

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

IN RE BROILER CHICKEN ANTITRUST
LITIGATION,

Case No.: 1:16-cv-08637

The Honorable Thomas M. Durkin

This Document Relates To:

THE DIRECT PURCHASER PLAINTIFF
ACTION

**DIRECT PURCHASER PLAINTIFFS' STATUS UPDATE
REGARDING CLAIMS PROCESS**

The Direct Purchaser Plaintiffs (“DPPs”) respectfully submit this status update to the Court regarding the previously approved notice program and claims process.

On March 15, 2024, this Court approved the notice plan and claims process to members of the Direct Purchaser Certified Class. *See* ECF No. 7179 (“Order”). The notice plan provided Class members with direct notice, as well as reasonable publication notice, and included information on (1) how to make a claim, (2) how to get more information, and (3) the relevant deadlines. *See id.*; *see also* ECF No. 7174 (proposed notice).

Following the Order, the Claims Administrator, A.B. Data, Ltd., implemented the notice plan and claims process, and notice was disseminated to the members of the Direct Purchaser Class on April 1, 2024. The notices indicated that Class members who submitted a qualified claim in the previous claims process were not required to take any additional steps to receive their *pro rata* portion of the net settlement proceeds. Those Class members who did not participate in the first claims process had the opportunity to submit a claim form via mail, email, or using the Settlement website. On the Settlement website all Class members were able to review their known Broilers

purchase records, based on Defendants' records and the previous claims process. Claimants who disagreed with or wished to supplement their known purchase information were able to do so by completing a Purchase Audit Request Form. *See* ECF No. 7174.

The deadline to submit a claim was June 1, 2024. ECF No. 7179. The Claims Administrator received and reviewed over 400,000 claims. This number is many times more than the number of known DPP class members, and the Claims Administrator determined that the majority of them either were fraudulent (generated by internet bots) or were indirect purchaser claims. Following an automated and manual review to identify duplicate and otherwise ineligible claims, and a manual review of thousands of pages of documentation and accompanying data files from claims that disagreed with or wished to supplement Defendants' purchase data, the Claims Administrator determined there are 1,272 claims preliminarily eligible to receive a payment from the Net Settlement Funds. *See* Declaration of Eric Schachter filed concurrently herewith, ¶¶ 4-7.

The Claims Administrator is now in the final stage of the claims review, verification, deficiency, and appeal process, and expects to complete a final claims report by March 1, 2025. While Co-Lead Class Counsel previously represented that motion for distribution could be filed by March 19, 2025, this Court's orders finally approving the Simmons, Koch, and House of Raeford settlements remain on appeal before the Seventh Circuit. The Simmons appeal was argued on September 17, 2024. Additionally, DPPs' Motion for Payment of Attorneys' Fees, Reimbursement of Litigation Expenses, and Class Representative Service Awards (ECF No. 7232) is pending before the Court. Therefore, DPPs do not intend to move to distribute the net settlement funds until the appeals are resolved and the fee, expense, and service award motion is decided.

Date: January 24, 2025

/s/ Michael H. Pearson

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