



provisions is up to them, subject of course to any other applicable terms of the settlement agreement and the Claims Resolution Act of 2010, Pub L. No. 111-291.<sup>2</sup>

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Respectfully submitted,

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<sup>2</sup> As the Revised Settlement Agreement recognizes, the amount of funding for the settlement agreement may not be sufficient to provide recovery in the full amount contemplated for successful claimants under § 14012 of the Food, Conservation and Energy Act of 2008, Pub. L. No. 110-234 and/or 110-246. As a result, the amount actually recovered by each successful claimant will depend on the number of successful class members. *See* Revised Settlement Agreement, I.M., at 3. Thus, the inclusion of the individuals who are the subject of plaintiffs' motion in the claims process may further decrease the amount awarded to successful claimants who have already been deemed class members and whose claims are currently being adjudicated under the terms of the settlement agreement.