

**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

**ORDER GRANTING DIRECT PURCHASER PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF THE SETTLEMENTS WITH DEFENDANTS
PILGRIM'S PRIDE CORP., TYSON FOODS, INC., TYSON CHICKEN, INC., TYSON
BREEDERS, INC., AND TYSON POULTRY, INC.**

This Court has held a hearing on Direct Purchaser Plaintiffs' Motion for Preliminary Approval of the Settlements with Defendants Pilgrim's Pride Corp. ("Pilgrim's"), and Tyson Foods, Inc., Tyson Chicken, Inc., Tyson Breeders, Inc., and Tyson Poultry, Inc. (collectively, "Tyson") ("Motion"). Direct Purchaser Plaintiffs ("Plaintiffs") have entered into Settlement Agreements with Defendants Pilgrim's and Tyson (collectively, "Settlings Defendants"). The Court, having reviewed the Motion, its accompanying memorandum and the exhibits thereto, the Settlement Agreements, and the file, hereby **ORDERS AND ADJUDGES:**

Preliminary Approval of the Settlements and Certification of Settlement Class

1. This Court has jurisdiction over this action and each of the parties to the Settlement Agreements. Upon review of the record, the Court finds that the proposed Settlement Agreements, each of which was arrived at by arm's length negotiations by highly experienced counsel, falls within the range of possible approval and each one is hereby preliminarily approved, subject to further consideration at the Court's Fairness Hearing. The Court finds that the Settlement Agreements are preliminarily determined to be fair, reasonable, adequate, and in the best interests of the Settlement Class, raise no obvious reasons to doubt their fairness, and raise a reasonable basis for presuming that the Settlements and their terms satisfy the requirements of Federal Rules of Civil Procedure 23(c)(2) and 23(e) and due process so that notice of the Settlements should be given to the Settlement Class.

2. This Court certifies a Settlement Class defined as:

All persons who purchased Broilers directly from any of the Defendants or any co-conspirator identified in this action, or their respective subsidiaries or affiliates for use or delivery in the United States from at least as early as January 1, 2008 until December 20, 2019. Specifically excluded from the Settlement 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 this Settlement 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, and any juror assigned to this action.

3. The Court appoints the law firms of Lockridge Grindal Nauen P.L.L.P., and Pearson, Simon & Warshaw, LLP as Co-Lead Counsel for the Settlement Class.

Approval of the Notice Plan

4. The Court hereby directs notice to be distributed to the Settlement Class members pursuant to Federal Rule of Civil Procedure (“Rule”) 23(c)(2). JND Legal Administration is hereby appointed as Claims Administrator and ordered to effectuate the notice plan. US Bank is hereby appointed as the Escrow Agent for each Settlement.

5. The proposed notice plan set forth in the Motion and the supporting declarations comply with Rule 23(c)(2)(B) and due process as it constitutes the best notice that is practicable under the circumstances, including individual notice via mail and email to all members who can be identified through reasonable effort. The direct mail and email notice will be supported by reasonable publication notice to reach Settlement Class members who could not be individually identified.

6. The attached proposed notice documents: Long Form Notice (Exhibit “A”), Email Notice (Exhibit “B”), Summary Publication Notice (Exhibit “C”), Claim Form (Exhibit “D”), and Purchase Audit Request Form (Exhibit “E”), and their manner of transmission, comply with Rule 23(c)(2)(B) and due process because the notices and forms are reasonably calculated to adequately apprise Settlement Class members of (i) the nature of the action; (ii) the definition of the class certified; (iii) the class claims, issues, or defenses; (iv) that a Settlement Class member may enter an appearance through an attorney if the member so desires; (v) that the court will exclude from the Settlement Class any member who requests exclusion; (vi) the time and manner for requesting exclusion; and (vii) the binding effect of a class judgment on members under Rule 23(c)(3). Non-

substantive changes, such as typographical errors, can be made to the notice documents by agreement of the parties without leave of the Court.

Schedule for Class Notice and the Fairness Hearing

7. The Court hereby sets the below schedule for the dissemination of notice to the class, for Settlement Class members to object to or exclude themselves from the Settlements, timing for Co-Lead Counsel to bring a motion for disbursement, attorneys' fees, costs and incentive awards, if any, and for the Court's Fairness Hearing, at which time the Court will determine whether the Settlement Agreements should be finally approved as fair, reasonable, and adequate. This Court may order the Fairness Hearing to be postponed, adjourned, or continued. If that occurs, the updated hearing date shall be posted on the Settlement Website, but other than the website posting the Parties will not be required to provide any additional notice to Settlement Class members.

<u>DATE</u>	<u>EVENT</u>
1. March 16, 2021	Settlement Administrator to provide direct mail and email notice, and commence the publication notice plan.
2. April 16, 2021	Plaintiffs to file their Motion for Attorneys' Fees, Costs, and Service Awards.
3. May 17, 2021	Last day to request exclusion from the Settlement Class; and for Settlement Class members to file claims, challenge calculated purchase amounts, object to the Settlements; and file notices to appear at the Fairness Hearing.
4. June 15, 2021	Class Counsel shall file with the Court a list of all persons and entities who have timely and adequately requested exclusion from the Settlement Class.
5. June 15, 2021	Class Counsel shall file a motion for final approval of the Settlements and all supporting papers, and Class Counsel and the Settling Defendants may respond to any objections to the proposed Settlements.
6. June 29, 2021 at 9:00 a.m.	Final Settlement Fairness Hearing.

Other Provisions

8. Terms used in this Order that are defined in the Settlement Agreements are, unless otherwise defined herein, used as defined in the Settlement Agreements.

9. If either of the Settlement Agreements is not finally approved, then that Settlement Agreement and all proceedings in connection therewith shall be vacated, and shall be null and void, except insofar as expressly provided otherwise in that Settlement Agreement, and without prejudice to the *status quo ante* rights of Plaintiffs, the Settling Defendant, and the members of the Class. The parties shall also comply with any terms or provisions of the Settlement Agreements applicable to termination, rescission, or the Settlements otherwise not becoming Final.

IT IS SO ORDERED.

