

August 2, 2014

Objector:

James Sciaroni
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FILED

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

**United States District Court
Southern District of California**
333 West Broadway, Suite 420
San Diego, CA 92101

Kashi Class Counsel:

Joseph N. Kravec, Jr.
Wyatt A. Lison
Feinstein Doyle Payne & Kravec, LLC
429 Forbes Avenue
Allegheny Building, 17th Floor
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Telephone (412) 281-8400

Kashi's Counsel:

Dean N. Panos
JENNIFER & BLOCK LLP
353 N. Clark Street
Chicago, IL 60654-3456
Telephone 312/222-9350

Re: Objections To Settlement in Class Action against *Astiana v. Kashi Company*, Case No. 11 CV 1967-H (BGS)

Dear Court, and Counsel:

I declare under penalty of perjury that I purchased one or more products covered by this settlement and am a member of the settlement class in this action.

I object to the proposed settlement on the following grounds:

1. The Kashi settlement provides \$5 million in settlement benefits; however, there is no evidence that counsel has complied with the requirements of the Class Action Fairness Act as it relates to providing state and federal authorities with notice of the settlement. The purpose of CAFA Notice is to provide state and federal authorities

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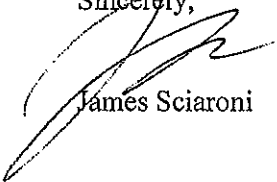
with the opportunity to object to the fairness of the settlement. The settlement provisions should ensure that the parties have provided the appropriate notices to state and federal authorities.

2. The notice program will not reach a majority of class members. The parties are relying on publication notice to inform the class of the settlement; however, a few one-day ads in California newspapers is not sufficient. If direct mail notice is not available, and the parties want to notify potential class members of the settlement, then the parties should place notice of the settlement on defendants' main websites and on their social media pages. Kashi has more than 772,014 Facebook likes and 8,692 Twitter followers. Any updates on those pages would reach those individuals and more. Including notice on defendants' websites and social media feeds would reach class members more directly than newspaper ads and would not cost the class hundreds of thousands of dollars and is such would be a more than reasonable request.
3. The exclusion process is unfair and unreasonable because class members must pay out-of-pocket and incur unnecessary expenses in order to opt-out. The exclusion process requires class members to submit their requests for exclusion by mail. Such a requirement is unreasonable because it is easier and much more efficient to provide a free, electronic opt-out process. Worse, the settlement class must pay added administration expenses for processing hard copy exclusion requests. The settlement administrator is already processing claims through the settlement website, so why not process exclusion requests electronically as well?

I object to the settlement on these grounds. I do not intend to appear at the hearing.

Please add my attorney to the service list and all communications with him: Steve Scow, 11500 S. Eastern Ave., Suite 210, Henderson, Nevada 89052; 702-318-5040.

Sincerely,



James Sciaroni