

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
No. 08-01916-MD-MARRA/JOHNSON

IN RE: CHIQUITA BRANDS  
INTERNATIONAL, INC., ALIEN TORT  
STATUTE AND SHAREHOLDER  
DERIVATIVE LITIGATION

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This Document Relates To:

DERIVATIVE ACTIONS.

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STATUS REPORT RE: DERIVATIVE ACTIONS

No. 08-01916-MD-MARRA/JOHNSON

Pursuant to this Court's July 28, 2010 Order (Docket No. 338), Plaintiffs submit this report on the status of the settlement of the Derivative Actions. Today, Plaintiffs filed an Agreed Motion, Pursuant to Federal Rule of Civil Procedure 23.1, for Preliminary Approval of Proposed Derivative Settlement and Memorandum of Points and Authorities in Support Thereof (the "Agreed Motion"), an executed Stipulation and Agreement of Settlement, dated as of April 19, 2010 together with its exhibits, and a [Proposed] Order Preliminarily Approving Derivative Settlement and Providing for Notice (the "Preliminary Approval Order"). Among other things, the Agreed Motion (at pp.23-24) sets forth a suggested schedule for the mailing and publication of notice of the settlement, the filing of pleadings in support of the settlement, a deadline for the submission of objections, if any, and a date for a fairness hearing regarding final approval of the settlement.<sup>1</sup>

Counsel for the Plaintiffs, with the concurrence of counsel for the Special Litigation Committee of Chiquita Brands International, Inc. (the "SLC"), respectfully request the Court to enter the Preliminary Approval Order. Alternatively, counsel for Plaintiffs and the SLC would be pleased to appear to respond to any questions the Court may have.

DATED: August 5, 2010

Respectfully submitted,

ROBBINS GELLER RUDMAN  
& DOWD LLP

s/ David J. George  
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DAVID J. GEORGE

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<sup>1</sup> Because the schedule is, of course, subject to the availability and convenience of the Court, only suggested time intervals are set forth, as opposed to specific dates.

No. 08-01916-MD-MARRA/JOHNSON

PAUL J. GELLER  
Florida Bar No. 984795  
pgeller@rgrdlaw.com  
DAVID J. GEORGE  
Florida Bar No. 0898570  
dgeorge@rgrdlaw.com  
120 East Palmetto Park Road, Suite 500  
Boca Raton, FL 33432  
Telephone: 561/750-3000  
561/750-3364 (fax)

ROBBINS GELLER RUDMAN  
& DOWD LLP  
PATRICK J. COUGHLIN  
KEITH F. PARK  
ARTHUR C. LEAHY  
JULIE A. KEARNS  
655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: 619/231-1058  
619/231-7423 (fax)

COHEN, PLACITELLA & ROTH, P.C.  
STEWART L. COHEN  
HARRY M. ROTH  
Two Commerce Square, Suite 2900  
2001 Market Street  
Philadelphia, PA 19103  
Telephone: 215/567-3500  
215/567-6019 (fax)

Attorneys for Plaintiffs

No. 08-01916-MD-MARRA/JOHNSON

CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2010, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 5, 2010.

s/ David J. George

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DAVID J. GEORGE

ROBBINS GELLER RUDMAN  
& DOWD LLP

120 East Palmetto Park Road, Suite 500

Boca Raton, FL 33432

Telephone: 561/750-3000

561/750-3364 (fax)

E-mail: [DavidG@rgrdlaw.com](mailto:DavidG@rgrdlaw.com)

## Mailing Information for a Case 0:08-md-01916-KAM

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Roger M. Adelman**  
radelman@erols.com
- **Jose E. Arvelo**  
jarvelo@cov.com
- **Kathleen Lee Barber**  
kbarber@rgrdlaw.com,e\_file\_fl@rgrdlaw.com
- **Rachel L. Braunstein**  
rachel.braunstein@friedfrank.com
- **Benjamin D. Brown**  
bbrown@cmht.com
- **Daniel Arthur Casey**  
dan.casey@klgates.com,alicia.cardona@klgates.com,miamidocketing@klgates.com
- **Judith Brown Chomsky**  
jchomsky@igc.org
- **Alison K. Clark**  
aclark@sbtclaw.com
- **Stewart L. Cohen**  
scohen@cprlaw.com
- **Terry Collingsworth**  
tc@conradscherer.com
- **Patrick J. Coughlin**  
patc@rgrdlaw.com
- **Jonathan W. Cuneo**  
jonc@cuneolaw.com
- **John De Leon**  
jlleon7@aol.com,apereyra@chavez-deleon.com,mvillareal@ffchavez.com,lizmachin@gmail.com,agreenstein@chavez-deleon.com
- **Joseph A. DeMaria**  
jad@tewlaw.com,mm@tewlaw.com

- **Matias Rafael Dorta**  
mrd@tewlaw.com
- **Jeffrey T. Edwards**  
jedwards@preti.com
- **Agnieszka M. Fryszman**  
afryszman@cmht.com
- **David J. George**  
dgeorge@rgrdlaw.com,karenc@csgrr.com,e\_file\_sd@rgrdlaw.com,e\_file\_fl@rgrdlaw.com
- **Joshua D. Glatte**  
jdg@osen.us
- **Neil L. Glazer**  
nglazer@kohmswift.com
- **Nicholas A. Gravante , Jr**  
ngravante@bsflp.com
- **James Kellogg Green**  
jameskgreen@bellsouth.net
- **Alan Graham Greer**  
agreer@richmangreer.com,isilva@richmangreer.com
- **Ronald Searle Guralnick**  
rgacquit@bellsouth.net
- **John E. Hall**  
jhall@cov.com
- **Gregory P. Hansel**  
ghansel@preti.com
- **Rene Devlin Harrod**  
rharrod@bergersingerman.com,bmoya@bergersingerman.com,drt@bergersingerman.com
- **David B. Hennes**  
david.hennes@friedfrank.com
- **Paul L. Hoffman**  
hoffpaul@aol.com
- **Jason Husgen**  
jhusgen@milberg.com
- **Robert C. Josefsberg**  
rjosefsberg@podhurst.com,mvalledor@podhurst.com

