

Notice of Class Certification: In re Broiler Chicken Antitrust litigation

Notice Administrator <Info@broilerchickenantitrustlitigation.com>

COURT-APPROVED LEGAL NOTICE

If you purchased raw Broiler chicken directly from a Broiler chicken producer for use or delivery in the United States from December 1, 2008 through July 31, 2019, a class action may affect your rights.

*Para una notificación en español, llame gratis al 1-866-552-1178
o visite nuestro website www.broilerchickenantitrustlitigation.com.*

The purpose of this notice is to inform you of your rights related to the class action lawsuit entitled *In re Broiler Chicken Antitrust Litigation*, N.D. Ill. Case No. 1:16-cv-08637, pending in the United States District Court for the Northern District of Illinois (the "Court").

On May 27, 2022, Judge Thomas M. Durkin issued an Order certifying a class of direct purchasers defined as: "All persons who purchased raw Broilers directly from any of the Defendants or their respective subsidiaries or affiliates either fresh or frozen, in the form of: whole birds (with or without giblets), whole cut-up birds, or parts (boneless or bone in) derived from the front half of the whole bird, for use or delivery in the United States from December 1, 2008 until July 31, 2019" (the "Certified Class").

The notice provides Class Members with an opportunity to opt out of the Certified Class defined above. If you exclude yourself from the Certified Class, you may not be able to recover any award from any future settlements or judgments obtained by the lawyers for the Class, if settlements or judgments occur. At this time, there is no claim form, plan of distribution, or Class Counsel fees or expenses to be addressed. The Certified Class does not affect the previous settlements reached in this litigation. The trial for the Certified Class is currently scheduled to start on September 11, 2023.

Defendants have not admitted any liability and continue to deny the legal claims alleged in this lawsuit. No additional settlements have been reached with the Non-Settling Defendants for which notice has not been previously provided. If there are any future settlements or judgments, you will receive an additional notice.

WHO IS INCLUDED?

The Certified Class is defined as:

All persons who purchased raw Broilers directly from any of the Defendants or their respective subsidiaries or affiliates either fresh or frozen, in the form of: whole birds (with or without giblets), whole cut-up birds, or parts (boneless or bone in) derived from the front half of the whole bird, for use or delivery in the United States from December 1, 2008 until July 31, 2019.

If you are a member of the Certified Class and do not exclude yourself, you may be eligible to participate in any additional settlements which may arise with the Non-Settling Defendants. If you are not sure you are included, you can get more information, including a detailed notice, at www.broilerchickenantitrustlitigation.com or by calling toll-free 1-866-552-1178.

WHAT IS THIS LAWSUIT ABOUT?

Plaintiffs allege that Defendants and their Co-Conspirators conspired to fix, raise, maintain, and stabilize the price of Broilers, beginning at least as early as January 1, 2008. Plaintiffs allege that Defendants implemented their conspiracy in various ways, including via coordinated supply restrictions, sharing competitively sensitive price and production information, and otherwise manipulating Broiler prices, with the intent and expected result of increasing prices of Broilers in the United States, in violation of federal antitrust laws. Defendants deny the violation and deny causing damages.

The Court previously gave final approval to settlements between the Plaintiffs and Tyson, Pilgrim's Pride, Fieldale Farms, Peco, George's, Mar-Jac, Harrison Poultry, and Amick. The Direct Purchaser Plaintiffs' case is proceeding against all other Defendants who have not settled the case, known as the "Non-Settling Defendants."

This notice is a class certification notice for the Non-Settling Defendants listed below:

"Non-Settling Defendants" refers to Koch Foods, Inc.; JCG Foods of Alabama, LLC; JCG Foods of Georgia, LLC; Koch Meat Co., Inc.; Perdue Farms, Inc.; Perdue Foods LLC; Sanderson Farms, Inc.; Sanderson Farms, Inc. (Foods Division); Sanderson Farms, Inc. (Production Division); Sanderson Farms, Inc. (Processing Division); Wayne Farms, LLC; Mountaire Farms, Inc.; Mountaire Farms, LLC; Mountaire Farms of Delaware, Inc.; Foster Farms, LLC; Foster Poultry Farms; House of Raeford Farms, Inc.; Simmons Foods, Inc.; Simmons Prepared Foods, Inc.; O.K. Foods, Inc.; O.K. Farms, Inc.; O.K. Industries, Inc.; Norman W. Fries, Inc. d/b/a Claxton Poultry Farms; Case Foods, Inc.; Case Farms, LLC; Case Farms Processing, Inc.; Agri Stats, Inc.;

If applicable, you may receive additional notices regarding the progress of the litigation and any resolution of claims against the Non-Settling Defendants. For more information on the Previous Settlements, please visit www.broilerchickenantitrustlitigation.com.

IS THERE A SETTLEMENT?

Beyond the eight Settlements referenced above, there are no additional settlements or judgments at this time. There is no guarantee that additional settlements will be reached or that a judgment in favor of Plaintiffs will be entered by the Court. Any claims filed or payments received related to prior settlements reached in this litigation are unaffected by the Court's Order regarding the Certified Class

The Court has appointed Lockridge Grindal Nauen P.L.L.P. and Pearson Warshaw, LLP as Co-Lead Counsel for the Certified Class. If you wish to remain a member of the Certified Class, you do not need to hire your own lawyer because Co-Lead Counsel is working on your behalf. However, you may enter an appearance through an attorney in this case if you so desire. If you wish to pursue your own case separate from this one, or if you exclude yourself from the Class, these lawyers will no longer represent you. You will need to hire your own lawyer if you wish to pursue your own lawsuit against Defendants.

For information related to the distribution of proceeds from the Previous Settling Defendants, please visit www.broilerchickenantitrustlitigation.com.

WHAT ARE YOUR RIGHTS AND OPTIONS?

You do not need to take any action to remain a member of the Certified Class and be bound by the Courts decisions. As a Certified Class member, you may be able to participate in future settlements or judgments obtained by Direct Purchaser Plaintiffs against the Non-Settling Defendants in the case, if any future settlements or judgments occur. If you do not want to remain a member of the Certified Class and you do not want to be legally bound by the terms of any potential settlements or judgments, or if you wish to pursue your own separate lawsuit against the Non-Settling Defendants, you must exclude yourself by submitting a written request to the Notice Administrator (postmarked or received by April 4, 2023) stating your intent to exclude yourself from the Certified Class (an "Exclusion Request"). The Court will exclude from the Certified Class any member who requests exclusion.

Your Exclusion Request must include the following: (a) your name and address; (b) a statement that you want to be excluded from the Direct Purchaser Certified Class in *In re Broiler Chicken Antitrust Litigation*; and (c) your signature. You must mail or email your Exclusion Request, postmarked or received by April 4, 2023, to: Broiler Chicken Direct Antitrust Litigation, Attn: EXCLUSIONS, c/o A.B. Data, Ltd., P.O. Box 173001, Milwaukee, WI 53217 or Info@broilerchickenantitrustlitigation.com.

Your rights and options relating to the Certified Class are set forth in the detailed notice, available on www.broilerchickenantitrustlitigation.com.

HOW DO I GET MORE INFORMATION?

This notice summarizes the Certified Class. More details are available on the website. You can find copies of the Order Certifying the Class, other important documents, and information about the current status of the litigation by visiting www.broilerchickenantitrustlitigation.com.

This notice is only a summary. You can find more details at www.broilerchickenantitrustlitigation.com or by calling toll-free 1-866-552-1178. Please do not contact the Court.

Broiler Chicken Antitrust Litigation
P.O. Box 173002
Milwaukee, WI 53217

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