

COURT-APPROVED LEGAL NOTICE

If you purchased Broiler chicken directly from a Broiler chicken producer for use or delivery in the United States, a class action may affect your rights.

*Para una notificación en español, llame gratis al 1-877-888-9735
o visite nuestro website www.BroilerChickenAntitrustLitigation.com.*

Additional settlements – referred to in this notice as the New Settlements - have been reached in a class action antitrust lawsuit filed on behalf of Direct Purchaser Plaintiffs of Broiler Chicken. The new settlements are with Defendants House of Raeford Farms, Inc. (“HRF”); Koch Foods, Inc., JCG Foods of Alabama, LLC, JCG Foods of Georgia, LLC, and Koch Meat Co., Inc. (“Koch”); Foster Farms, LLC and Foster Poultry Farms LLC (“Foster Farms”); Perdue Farms, Inc. and Perdue Foods LLC (“Perdue”); Case Foods, Inc., Case Farms Processing, Inc., and Case Farms, LLC (“Case”); Norman W. Fries, Inc. d/b/a Claxton Poultry Farms (“Claxton”); Wayne Farms, LLC (“Wayne Farms”); Agri Stats, Inc. (“Agri Stats”); and Sanderson Farms, LLC (f/k/a Sanderson Farms, Inc.), Sanderson Farms Foods, LLC (f/k/a Sanderson Farms, Inc. (Foods Division)), Sanderson Farms Production, LLC (f/k/a Sanderson Farms, Inc. (Production Division)), and Sanderson Farms Processing, LLC (f/k/a Sanderson Farms, Inc. (Processing Division)) (“Sanderson Farms”) (collectively, “New Settling Defendants”). The United States District Court for the Northern District of Illinois authorized this notice, and it may affect your rights. Please review it carefully.

WHO IS INCLUDED?

Members of the Direct Purchaser Plaintiff Class (“DPP Class”) are 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.” Specifically excluded from the DPP Class are the Defendants; the officers, directors, or employees of any Defendant; any entity in which any Defendant has a controlling interest; and any affiliate, legal representative, heir, or assign of any Defendant. Also excluded from the DPP Class are any federal, state, or local governmental entities, any judicial officer presiding over this action and the members of his/her immediate family and judicial staff, any juror assigned to this action, and anyone who previously excluded themselves from the DPP Class. If you are not sure if you are included, you can get more information, including a detailed notice, at www.BroilerChickenAntitrustLitigation.com or by calling toll-free 1-877-888-9735.

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. The New Settling Defendants have not admitted any liability and deny the legal claims alleged in this lawsuit. Both sides agreed to the New Settlements to resolve the case. If the Court gives final approval to these New Settlements, it will resolve the litigation in full between the Plaintiffs and all Defendants.

You may have already received notices or correspondence related to this litigation and previous settlements in this case that were reached with Defendants Tyson Foods, Inc., Tyson Chicken, Inc., Tyson Breeders, Inc., and Tyson Poultry, Inc. (“Tyson”); Pilgrim’s Pride Corporation (“Pilgrim’s Pride”); Peco Foods, Inc. (“Peco”); George’s, Inc. and George’s Farms, Inc. (“George’s”); Amick Farms, LLC (“Amick”); Fieldale Farms Corporation (“Fieldale Farms”); Mar-Jac Poultry, Inc., Mar-Jac Poultry MS, LLC, Mar-Jac Poultry AL, LLC, Mar-Jac AL/MS, Inc., Mar-Jac Poultry, LLC, and Mar-Jac Holdings, Inc. (“Mar-Jac”); Harrison Poultry, Inc. (“Harrison Poultry”); Simmons Foods, Inc. and Simmons Prepared Foods, Inc. (“Simmons”)¹; Mountaire Farms Inc., Mountaire Farms of Delaware, Inc., and Mountaire Farms, LLC (“Mountaire”); and O.K. Foods, Inc., O.K. Farms, Inc., and O.K. Industries, Inc. (“O.K. Foods”). For more information on the previous settlements, please visit www.BroilerChickenAntitrustLitigation.com.

WHAT DO THE NEW SETTLEMENTS PROVIDE?

The New Settlements require HRF to pay \$27,500,000 and Koch to pay \$47,500,000 to benefit the DPP Class, in exchange for a release from liability. Unless you excluded yourself previously, you are bound by all Court orders and decision. The claims you release against HRF and Koch are detailed in the Settlement Agreements, available at www.BroilerChickenAntitrustLitigation.com.