- **Julie A. Kearns**  
jkearns@rgrdlaw.com
- **William Bennett King**  
wbk@searcylaw.com,jxl@searcylaw.com,GRA@searcylaw.com
- **Beth J. Kushner**  
bkushner@vonbriesen.com
- **Dianna Walsh Lamb**  
dianna.lamb@friedfrank.com
- **Arthur Leahy**  
artl@csgrr.com
- **Gregg H. Levy**  
glevy@cov.com
- **Carrie M. Logan**  
clogan@preti.com
- **Brian D. Long**  
bdl@rigrodskylong.com
- **Jeffrey B. Maletta**  
jeffrey.maletta@klgates.com
- **Jonathan L. Marcus**  
jmarcus@cov.com
- **Eli R. Mattioli**  
eli.mattioli@klgates.com
- **Sigrid Stone McCawley**  
smccawley@bsfllp.com
- **William G. McGuinness**  
william.mcguinness@friedfrank.com
- **Gina R. Merrill**  
gmerrill@cov.com
- **Jenny R. Mosier**  
jmosier@cov.com
- **Ann O'Connell**  
aoconnell@cov.com
- **Gary M. Osen**  
gmo@osen.us

- **Keith F. Park**  
keith@rgrdlaw.com
- **Christopher Stephen Polaszek**  
cpolaszek@milberg.com,ntarnor@milberg.com,jhusgen@milberg.com,psafirstein@milberg.com,N
- **Elissa J. Preheim**  
elissa.preheim@aporter.com
- **Fuad Rana**  
frana@cov.com
- **Cristopher Stephen Rapp**  
csrapp@jones-foster.com
- **Ramon Alvaro Rasco**  
rrasco@podhurst.com
- **Peter Raven-Hansen**  
pravenhansen@gmail.com
- **Jonathan C. Reiter**  
jclaw@hotmail.com
- **Seth D. Rigrodsky**  
sdr@rigrodskylong.com
- **Robert Jeffrey Robbins**  
rrobbins@rgrdlaw.com,e\_file\_fl@rgrdlaw.com
- **Mark Anthony Romance**  
mromance@richmangreer.com,isilva@richmangreer.com
- **Harry M. Roth**  
hroth@cpplaw.com
- **Peter G.A. Safirstein**  
psafirstein@milberg.com
- **David Joseph Sales**  
djs@searcylaw.com
- **John Scarola**  
mep@searcylaw.com
- **Aaron Schlanger**  
as@osen.us
- **Stephen H. Schwartz**  
sschwartz@kohnewift.com

- **Marco Simons**  
marco@earthrights.org
- **Samantha A. Smith**  
ssmith@csgrr.com
- **Jonathan M. Sperling**  
jsperling@cov.com
- **Steven M. Steingard**  
ssteingard@koh Swift.com
- **Robert M. Stern**  
rstern@omm.com
- **Sidney Alton Stubbs , Jr**  
sstubbs@jones-foster.com,mkieta@jones-foster.com
- **Nathaniel A. Tarnor**  
ntarnor@milberg.com
- **Magda Jimenez Train**  
mjimenez@bsflp.com
- **William J. Wichmann**  
wwichmann@me.com,wjwboss@yahoo.com
- **Robert William Wilkins**  
rwilkins@jones-foster.com,csrapp@jones-foster.com
- **Paul David Wolf**  
paulwolf@icdc.com
- **Lee S. Wolosky**  
lwolosky@bsflp.com
- **Eric L. Zagar**  
ezagar@sbtclaw.com

### Manual Notice List

The following is the list of parties who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

**Arturo Carrillo**  
Colombian Institute of International Law  
5425 Connecticut Avenue NW  
Suite 219  
Washington, DC 20015

**William K. Cavanagh**  
Cavanagh & O'Hara  
407 E Adams Street  
Springfield, IL 62701

**Karen Caudill Dyer**  
Boies Schiller & Flexner  
390 North Orange Avenue  
Suite 1890  
Orlando, FL 32801

**Hawaii Annuity Trust Fund for Operating Engineers**

**Richard Herz**  
Earth Rights International  
1612 K Street NW  
Suite 401  
Washington, DC 20006

**Michael G. Lenett**  
Cuneo Gilbert & Laduca LLP  
507 C Street NE  
Washington, DC 20002

**Molly McOwen**  
Cohen Milstein Hausfeld & Toll  
1100 New York Avenue NW  
Suite 500 West Tower  
Washington, DC 20005-3934

**Samuel Meirowitz**  
Osen LLC  
700 Kinderkamack Road  
Orandell, NJ 07649

**John P. Pierce**  
Pierce Law Group  
4641 Montgomery Avenue  
Suite 500  
Bethesda, MD 20814

**Robin Winchester**  
Barroway Topaz Kessler Meltzer & Check LLP  
280 King of Prussia Road  
Radnor, PA 19087

**Stephen N. Zack**  
Boies Schiller & Flexner  
100 SE 2nd Street  
Suite 2800 Bank of America Tower  
Miami, FL 33131-2144