DATED: February 25, 2021



HON. THOMAS M. DURKIN

EXHIBIT A

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

**If you purchased Broiler chicken directly from
a Broiler Chicken Producer in the United States from
at least as early as January 1, 2008 through December 20, 2019,
you may be eligible for benefits from some class action settlements.**

A federal court authorized this notice. This is not a solicitation from a lawyer.

- Two more settlements have been reached in a class action antitrust lawsuit filed on behalf of Direct Purchaser Plaintiffs (“Plaintiffs”) of Broiler chicken. The two new settlements are with Defendants Tyson Foods, Inc., Tyson Chicken, Inc., Tyson Breeders, Inc., and Tyson Poultry, Inc. (collectively, “Tyson”) and Pilgrim’s Pride Corporation (“Pilgrim’s Pride”), collectively “New Settlements” with the “New Settling Defendants.” Previous settlements (the “Previous Settlements”) were filed on behalf of Plaintiffs with Defendants Peco Foods, Inc. (“Peco”), George’s, Inc. and George’s Farms, Inc. (collectively, “George’s”), Amick Farms, LLC (“Amick”), and Fieldale Farms Corporation (“Fieldale Farms”), collectively the “Previous Settling Defendants.” Together, the New Settling Defendants and Previous Settling Defendants are referred to as “Settling Defendants” and the Previous Settlements and the New Settlements are collectively referred to as the “Settlements.”
- The proposed New Settlements are with the New Settling Defendants only and do not dismiss claims against other Defendants. The settlements with the Previous Settling Defendants have been given final approval by the Court. Fourteen other Defendants remain in the case, and Plaintiffs’ lawsuit will continue against them in the case entitled *In re Broiler Chicken Antitrust Litigation*, N.D. Ill. Case No. 1:16-cv-08637.
- If approved by the Court, the New Settlements will resolve Plaintiffs’ claims that the New Settling Defendants conspired in restraint of trade, the purpose and effect of which were to suppress competition and to allow the New Settling Defendants and other Broiler chicken producers to charge supra-competitive prices for Broilers from January 1, 2008 through December 20, 2019 (the “Class Period”), in violation of federal law. New Settling Defendants have not admitted any liability concerning and continue to deny the legal claims alleged in this lawsuit. If approved, the New Settlements will avoid litigation costs and risks to Plaintiffs and the New Settling Defendants, and will release the New Settling Defendants from liability to the Plaintiffs that participate in the Settlement Class.
- The New Settlements require the New Settling Defendants to pay up to the following amounts to benefit the Direct Purchaser Plaintiff Class: Tyson \$80,000,000; and Pilgrim’s Pride \$75,000,000. Together with the amounts paid by the Previous Settling Defendants (Peco \$4,964,600; George’s \$4,097,000; Amick \$3,950,000, Fieldale Farms \$2,250,000), total settlements in the Direct Purchaser Plaintiffs’ case are \$170,261,600 (the “Settlement Proceeds”).
- This notice also informs you how to make a claim to receive money from the New Settlements and Previous Settlements.
- Your legal rights are affected whether you act or don’t act. Please read this notice carefully.

Questions? Read on and visit www.broilerchickenantitrustlitigation.com or call toll-free 1-866-552-1178.

Questions? Call the Settlement Administrator toll-free at 1-866-552-1178 or visit www.broilerchickenantitrustlitigation.com.

YOUR LEGAL RIGHTS AND OPTIONS FOR THE SETTLEMENTS	
FILE A CLAIM TO RECEIVE MONEY FROM THE SETTLEMENTS	<p>In order to receive money from the New Settlements and Previous Settlements you must submit a Claim Form by May 17, 2021. If you are confirmed to be a Class Member and file a valid Claim Form, you will be eligible to receive a payment from the Settlement Proceeds.</p> <p>Instructions for filing a claim are available in Question 11 of this notice, on the Claim Form, and at the settlement website www.broilerchickenantitrustlitigation.com.</p> <p>By participating as a Settlement Class member, you give up your rights to sue the New Settling Defendants about the claims that the New Settlements resolve.</p>
ASK TO BE EXCLUDED (“OPT OUT”) FROM THE NEW SETTLEMENTS	<p>You must submit a valid request for exclusion in order to remove yourself from the New Settlements with the New Settling Defendants and receive no payment from the New Settlements.</p> <p>You will keep your right to be part of any <i>other</i> lawsuit against the New Settling Defendants about the legal claims that the New Settlements resolve. Requests for exclusion must be postmarked by May 17, 2021.</p> <p>The deadline to request exclusion from the settlements with the Previous Settling Defendants has already passed.</p>
OBJECT TO THE NEW SETTLEMENTS	<p>You may write to the Court about why you don’t like the New Settlements with the New Settling Defendants. Objections must be postmarked by May 17, 2021. The deadline to object to the settlements with the Previous Settling Defendants has already passed.</p>
ATTEND THE FAIRNESS HEARING	<p>You may request to speak in Court about the fairness of the New Settlements by providing notice by May 17, 2021.</p>
DO NOTHING	<p>If you do not file a claim as described above and in Question 11, you will receive no payment from the Settlements with any of the Settling Defendants.</p> <p>If you do nothing regarding the New Settlements, you will give up your rights to sue the New Settling Defendants about the legal claims that the New Settlements resolve.</p>

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Questions? Call the Settlement Administrator toll-free at 1-866-552-1178 or visit www.broilerchickenantitrustlitigation.com.

BASIC INFORMATION

1. Why did I receive a notice?

All Defendants, including the Settling Defendants, produce Broiler chicken. Records from all Defendants show that you may have purchased Broiler chicken products directly from one or more Defendants and/or alleged Co-Conspirators for use and delivery in the United States between January 1, 2008 and December 20, 2019. The list of Defendants and alleged Co-Conspirators is in Question 2 below and in the operative Complaint.

The Court authorized this notice because you have a right to know about the proposed New Settlements, certain claims by Plaintiffs against the Settling Defendants in this class action lawsuit, and about your options before the Court decides whether to approve the proposed New Settlements. If the Court approves the New Settlements, and after objections and appeals are resolved, you will be bound by the judgment and terms of the New Settlements. This notice explains the lawsuit, the New Settlements, and your legal rights under the New Settlements and Previous Settlements.