Together with the amounts paid by the Previous Settling Defendants (Tyson \$79,340,000; Pilgrim’s Pride \$75,000,000; Peco \$4,964,600; George’s \$4,097,000; Amick \$3,950,000; Fieldale Farms \$2,250,000; Mar-Jac \$7,975,000; Harrison Poultry \$3,300,000; Simmons \$8,018,991; Mountaire \$15,899,826; and O.K. Foods \$4,856,333), the total monetary recovery in the Direct Purchaser Plaintiffs’ case is

¹ Certain Direct-Action Plaintiffs have appealed the settlement with Simmons. This appeal is currently pending and has not yet been resolved.

\$284,651,750 (the “Settlement Proceeds”). HRF and Koch also agreed to provide certain assistance to Direct Purchaser Plaintiffs.

Distribution payments from previous settlements with Fieldale, Amick, George’s, Peco, Pilgrim’s Pride, and Tyson are now complete. The remaining Settlement Proceeds are \$115,050,150. In an upcoming motion, Co-Lead Class Counsel will also request up to 33 1/3% of the settlement amounts in fees, litigation expenses (up to \$4 million), up to \$250,000 for ongoing and future litigation expenses, and service awards for the Class Representatives (up to \$15,000 per Class Representative) from the Mar Jac, Harrison Poultry, Simmons, Mountaire, O.K. Foods, HRF, and Koch settlement proceeds proportionally (*pro rata*). A copy of this motion will be available on the website. A portion of the HRF and Koch settlement proceeds has been and will be used for notice and administration costs.

The Court granted summary judgment in favor of Foster Farms, Perdue, Case, Claxton, Wayne Farms, and Agri Stats, and a jury returned a verdict in favor of Sanderson Farms. In the New Settlements, these Defendants will not recover any fees or costs against the DPP Class related to this action. Under the New Settlement with Agri Stats, DPP Class members can also receive free access to 6 months of price reporting services from Express Markets Inc. Because the DPP Class claims were disposed of as to Defendants Sanderson Farms, Foster Farms, Perdue, Case Farms, Claxton, Wayne Farms, and Agri Stats by the summary judgment order and the Sanderson Farms verdict, there is no separate release of claims for the settlements with these Defendants. Co-Lead Class Counsel will not request any litigation expenses or attorneys’ fees from these settlements.

Before any money is paid, the Court will hold a hearing to decide whether to approve the New Settlements and any objections and appeals will be resolved. All attorneys’ fees, costs, and other expenses approved by the Court will be deducted before the remaining Settlement Proceeds are paid to qualified claimants.

For information, please visit www.BroilerChickenAntitrustLitigation.com.

HOW CAN I GET A PAYMENT?

If you previously filed a claim and/or received a payment from the previous distribution, you will be automatically eligible to get a payment from the remaining Settlement Proceeds and **do not** need to submit another claim. You may submit additional information by **June 1, 2024**, to supplement your prior claim, but you are not required to do so. If you did not previously file a claim and did not exclude yourself from the DPP Class, you need to submit a claim form online at www.BroilerChickenAntitrustLitigation.com or by mail by **June 1, 2024**, to receive a payment from the remaining Settlement Proceeds. Payment amounts will depend on the number of valid claims and the proportional (or *pro rata*) amount of eligible broilers you purchased.

WHAT ARE YOUR RIGHTS AND OPTIONS?

If you are a DPP Class member and did not exclude yourself from the DPP Class, you can object to the New Settlements by **June 1, 2024**, if you don’t like part or all of the terms of these settlements. Regarding Co-Lead Class Counsel’s request for fees, litigation expenses, and service awards, DPP Class members and Mar Jac and Harrison Poultry Settlement Class members who have not excluded themselves may also object to this request. The Court will consider your views. The detailed notice, available on www.BroilerChickenAntitrustLitigation.com, explains how to object. The Court will hold a hearing in this case (*In re Broiler Chicken Antitrust Litigation*, Case No. 16-cv-08637) on **July 9, 2024**, to consider whether to approve the New Settlements. You may ask to speak at the hearing, but you don’t have to.

This notice is only a summary. You can find more details at www.BroilerChickenAntitrustLitigation.com or by calling toll-free 1-877-888-9735. Please do not contact the Court.