a Michigan  
limited liability company; MULVADI  
CORPORATION, a Hawaii corporation;  
COPPER MOON COFFEE, LLC, an Indiana  
limited liability company; GOLD COFFEE  
ROASTERS, INC., a Florida corporation;  
CAMERON'S COFFEE AND  
DISTRIBUTION COMPANY, a Minnesota  
corporation; PACIFIC COFFEE, INC., a  
Hawaii corporation; THE KROGER CO., an  
Ohio corporation; WALMART INC., a  
Delaware corporation; BED BATH &  
BEYOND INC., a New York corporation;  
ALBERTSONS COMPANIES INC., a

CIVIL ACTION NO. 2:19-cv-00290

**[PROPOSED] ORDER STAYING CASE  
DEADLINES AS TO THE KROGER  
CO.**

1 Delaware Corporation; SAFEWAY INC., a  
2 Delaware Corporation; MNS LTD., a Hawaii  
3 Corporation; MARMAXX OPERATING  
4 CORP. d/b/a T.J. MAXX and MARSHALLS, a  
5 Delaware corporation; SPROUTS FARMERS  
6 MARKET, INC. a Delaware corporation, and  
7 KEVIN KIHNKE, an individual,

8 Defendants.

9 Plaintiffs have filed a Notice of Settlement with The Kroger Co. (“Kroger”). All case  
10 deadlines with respect to Kroger are STAYED. This order does not affect discovery or deadlines  
11 as applied to any other Defendants.

12 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

13 \_\_\_\_\_  
14 The Honorable Judge Robert S. Lasnik  
15 United States District Court Judge

16 Presented by:

17 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

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