2. What is this lawsuit about?

This class action, *In re Broiler Chicken Antitrust Litigation*, N.D. Ill. Case No. 1:16-cv-08637, is pending in the United States District Court for the Northern District of Illinois. U.S. District Court Judge Thomas M. Durkin presides over this class action.

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 Defendants and alleged Co-Conspirators named in Plaintiffs' Fifth Consolidated Amended Complaint are producers of Broiler chicken and Broiler chicken products in the United States. The Defendants and alleged Co-Conspirators include: Fieldale Farms Corporation; Koch Foods, Inc.; JCG Foods of Alabama, LLC; JCG Foods of Georgia, LLC; Koch Meat Co., Inc.; Tyson Foods, Inc.; Tyson Chicken, Inc.; Tyson Breeders, Inc.; Tyson Poultry, Inc.; Pilgrim's Pride Corporation; 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.; Peco Foods, Inc.; Foster Farms, LLC; Foster Poultry Farms; House of Raeford Farms, Inc.; Simmons Foods, Inc.; Simmons Prepared Foods, Inc.; George's, Inc.; George's Farms, Inc.; O.K. Foods, Inc.; O.K. Farms, Inc.; O.K. Industries, Inc.; Claxton Poultry Farms, Inc.; Norman W. Fries, Inc.; Harrison Poultry, Inc.; Mar-Jac Poultry, Inc.; Mar-Jac Poultry MS, LLC; Mar-Jac Poultry AL, LLC; Mar-Jac AL/MS, Inc.; Mar-Jac Poultry, LLC; Mar-Jac Holdings, LLC; Amick Farms, LLC; The Amick Company, Inc.; Amick-OSI Broilers, LLC; Amick-OSI Processing, LLC; Case Foods, Inc.; Case Farms, LLC; Case Farms Processing, Inc.; Agri Stats, Inc.; Keystone Foods, LLC; Keystone Foods Corporation; Equity Group Eufaula Division, LLC; Equity Group Kentucky Division LLC; Equity Group – Georgia Division LLC; Allen Harim USA, Ltd.; Allen Harim Foods, LLC; Allen Harim Farms, LLC; JCG Industries, Inc.; JCG Properties, Inc.; JCG Land Holdings, LLC; JCG Foods LLC; Koch Foods of Cumming LLC; Koch Foods of Gainesville LLC; JCG Farms of Georgia LLC; Koch Foods of Mississippi LLC; Koch Farms of Mississippi LLC; Koch Freezers LLC; Koch Properties of Mississippi LLC; Koch Foods of Alabama LLC; Koch Farms of Alabama LLC; JCG Farms of Alabama LLC; Koch Foods of Ashland LLC; Koch Farms of Ashland LLC; Koch Farms of Gadsden LLC; Koch Foods of Gadsden LLC; Koch Foods of Cincinnati LLC; Koch Foods LLC; Koch Farms LLC; Koch Farms of Chattanooga LLC; Koch Foods of Chattanooga LLC; Koch Foods of Morristown LLC; Koch Farms of Morristown LLC; Tyson Sales & Distribution, Inc.; Perdue Foods, Inc.; Harvestland Holdings, LLC; Perdue Food Products, Inc.; Perdue Farms, LLC; Perdue Farms Incorporated; WFSP Foods, LLC; George's Chicken, LLC; George's Family Farms, LLC; George's Foods, LLC; George's of Missouri, Inc.; George's Processing, Inc.; Peco Farms of Mississippi, LLC; PFS Distribution Company; Merit Provisions, LLC; GC Properties, LLC; Pilgrim's Pride of Nevada, Inc.; PPC Marketing, Ltd.; Pilgrim's Pride Corporation of West Virginia, Inc.; Foster International Trading Company, Inc.; Napoleon Poultry Supply, LLC; O.K. Broiler Farms Limited Partnership; House of Raeford Farms of Louisiana, LLC; Johnson Breeders, Inc.; Columbia Farms of Georgia, Inc.; Raeford Farms of Louisiana, LLC; and Columbia Farms, Inc.

Questions? Call the Settlement Administrator toll-free at 1-866-552-1178 or visit www.broilerchickenantitrustlitigation.com.

The Court previously gave final approval to settlements between the Plaintiffs and Fieldale Farms, Peco, George's and Amick. The Court has now preliminarily approved settlements with Tyson and Pilgrim's Pride. The Direct Purchaser Plaintiffs' case is proceeding against all other Defendants who have not settled the case. If applicable, you will receive a separate notice regarding the progress of the litigation and any resolution of claims against other Defendants.

The New Settling Defendants have not admitted any liability concerning and continue to deny the legal claims alleged in this lawsuit, and would allege numerous defenses to the Plaintiffs' claims if the case against them were to proceed. Nevertheless, the New Settling Defendants agreed to settle this action to avoid the further expense, inconvenience, disruption, and burden of this litigation and any other present or future litigation arising out of the facts that gave rise to this litigation, to avoid the risks inherent in uncertain complex litigation and trial, and thereby to put to rest this controversy.

3. What is a class action, and who is involved?

In a class action lawsuit, one or more people or businesses called class representatives sue on behalf of others who have similar claims, all of whom together are a "class." Individual Settlement Class members do not have to file a lawsuit to participate in the class action settlement, or be bound by the judgment in the class action. One court resolves the issues for everyone in the class, except for those who exclude themselves from the class.

4. Why are there settlements in this case?

The Court did not decide in favor either of Plaintiffs or the New Settling Defendants. Plaintiffs believe they may win at trial and possibly obtain a greater recovery. The New Settling Defendants believe they may win at trial and that Plaintiffs might recover nothing against them. But trials involve risks to both sides, and therefore Plaintiffs and the New Settling Defendants have agreed to settle the case. The New Settlements require the New Settling Defendants to pay money for the benefit of the Settlement Class members. Plaintiffs and their attorneys believe the New Settlements are in the best interests of all Settlement Class members.

