

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

This Document Relates To:

DERIVATIVE ACTIONS.

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.¹

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

DAVID J. GEORGE

¹ 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.

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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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