

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Breeanne Buckley Peni, Individually and on Behalf of  
All Others Similarly Situated,

Plaintiff,

v.

DAILY HARVEST, INC., and SECOND BITE  
FOODS, INC. d/b/a "STONE GATE FOODS",  
Defendants.

Civil Action No. 22-cv-05443

Honorable Denise Cote

**~~PROPOSED~~ ORDER GRANTING SETTLEMENT ADMINISTRATOR'S REPORT  
RESPECTING (A) AWARD VALUES; (B) ALLOCATION OF INTEREST EARNED TO  
DATE AND THE STATUS OF THE SETTLEMENT HOLDBACK; (C) THE SUGGESTED  
CATEGORY 5 MATRIX; (D) A RECOMMENDED 10% ADVANCE PAYMENT FOR  
ALL DAILY HARVEST CRUMBLES CATEGORY 2 THROUGH 4 CLAIMANTS NOT  
TAKING INTO ACCOUNT ANY CATEGORY 5 AWARD THEY MAY RECEIVE IN  
THE FUTURE; (E) SUGGESTED PROCEDURES FOR PAYING CLAIMS CLEARED OF  
LIENS; AND (F) SUGGESTED PROCEDURE FOR PAYING AWARDS FOR THE  
BENEFIT OF MINOR CLAIMANTS**

Upon the Motion of the Settlement Administrator, not opposed by the Parties, this Court issues the following Order approving the Settlement Administrator's Recommendations.

(A) The Category 1, 2, 3 and 4 award values and the amount available for Category 5 set forth in part A of the Settlement Administrator's Report and Recommendation is hereby approved.

(B) The application of interest earned to date in the Daily Harvest Settlement made to awards as described in part B of the Settlement Administrator's Report and Recommendation is hereby approved.

(C) The Category 5 extraordinary damages, Extraordinary Injury Matrix, and recommended procedures described in part C of the Settlement Administrator's Report and Recommendation is hereby approved.

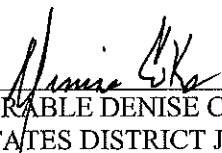
(D) The recommended 10% advance payment for Category 2 through 4 claimants described in part D of the Settlement Administrator's Report and Recommendation is hereby approved.

(E) The recommended procedures for paying claimants described in part E of the Settlement Administrator's Report and Recommendation, after cleared of liens, and which provide for indemnification of the Settlement Administrator and the Settlement is hereby approved.

(F) The recommended procedure in Part F of the Settlement Administrator's Report and Recommendation with respect to payments for the benefit of minor claimants is hereby approved.

**IT IS SO ORDERED.**

Dated: November 12, 2025

  
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THE HONORABLE DENISE COTE  
UNITED STATES DISTRICT JUDGE