5. What if you received previous communications regarding this lawsuit?

You already received notice regarding settlements with the Previous Settling Defendants. You are permitted to participate in the New Settlements with the New Settling Defendants regardless of whether you excluded yourself from the settlements with the Previous Settling Defendants. In order to receive money from the New Settlement and Previous Settlements you must submit a Claim Form by May 17, 2021.

You may have received other communications regarding this lawsuit, including solicitations by other attorneys seeking to represent you as a Direct Action Plaintiff in an individual lawsuit against Defendants. Contrary to what you may have been told in such solicitations, you do not need to opt out of this class action or file an individual lawsuit to protect your rights in this litigation. You also may have received solicitations from persons seeking to purchase your claim or represent you as a Class Member.

None of these communications has been approved by the Court and—unlike this notice—they did not come from Court-appointed Co-Lead Counsel for the Direct Purchaser Plaintiffs. You should carefully review this notice and your rights as a Settlement Class member before deciding whether to opt out or stay in the Class. In addition, you do not need to retain or pay anyone in order to receive the benefits provided to Class Members in this lawsuit. **You need only fill out the enclosed Claim Form to benefit.**

If you have questions about this litigation and your rights as a Settlement Class member, please contact Co-Lead Counsel, whose contact information is listed in Question 17 below.

THE SETTLEMENT CLASS

6. Am I part of the Settlement Class?

The Court decided that, for settlement purposes, Settlement Class members are defined as follows for all settlements except for the Fieldale Farms settlement:

All persons who purchased Broilers directly from any of the Defendants or any Co-Conspirator identified in this action, or their respective subsidiaries or affiliates, for use or delivery in the United States from at least as early as January 1, 2008 until December 20, 2019.

The class period for the Fieldale Farms settlement is January 1, 2008 through August 18, 2017.

If you satisfy these criteria, then you are a Settlement Class member, subject to the exceptions listed in Question 7 below.

While the New Settlements are only with the New Settling Defendants, the Settlement Class includes persons (including businesses and companies) who purchased Broiler chicken from *any* of the Defendants or their alleged Co-Conspirators. If you are a Settlement Class member and do not exclude yourself, you will be eligible to participate in the New Settlements.

7. Are there exceptions to being included in the Settlement Class?

Yes. Specifically excluded from this Settlement 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 this Settlement 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 any alleged Co-Conspirator identified in this action.

If you are in one of these categories, you are not a Settlement Class member and not eligible to participate in the New Settlements.

8. I'm still not sure if I'm included.

If you are still not sure if you are included, please review the detailed information contained in the Settlement Agreements, available at the settlement website, www.broilerchickenantitrustlitigation.com (the "Settlement Website"). You may also call the Settlement Administrator at 1-866-552-1178 or call or write to Co-Lead Counsel at the phone numbers or addresses listed in Question 17 below.

THE SETTLEMENT BENEFITS

9. What do the Settlements provide?

If the New Settlements are approved, the New Settling Defendants will pay up to the following amounts: Tyson will pay \$80,000,000, and Pilgrim's Pride will pay \$75,000,000. Of the Previous Settling Defendants, Peco has paid \$4,964,600, George's has paid \$4,097,000, Amick has paid \$3,950,000, and Fieldale Farms has paid \$2,250,000. Collectively, all Settlements to date provide up to \$170,261,600 in Settlement Proceeds.

A portion of the Settlement Proceeds has been and will be used by the Settlement Administrator for notice and administration costs. The Settlement Proceeds will also be used to pay attorneys' fees, litigation expenses, and incentive awards that the Court chooses to award. Plaintiffs and Co-Lead Counsel will file a motion by April 16, 2021, in which they will seek amounts not to exceed 33 $\frac{1}{3}$ % of the Settlement Proceeds in attorneys' fees, \$4.5 million in current and ongoing litigation expenses, and \$25,000 in service awards for each of the five Plaintiffs who are serving as Class Representatives. A copy of the motion for distribution of Settlement Proceeds and attorneys' fees, litigation expenses, and service awards will be available on the Settlement Website. The remainder of the Settlement Proceeds will be distributed to Settlement Class members who submit a timely and valid Claim Form and who have not excluded themselves from the Settlements on a pro rata basis pursuant to their Broiler purchases from January 1, 2008 through December 20, 2019.

Questions? Call the Settlement Administrator toll-free at 1-866-552-1178 or visit www.broilerchickenantitrustlitigation.com.

The New Settling Defendants will also cooperate with Plaintiffs including by providing information, making witnesses available at trial, authenticating documents in the litigation to be used against the remaining Defendants. The New Settlement amounts may be reduced based on the portion of Settlement Class members who exclude themselves from these New Settlements. This is explained in Section II.E.10.b of the New Settlement Agreements. Plaintiffs will report to the Court on the number of exclusions and final amount paid by New Settling Defendants in their motion for final approval of the New Settlements.

10. How much will my payment from the Settlements be?

To be eligible to receive a payment from the Settlements (New and Previous), you must complete and submit a timely Claim Form by May 17, 2021. The instructions for submitting a claim are set forth in the attached Claim Form and Question 11 below.

The amount received from the Settlements by a qualified claimant will be based on a number of factors, including the number of Settlement Class members who have validly excluded themselves from one or more of the Settlements and the amount of Broiler purchases by each participating Class Member from January 1, 2008 through December 20, 2019. No matter how many claims are filed, no money will be returned to the Settling Defendants once the Court has granted final approval of the Settlements and certifies the Settlement Class.

Payments from the Settlements will only be made to Class Members if the Court has granted final approval of the Settlements and any objections and appeals are resolved. In accordance with the Settlement Agreements, the combined Settlement Proceeds, minus Court-approved attorneys' fees and litigation expenses, any Class Representative Service Award approved by the Court, and Settlement Administration and notice expenses (the "Net Settlement Fund"), will be distributed to Class Members on a pro rata basis based on the amount of Broiler purchases by each participating Class Member. The distribution plan, as approved by the Court, will determine the amount, if any, that each Class Member will receive. The proposed distribution plan for the Settlements is to make a pro rata distribution to each qualifying Class Member based on the dollar value of approved purchases of Broilers per Settlement Class member during the Settlement Class Period.

