

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS**

IN RE BROILER CHICKEN ANTITRUST  
LITIGATION

Case No.: 1:16-cv-08637

This Document Relates To:

**DECLARATION OF ERIC  
SCHACHTER UPDATE  
REGARDING CLAIMS PROCESS**

THE DIRECT PURCHASER PLAINTIFF  
ACTION

I, Eric Schachter, declare as follows:

1. I am a Senior Vice President with A.B. Data, Ltd. (“A.B. Data”). A.B. Data was selected by Direct Purchaser Plaintiffs as the Notice and Settlement Administrator in this matter and has completed numerous rounds of notice to Class members, including the recently completed Court-approved notice plan to inform Class members about the settlements with the HRF, Koch, Foster Farms, Perdue, Case, Claxton, Wayne Farms, Agri Stats, and Sanderson Farms. I am fully familiar with the facts contained herein based upon my personal knowledge, and if called as a witness, could and would testify competently thereto.

2. This Declaration describes the results of the claims administration process as initially outlined in the Declaration of Eric Schachter in Support of Direct Purchaser Plaintiffs’ Motion for Preliminary Approval of Settlements with Defendants Foster Farms, Purdue, Case, Claxton, Wayne Farms, Agri Stats, and Sanderson Farms, dated March 6, 2024 (ECF No. 7174) (the “Schachter Notice Plan Declaration”).

### **CLAIM REVIEW**

3. As described in the Schachter Notice Plan Declaration, Class Members who previously submitted a qualified claim did not need to submit another Claim Form to receive an additional payment from the Net Settlement Funds. Class Members who did not previously submit a qualified claim were able to submit a Claim Form to be considered for eligibility into the final distribution of the Net Settlement Fund. All Class Members were also able to review their known Broilers purchase records on the Settlement website. Any claimant who disagreed with or wished to supplement their known purchase information, who wanted to update their previous claim, or for whom no known purchase information was available, were able to submit a new claim with a Purchase Audit Request Form and provide supporting documents (if applicable) evidencing revised or additional purchases.

4. As of the date of this Declaration, there are a total of 439,370 claims to consider for payment (consisting of 1,221 claims paid in the initial distribution and newly submitted claims). Of these, 438,098 were determined to be not payable for the following reasons: 435,919 claims were submitted by non-direct purchasers and/or internet bots attempting to defraud the claims process; 462 claims were duplicative; 79 claims were submitted as placeholders but no substantive information was subsequently provided; 58 claims were withdrawn; 20 claims were rejected as incomplete; 32 claims were submitted on behalf of an excluded party; one claim was rejected due to not meeting the class definition; and 1,527 claims were verified to have zero dollars in approved purchases.

5. A total of 61 newly submitted valid claims that agreed with their known purchases totaling \$46,292,403,881.49 were received from Class Members who did not

submit a claim or participate in the previous distribution. A.B. Data also received an additional 22 claims from new claimants who either supplemented or adjusted their known purchases totaling \$4,012,553,663.36 in eligible purchases<sup>1</sup>.

6. Of the 1,221 claims previously paid, 32 claimants submitted a valid request for exclusion from the certified class and both of the current settlements and are thus ineligible to receive a payment from this distribution. The other 1,189 previously approved claims are eligible to receive an additional payment. Of these, 1,183 claims were not updated through this claims process and are now eligible totaling \$96,107,435,401.77 in purchases, and six claimants attempted to adjust or supplement their known purchases resulting in a total of \$2,003,288,358.28 in approved purchases.

7. A breakdown of the 1,272 valid and payable claims eligible for the final distribution of the Net Settlement Fund are as follows:

- (a) 1,189 claims from previously qualified claimants totaling \$98,110,723,760.05 in eligible purchases.
- (b) 61 claims from new claimants who agreed with their known purchases totaling \$46,292,403,881.49 in eligible purchases.
- (c) 22 claims from new claimants who either supplemented or adjusted their known purchases totaling \$4,012,553,663.36 in eligible purchases.

### **SUBMISSION REVIEW**

8. A.B. Data utilizes internal codes (“flags”) to identify and classify claims with deficiencies or that may be ineligible. For claims other than those accepting prepopulated

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<sup>1</sup> Of the 22 claims, 11 are currently in review and do not have final approved purchase amounts.

data, A.B. Data carefully reviews all submitted documents, such as invoices and structured transactional data. Appropriate flags were then assigned to claims and checked several times as the claims are processed. Claimants with Claim Forms or Audit Purchase Request forms with defects were given the opportunity to cure their claims and have the flags removed. If the claimant did not cure their claim, the claim (or the applicable portion of the claim) remained in rejected status and is not eligible to receive a payment from the Net Settlement Proceeds.

### **DEFICIENCY PROCESS**

9. After completing the initial review of the Claim Form and Purchase Audit Request Form submissions, A.B. Data sent letters via First-Class Mail to claimants and via email to third-party filers with deficient submissions (“deficiency letters”) and ineligible submissions (“ineligibility letters”). The deficiency letters provide the reasons why a claim or audit request is deficient, the steps, if any, and the timeframe in which the claimant needs to take to cure these deficiencies. The ineligibility letters provide the reasons why a claim was ineligible.

10. In addition, A.B. Data communicated with many claimants, via email and telephone, to respond to questions, explain why the submissions were deficient or ineligible, and requested the information required to cure deficiencies.

I declare under penalty of perjury that the foregoing is true and correct. Executed January 24, 2025, at Milwaukee, Wisconsin.

By: \_\_\_\_\_

Eric Schachter