

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

In re POLYURETHANE FOAM ANTITRUST LITIGATION	)	
	)	
This document relates to:	)	MDL Docket No. 2196 Index No. 10-MD-2196 (JZ)
	)	
ALL DIRECT PURCHASER ACTIONS	)	
	)	

**DIRECT PURCHASER (CLASS) PLAINTIFFS’ NOTICE OF MOTION AND MOTION  
FOR FINAL APPROVAL OF SETTLEMENT WITH DEFENDANT VITAFOAM AND  
FOR FINAL APPROVAL OF VOLUNTARY DISMISSAL AND SETTLEMENT WITH  
DEFENDANT DOMFOAM AND OTHERS**

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, on May 7, 2013 at 10:00 a.m. at the James Ashley and Thomas W.L. Ashley U.S. Courthouse, 1716 Spielbusch Avenue, Toledo, Ohio, or as soon thereafter as the Court may hear this matter, the interim class representatives of the Direct Purchaser (Class) Plaintiffs (“Class Plaintiffs”), through Interim Co-Lead Counsel Boies Schiller & Flexner, LLP and Quinn Emanuel Urquhart & Sullivan, LLP, as well as the putative Direct Purchaser Class Executive Committee,<sup>1</sup> will and do respectfully move this Court for final approval of the settlement with Vitafoam Inc. and Vitafoam Products Canada Limited, and final approval of the voluntary dismissal and settlement with defendants Domfoam International Inc. (“Domfoam”), Valle Foam Industries (1995) Inc. (“Valle Foam”), and A-Z Sponge & Foam Products Ltd., and non-defendants Bruce Bradley, Dean Brayiannis, Michael Cappuccino, Peter Foti, Duke Greenstein, John Howard, Dale McNeill, James William Sproule, Robert Rochietti-Valle, Tony Vallecoccia, and Fred Zickmantel. Plaintiffs’ motion is based

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<sup>1</sup> The Executive Committee comprises the following law firms: Bernstein Liebhard LLP; Grant & Eisenhofer P.A.; Hausfeld LLP; Pearson, Simon, Warshaw & Penny LLP; Robins, Kaplan, Miller, Ciresi LLP; Seeger Weiss LLP; Strange & Carpenter; and Weinstein Kitchenoff & Asher LLC.

upon Plaintiffs' Memorandum of Law in support of their motion and the exhibits attached thereto, filed concurrently with this Notice of Motion and Motion. A proposed order is attached.

DATED: April 22, 2013

Respectfully Submitted,

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*Direct Purchaser (Class) Plaintiffs' Interim Co-Lead Counsel*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 22, 2013, in accordance with Paragraphs 5 and 9 of the Initial Case Management Order entered January 20, 2011, the foregoing NOTICE OF MOTION AND MOTION FOR FINAL APPROVAL OF SETTLEMENT WITH DEFENDANT VITAFOAM AND FOR FINAL APPROVAL OF VOLUNTARY DISMISSAL AND SETTLEMENT WITH DEFENDANT DOMFOAM AND OTHERS; and the concurrently-filed MEMORANDUM IN SUPPORT OF DIRECT PURCHASERS' MOTION FOR FINAL APPROVAL OF THE VITAFOAM AND DOMFOAM SETTLEMENTS, and exhibits thereto, were filed electronically using the Court's ECF system, which will send notification of such filing to counsel of record.

/s/ Adam B. Wolfson

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