HOW YOU GET A PAYMENT

11. How can I file a Claim to get a payment from the Settlements?

To be eligible to receive a payment from any of the Settlements, you must complete and submit a timely Claim Form by May 17, 2021. Submit your Claim Form online at www.broilerchickenantitrustlitigation.com, by May 17, 2021. Or fill out the Claim Form, and mail it to the address below, postmarked no later than May 17, 2021. If you do not submit a valid Claim Form by the deadline, you will not receive a payment from any of the Settlements, but you will be bound by the Court's judgment in these actions.

Your Claim Form is attached and is pre-populated to reflect the amount of your Broiler purchases from each Defendant and Co-Conspirator, based on a review of Defendants' records. You may use your personal Access Code listed on your Claim Form to log in at www.broilerchickenantitrustlitigation.com, where you can submit a claim, check the status of your claim, and review your purchase information electronically. You can accept the purchase amounts that are prepopulated or, if you disagree with those amounts, you can challenge them by completing the Purchase Audit Request form posted on the Settlement Website and providing supporting documentation. All revised Broiler purchaser amounts will be subject to a review process by the Settlement Administrator, Co-Lead Counsel, and ultimately the Court.

You can also request that a Claim Form be sent to you on the Settlement Website or by sending a written request to the Settlement Administrator by mail or by email:

Broiler Chicken Antitrust Litigation
c/o JND Legal Administration
PO Box 91343
Seattle, WA 98111
info@broilerchickenantitrustlitigation.com

If you received multiple Claim Forms, you must submit each one or take other steps to ensure that all of the purchases reflected in the Claim Forms are accounted for in your submission.

Questions? Call the Settlement Administrator toll-free at 1-866-552-1178 or visit www.broilerchickenantitrustlitigation.com.

If you have questions regarding your Claim Form or participating in the Settlements, contact Co-Lead Plaintiffs or the Settlement Administrator using the contact information set forth in Question 17 herein.

12. When will I get my payment from the Settlements?

Payments from the Settlements will not be distributed until the Court grants final approval of the New Settlements and any objections or appeals are resolved. It is uncertain whether and when any appeals will be resolved. Settlement updates will be provided on the Settlement Website at www.broilerchickenantitrustlitigation.com or may be obtained by contacting the Settlement Administrator by phone toll-free at 1-866-552-1178. Please be patient.

13. What am I giving up by staying in the Settlement Class?

Unless you exclude yourself from one or more of the New Settlements with Tyson and Pilgrim's, you are staying in the Settlement Class, which means that you can't sue, continue to sue, the New Settling Defendants about the claims that the New Settlements resolve through February 23, 2021. It also means that all Court orders will apply to you and legally bind you. The Released Claims, which go through February 23, 2021, are detailed in the Settlement Agreements, available at www.broilerchickenantitrustlitigation.com.

You are not releasing your claims against any Defendant other than Tyson and Pilgrim's Pride by staying in the Settlement Class. The deadline to request exclusion from the settlements with the Previous Settling Defendants has already passed.

Please be advised that the class period for the New Settlements is January 1, 2008 through December 20, 2019 and payments for participating Class Members will be distributed on a pro rata basis pursuant to their Broiler purchases from January 1, 2008 through December 20, 2019.

IF YOU DO NOTHING

14. What happens if I do nothing at all?

If you do nothing, you will not get a payment from the New Settlements or Previous Settlements. Unless you exclude yourself from the New Settlements, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the New Settling Defendants about the claims that the New Settlements resolve, ever again. The deadline to request exclusion from the settlements with the Previous Settling Defendants has already passed.

EXCLUDING YOURSELF FROM THE NEW SETTLEMENTS

15. How do I exclude myself from the New Settlements?

If you do not want the benefits offered by any of the New Settlements with the New Settling Defendants and you do not want to be legally bound by them, or if you wish to pursue your own separate lawsuit against the New Settling Defendants, you must exclude yourself by submitting a written request to the Settlement Administrator stating your intent to exclude yourself from the Settlement Class by May 17, 2021. You should state from which of the New Settlements (i.e., Tyson and/or Pilgrim's Pride) you want to exclude yourself. The deadline to request exclusion from the settlements with the Previous Settling Defendants has already passed.

Your Exclusion Request must include the following: (a) your name, including the name of your business which purchased Broiler chicken, and address; (b) a statement that you want to be excluded from the Settlement Class in *In re: Broiler Chicken Antitrust Litigation*; (c) which of the Settlement Agreements (i.e., Tyson and/or Pilgrim's Pride) you wish to be excluded from; and (d) your signature or your attorneys' signature. If you intend to exclude subsidiaries, affiliates, divisions, related or controlled entities, entities under common control, predecessors in interest, or any other related entity, such entities must be expressly identified by name and address in your request.

Additionally, if you intend to exclude claims that were assigned to you from another potential Settlement Class member, you must include the assignor's name; whether the assignor fully or partially assigned their Broiler chicken claims; the annual value of Broiler chicken purchases assigned, identified by Defendant or Co-Conspirator from whom the purchases

Questions? Call the Settlement Administrator toll-free at 1-866-552-1178 or visit www.broilerchickenantitrustlitigation.com.

were made; and a copy of the executed assignment agreement or a statement outlining the assignment signed by both the assignor and assignee.

You must mail or email your Exclusion Request, postmarked or emailed by May 17, 2021, to: Broiler Chicken Antitrust Litigation, c/o JND Legal Administration, PO Box 91343, Seattle, WA 98111 or info@broilerchickenantitrustlitigation.com.

16. If I don't exclude myself, can I sue the New Settling Defendants for the same thing later?

No. Unless you exclude yourself from one or more of the New Settlements (i.e., Tyson and/or Pilgrim's Pride), you give up the right to sue the New Settling Defendants for the claims that the New Settlements resolve. Thus, if you do not exclude yourself from any of the New Settlements with the New Settling Defendants, you give up the right to sue Tyson and/or Pilgrim's Pride for the same claims that their settlements resolve through February 23, 2021. If you have your own pending lawsuit against either of the New Settling Defendants, speak to your lawyer in that lawsuit immediately to determine whether you must exclude yourself from this Settlement Class to continue your own lawsuit against the New Settling Defendants.

