

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY**

JUAN DUARTE and BETSY DUARTE, on)	
Behalf of Themselves and all Others Similarly)	
Situated,)	
)	Civil Action No. 2:17-cv-01624-EP-
Plaintiffs,)	MAH
vs.)	
)	Honorable Evelyn Padin
UNITED STATES METALS REFINING)	Honorable Michael A. Hammer
COMPANY; FREEPORT MINERALS)	
CORPORATION; FREEPORT-MCMORAN)	Fairness Hearing: July 26, 2023 at
INC., and AMAX REALTY DEVELOPMENT,)	2:00 p.m. Eastern Time
INC.,)	
)	Oral Argument Requested
Defendants.)	

**JOINT MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT AND
ENTRY OF FINAL JUDGMENT**

PLEASE TAKE NOTICE on July 26, 2023, at 2:00 pm, the date previously scheduled by the Court for a Fairness Hearing in this matter, United States Metals Refining Company, Freeport Minerals Corporation, Freeport-McMoRan Inc., and Amax Realty Development, Inc. (collectively “Defendants”) and Juan and Betsy Duarte, individually and in their capacity as class representatives, (collectively “Plaintiffs”), by and through their undersigned counsel, shall move for the entry of an order granting Final Approval of a Class Action Settlement between Defendants and Plaintiffs.

PLEASE TAKE FURTHER NOTICE that Defendants and Plaintiffs shall rely upon the Memorandum of Law in support of Joint Motion for Final Approval of the Class Action Settlement. For the reasons set forth in the accompanying Memorandum in Support, Plaintiffs and Defendants hereby move the Court to:

1. Enter a Final Order and Judgment granting final approval of the Class Action Settlement Agreement between Plaintiffs and Defendants; and

2. Grant such other relief and orders as the Court deems necessary and appropriate.

PLEASE TAKE FURTHER NOTICE that Plaintiffs and Defendants shall rely on the Memorandum in Support of Joint Motion for Final Approval of Class Action Settlement, including exhibits, and all other papers of record.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order and Final Judgment is submitted herewith.

PLEASE TAKE FURTHER NOTICE that the Motion is being made returnable on July 26, 2023, and that oral argument is requested.

Respectfully submitted this 10th day of July, 2023.

/s/ David R. Kott
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