

# Aimmune Investors' \$27.5M Deal In Nestle Suit Gets Final OK

By **Emilie Ruscoe**

Law360 (July 21, 2025, 11:14 PM EDT) -- Investors in biopharmaceutical company Aimmune Therapeutics Inc. have gotten final approval for their \$27.5 million deal resolving claims the company was falsely undervalued before its merger with Nestlé Health Science SA.

In Friday filings in California federal court, U.S. District Judge Maxine M. Chesney found that the settlement agreement is "fair, reasonable, and adequate as to each of the settling parties" and granted a request for a third of the settlement fund, or roughly \$9.17 million, as an attorney fee for the investors' team of attorneys from Monteverde & Associates and Kahn Swick & Foti LLC. She also granted reimbursement of litigation costs of over \$325,000.

The judge **granted initial approval** of the settlement in February, after finding that, in light of the "hurdles and defenses the defendant was prepared to raise" as the case headed to trial, the "sum of money being offered appears to be fair."

The parties agreed to settle in November, weeks out from the date that had been set for trial. Their agreement ends claims that after Aimmune's merger with Nestlé Health Science was announced, the consideration offered to shareholders was inadequate and Aimmune misled investors with its statement to shareholders recommending merger approval.

The four years of litigation saw the claims survive three dismissal bids and the class receive certification.

The plaintiffs are represented by Juan E. Monteverde, Miles D. Schreiner, Jonathan T. Lerner and David E. Bower of Monteverde & Associates and Michael Palestina, Brian Mears and Gina Palermo of Kahn Swick & Foti LLC.

Aimmune Therapeutics is represented by Michele D. Johnson, Daniel Robert Gherardi, Gregory Garre, Kristin Nicole Murphy and Morgan Edwin Whitworth of Latham & Watkins LLP.

The case is In Re: Aimmune Therapeutics Inc. Securities Litigation, case number 3:20-cv-06733, in the U.S. District Court for the Northern District of California.

—Additional reporting by Bonnie Eslinger. Editing by Michael Watanabe.