By staying in the lawsuit, you are not releasing your claims in this case against any Defendant other than the New Settling Defendants through February 23, 2021. The deadline to request exclusion from the Previous Settlements with the Previous Settling Defendants has already passed.

OBJECTING TO THE NEW SETTLEMENTS

17. How do I tell the Court that I don't like the New Settlements?

If you are a Settlement Class Member and have not excluded yourself from the New Settlements, you can object to either of the New Settlements with the New Settling Defendants if you don't like part or all of them. The Court will consider your views.

To object, you must send a letter or other written statement saying that you object to the New Settlements with the New Settling Defendants in *In re: Broiler Chicken Antitrust Litigation*, state which of the New Settlements (i.e., Tyson and/or Pilgrim's Pride) you are objecting to, and the reasons why you object to the New Settlements. Be sure to include your full name, the name of your business that purchased Broiler chicken, current mailing address, and email address. Your objection must be signed. You may include or attach any documents that you would like the Court to consider. Do not send your written objection to the Court or the judge. Instead, mail the objection to the Settlement Administrator, Co-Lead Counsel, and Counsel for each Settling Defendant at the addresses listed below. Your objection must be postmarked no later than May 17, 2021. The deadline to object to the Previous Settlements with the Previous Settling Defendants has already passed.

Settlement Administrator	Plaintiffs' Co-Lead Counsel	Plaintiffs' Co-Lead Counsel
Broiler Chicken Antitrust Litigation c/o JND Legal Administration PO Box 91343 Seattle, WA 98111 (866) 552-1178	W. Joseph Bruckner Brian D. Clark Lockridge Grindal Nauen P.L.L.P. 100 Washington Ave. S., Ste. 2220 Minneapolis, MN 55401 (612) 339-6900	Clifford H. Pearson Bobby Pouya Pearson, Simon & Warshaw, LLP 15165 Ventura Blvd, Suite 400 Sherman Oaks, CA 91403 (818) 788-8300

Counsel for Defendant Tyson	Counsel for Defendant Pilgrim's Pride
Rachel J. Adcox Axinn, Veltrop & Harkrider LLP 950 F Street, N.W. 7th Floor Washington, DC 20004 (202) 912-4700	Carrie C. Mahan Weil, Gotshal & Manges LLP 2001 M Street NW, Suite 600 Washington, DC 20036 (202) 682-7231

Questions? Call the Settlement Administrator toll-free at 1-866-552-1178 or visit www.broilerchickenantitrustlitigation.com.

18. What is the difference between excluding myself and objecting?

Objecting is telling the Court that you do not like something about the New Settlements. You can object only if you do not exclude yourself from the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class or the lawsuit. If you exclude yourself, you have no standing to object because the case no longer affects you.

THE LAWYERS REPRESENTING YOU

19. Do I have a lawyer in this case?

The Court has appointed Lockridge Grindal Nauen P.L.L.P. and Pearson, Simon & Warshaw, LLP as Co-Lead Counsel on behalf of Plaintiffs and Settlement Class members. Their contact information is provided above in Question 17. If you wish to remain a Settlement Class member, you do not need to hire your own lawyer because Co-Lead Counsel are working on your behalf, but may do so at your own expense if you so choose.

If you wish to pursue your own case separate from this one, or if you exclude yourself from the Settlement Class, these lawyers will no longer represent you. You may need to hire your own lawyer if you wish to pursue your own lawsuit against the Settling Defendants.

20. How will the lawyers be paid?

You will not have to pay any attorneys' fees or costs out-of-pocket. Co-Lead Counsel will file a motion by April 16, 2021, in which they will seek amounts not to exceed 33⅓% of the Settlement Proceeds in attorneys' fees, and \$4.5 million in current and ongoing litigation expenses incurred in the prosecution of this case on behalf of the Settlement Class. A copy of the motion for attorneys' fees and litigation expenses will be available on the Settlement Website and on the Court docket. The Court will determine the amount of the attorneys' fees and litigation expenses that should be paid to Co-Lead Counsel in this case.

THE COURT'S FAIRNESS HEARING

21. When and where will the Court decide whether to approve the New Settlements?

The Court will hold a Fairness Hearing to decide whether to approve the New Settlements at 9:00 a.m. on June 29, 2021. The hearing may be held using telephone, video conference or other means approved by the Court, rather than in person. Notice of the manner in which the hearing will be conducted will be provided by the Court. Do not go to the Court in person unless there is notice that the hearing will be conducted in person. At this hearing, the Court will consider whether the New Settlements are fair, reasonable, and adequate, as well as Plaintiffs' motion for fees, litigation expenses, and service awards for the Class Representatives. If there are objections, the Court will consider them. You may attend and you may ask to speak, if you make a request as instructed in Question 23, but you don't have to. The Court will listen to people who have asked to speak at the hearing. After the hearing, the Court will decide whether to approve the New Settlements. We do not know how long the Court will take to decide. The date of the hearing may change without further notice to the Class, so please check the Settlement Website for updates.

22. Do I have to come to the hearing?

No. Co-Lead Counsel will answer any questions the Court may have. However, you are welcome to come at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

23. May I speak at the hearing?

You may ask to speak at the Fairness Hearing. To do so, you must send a letter saying that it is your "Notice of Intention to Appear in *In re: Broiler Chicken Antitrust Litigation*." Be sure to include your name, and the name of your business that purchased Broiler chicken, current mailing address, telephone number, and signature. Your Notice of Intention to

Questions? Call the Settlement Administrator toll-free at 1-866-552-1178 or visit www.broilerchickenantitrustlitigation.com.

Appear must be postmarked no later than May 17, 2021, and it must be sent to the Clerk of the Court, Co-Lead Counsel, and Defense Counsel. The address for the Clerk of the Court is: Clerk of the United States District Court, Dirksen Federal Building, 219 South Dearborn Street, Chicago, IL 60604. The addresses for Co-Lead Counsel and Defense Counsel are provided in Question 17. You cannot ask to speak at the hearing if you exclude yourself from the New Settlements.

