

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

CLERK
BY ABR
DEPUTY CLERK

ALICE H. ALLEN, et al.,

Plaintiffs,

v.

DAIRY FARMERS OF AMERICA, INC.,
DAIRY MARKETING SERVICES, LLC,
and DEAN FOODS COMPANY,

Defendants.

Civil Action No. 5:09-CV-00230

**MOTION TO INTERVENE FOR THE LIMITED PURPOSE OF OBJECTING TO
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Pursuant to Federal Rules of Civil Procedure 23(d)(1)(B), 24(a)(2), and/or (b)(1)(B), Bryan Davis, Reg Chaput, Rendell Tullar, John Gorton, Harold Howrigan, Jr., Louis Aragi, Jr., Clark Hinsdale III, Thomas Quint, and Clement Gervais (collectively "Intervening Farmers"), by and through their undersigned counsel, hereby move the Court for an order granting the Intervening Farmers leave to intervene in the above-captioned action for the limited purpose of objecting to Plaintiffs' motion for preliminary approval of the class action settlement. The basis for this Motion is set forth in the accompanying memorandum of law in support. The Intervening Farmers requests the opportunity to present oral argument in further support of this Motion.

[signature on following page]

Dated at Burlington, Vermont this 18th day of January, 2011.



Gary L. Franklin
Kevin M. Henry
Primmer, Piper, Eggleston, Cramer PC
150 S. Champlain Street
P.O. Box 1489
Burlington, VT 05402-1489
Tel: (802) 864-0880

Attorneys for Bryan Davis, Reg Chaput, Rendell
Tullar, John Gorton, Harold Howrigan, Jr., Louis
Aragi, Jr., Clark Hinsdale III, Thomas Quint, and
Clement Gervais.

B04102-00001\Doc #: 26