GETTING MORE INFORMATION

24. How do I get more information about the New Settlements?

This notice summarizes the proposed New Settlements. More details are in the Settlement Agreements. You can find a copy of the Settlement Agreements, other important documents, and information about the current status of the litigation by visiting www.broilerchickenantitrustlitigation.com. You may contact the Settlement Administrator at info@broilerchickenantitrustlitigation.com or toll-free at 1-866-552-1178. You may also contact Co-Lead Counsel at the address, phone number, and email address provided in Question 17.

PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.

EXHIBIT B

Email Subject Line: Class Action Notice - Broiler Chicken Antitrust Litigation

YOUR ACCESS CODE: _____

If you purchased Broiler chicken directly from a Broiler Chicken Producer in the United States from at least as early as January 1, 2008 through December 20, 2019, you may be eligible for benefits from some class action settlements

Please Review This Notice Carefully. The Deadline to File a Claim, Request Exclusion, Object or Take Other Action is May 17, 2021

Two more settlements have been reached in a class action antitrust lawsuit filed on behalf of Direct Purchaser Plaintiffs (“Plaintiffs”) of Broiler chicken. The two new settlements are with Defendants Tyson Foods, Inc., Tyson Chicken, Inc., Tyson Breeders, Inc., and Tyson Poultry, Inc. (collectively, “Tyson”) and Pilgrim’s Pride Corporation (“Pilgrim’s Pride”), collectively “New Settlements” with the “New Settling Defendants.” Previous settlements (the “Previous Settlements”) were reached by Plaintiffs with Defendants Peco Foods, Inc. (“Peco”), George’s, Inc. and George’s Farms, Inc. (collectively, “George’s”), Amick Farms, LLC (“Amick”), and Fieldale Farms Corporation (“Fieldale Farms”), collectively the “Previous Settling Defendants.” Together the New Settling Defendants and Previous Settling Defendants are referred to as “Settling Defendants” and the Previous Settlements and the New Settlements are collectively referred to as the “Settlements.” The proposed New Settlements are with the New Settling Defendants only and do not dismiss claims against other Defendants.

WHO IS INCLUDED IN THE SETTLEMENTS? For all settlements except the Fieldale Farms settlement, Settlement Class members include: All persons who purchased Broilers directly from any of the Defendants or any co-conspirator identified in this action, or their respective subsidiaries or affiliates for use or delivery in the United States from at least as early as January 1, 2008 until December 20, 2019. The class period for the Fieldale Farms settlement is January 1, 2008 through August 18, 2017.

Specifically excluded from the Settlement 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 this Settlement 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, and any juror assigned to this action.

WHAT IS THIS CASE 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 Settling Defendants have not admitted any liability concerning and continue to deny the legal claims alleged. The Court did not decide which side was right, but both sides agreed to the Settlements to resolve the case. The case is still proceeding on behalf of the Direct Purchase Plaintiffs against all *other* Defendants who have not settled with the Plaintiffs.

WHAT DO THE SETTLEMENTS PROVIDE? The New Settlements require the New Settling Defendants to pay up to the following amounts to the Settlement Class: Tyson \$80,000,000; and Pilgrim’s \$75,000,000. Together, with the amounts paid by the Previous Settling Defendants (Peco \$4,964,600; George’s \$4,097,000; Amick \$3,950,000, Fieldale Farms \$2,250,000), total settlements in the Direct Purchaser Plaintiffs’ case are

\$170,261,600 (the “Settlement Proceeds”).

A portion of the Settlement Proceeds has been and will be used by the Settlement Administrator for notice and administration costs. Co-Lead Counsel will file a motion seeking amounts not to exceed 33⅓% of the Settlement Proceeds in attorneys’ fees, \$4.5 million in current and ongoing litigation expenses, and \$25,000 in service awards for each of the five Direct Purchaser Plaintiffs who are serving as Class Representatives. The remainder of the Settlement Proceeds will be distributed on a pro rata basis to Settlement Class members who submit a timely and valid Claim Form and who have not excluded themselves from the Settlements.

HOW DO YOU RECEIVE MONEY FROM THE SETTLEMENTS? In order to receive money from the Settlements you must submit a Claim Form by **May 17, 2021**. Go to **www.broilerchickenantitrustlitigation.com** to file a Claim Form online for payment. Your Claim Form is pre-populated to reflect the amount of your Broiler purchases from each Defendant and Co-Conspirator, based on a review of their records. You can access your pre-populated Claim Form using your personal Access Code listed above. You may have also received a pre-printed Claim Form in the mail. You can also request that a Claim Form be sent to you through the Settlement Website or by sending a written request to the Settlement Administrator by mail or by email: Broiler Chicken Antitrust Litigation, c/o JND Legal Administration, PO Box 91343, Seattle, WA 98111 or info@broilerchickenantitrustlitigation.com.

WHAT ARE MY OTHER OPTIONS? If you do not request exclusion from the class, you will be bound by the New Settlements. If you want to keep your right to sue or continue to sue the New Settling Defendants about the legal claims in this case, you must exclude yourself by **May 17, 2021**. If you stay in the New Settlements, you may object by **May 17, 2021**. Go to **www.broilerchickenantitrustlitigation.com** for details on how to exclude yourself or object. The deadline to request exclusion from or object to the settlements with the Previous Settling Defendants has already passed.

The Court will hold a Final Approval hearing in this case (*In re Broiler Chicken Antitrust Litigation*, Case No. 16-cv-08637) on **June 29, 2021 at 9:00 a.m.** At this hearing, the Court will consider whether the New Settlements are fair, reasonable, and adequate, as well as Plaintiffs’ motion for distribution of the Settlement Proceeds and attorneys’ fees, litigation expenses, and service awards for the Class Representatives. The hearing may be held using telephone, video conference or other means approved by the Court. You or your attorney may ask to speak at the hearing at your own expense, but you don’t have to. The date of the hearing may change, so please check the Settlement Website for updates.

This notice is only a summary. For more information, go to www.broilerchickenantitrustlitigation.com or call toll-free 1-866-552-1178. You should also review the detailed notice that was mailed to you. Please do not contact the Court.

To unsubscribe, please click on the following link: [unsubscribe](#)

EXHIBIT C

COURT-APPROVED LEGAL NOTICE

If you purchased Broiler chicken directly from a Broiler Chicken Producer in the United States from at least as early as January 1, 2008 through December 20, 2019, you may be eligible for benefits from some class action settlements

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

Two more settlements have been reached in a class action antitrust lawsuit filed on behalf of Direct Purchaser Plaintiffs (“Plaintiffs”) of Broiler chicken. The two new settlements are with Defendants Tyson Poultry, Inc. (“Tyson”) and Pilgrim’s Pride Corporation (“Pilgrim’s Pride”), collectively “New Settlements” with the “New Settling Defendants.” Previous settlements (the “Previous Settlements”) were reached by Plaintiffs with Defendants Peco Foods, Inc. (“Peco”), George’s, Inc. and George’s Farms, Inc. (collectively, “George’s”), Amick Farms, LLC (“Amick”), and Fieldale Farms Corporation (“Fieldale Farms”), collectively the “Previous Settling Defendants.” Together the New Settling Defendants and Previous Settling Defendants are referred to as “Settling Defendants” and the Previous Settlements and the New Settlements are collectively referred to as the “Settlements.” The proposed New Settlements are with the New Settling Defendants only and do not dismiss claims against other Defendants. The Court has appointed Lockridge Grindal Nauen P.L.L.P. and Pearson, Simon & Warshaw, LLP as Co-Lead Counsel on behalf of Plaintiffs and Class Members.

WHO IS INCLUDED IN THE SETTLEMENTS?

For all settlements except the Fieldale Farms settlement, Class Members include all persons (including businesses and companies) who purchased Broiler chicken directly from any of the Defendants or their Co-Conspirators, or their respective subsidiaries or affiliates, for use or delivery in the United States from at least as early as January 1, 2008 until December 20, 2019. The class period for the Fieldale Farms settlement is January 1, 2008 through August 18, 2017. If you are not sure you are included, go to the Settlement Website, www.broilerchickenantitrustlitigation.com or call toll-free 1-866-552-1178.

Specifically excluded from the Settlement 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 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 any Co-Conspirator identified in this action.

WHAT IS THIS CASE ABOUT?

The lawsuit claims that the Settling Defendants combined and conspired in restraint of trade, the purpose and effect of which were to suppress competition and allow them and other Broiler chicken producers to charge supra-competitive prices for Broilers during the class period, in violation of federal law. The Settling Defendants have not admitted any liability concerning and continue to deny the legal claims alleged in this lawsuit. The Court did not decide which side was right, but both sides agreed to the Settlements to resolve the case. The case is still proceeding on behalf of the Plaintiffs against all *other* Defendants who have not settled with the Plaintiffs.

WHAT DO THE SETTLEMENTS PROVIDE?

The New Settlements require the New Settling Defendants to pay up to the following amounts to the Direct Purchaser Plaintiff Class: Tyson \$80,000,000; and Pilgrim’s Pride \$75,000,000. Together with the amounts paid by the Previous Settling Defendants (Peco \$4,964,600; George’s \$4,097,000; Amick \$3,950,000, Fieldale Farms \$2,250,000), total settlements in the Direct Purchaser Plaintiffs’ case are \$170,261,600 (the “Settlement Proceeds”).

A portion of the Settlement Proceeds has been and will be used by the Settlement Administrator for notice and administration costs, attorneys’ fees/litigation expenses, and incentive awards. Plaintiffs and Co-Lead Counsel will file a motion seeking amounts not to exceed 33⅓% of the Settlement Proceeds in attorneys’ fees, \$4.5 million in current and ongoing costs, and \$25,000 in service awards for each of the five Plaintiffs who are serving as Class Representatives. The remainder of the Settlement Proceeds will be distributed on a pro rata basis to Class Members who submit a timely and valid Claim Form and who have not excluded themselves from the Settlements.

HOW DO YOU RECEIVE MONEY FROM THE SETTLEMENTS?

In order to receive money from the Settlements you must submit a Claim Form by **May 17, 2021**. Go to www.broilerchickenantitrustlitigation.com to file a Claim Form for payment. You can also request that a Claim Form be sent to you through the Settlement Website or by sending a written request to the Settlement Administrator by mail or by email: Broiler Chicken Antitrust Litigation, c/o JND Legal Administration, PO Box 91343, Seattle, WA 98111 or info@broilerchickenantitrustlitigation.com.

WHAT ARE MY OTHER OPTIONS?

If you do not request exclusion from the class, you will be bound by the New Settlements. If you want to keep your right to sue or continue to sue the New Settling Defendants about the legal claims in this case, you must exclude yourself by **May 17, 2021**. If you stay in the New Settlements, you may object by **May 17, 2021**. Go to www.broilerchickenantitrustlitigation.com for details on how to exclude yourself or object. The deadline to request exclusion from or object to the settlements with the Previous Settling Defendants has already passed. The Court will hold a hearing in this case (*In re: Broiler Chicken Antitrust Litigation*, Case No. 16-cv-08637) on **June 29, 2021 at 9:00 a.m.** At this hearing, the Court will consider whether the New Settlements are fair, reasonable, and adequate, as well as Plaintiffs' motion for fees, costs, and service awards for the Class Representatives. The hearing may be held using telephone, video conference or other means approved by the Court. You or your attorney may ask to speak at the hearing at your own expense, but you don't have to. The date of the hearing may change, so please check the Settlement Website for updates.

This notice is only a summary. For more information, go to www.broilerchickenantitrustlitigation.com or call toll-free 1-866-552-1178. Please do not contact the Court.

EXHIBIT D

Broiler Chicken Antitrust Settlements
c/o JND Legal Administration
PO Box 91343, Seattle WA 98111
www.broilerchickenantitrustlitigation.com

<<NAME>>
<<C/O>>
<<ADDRESS 1>>
<<ADDRESS2>>
<<CITY>>, <<STATE>> <<ZIP>>
<<COUNTRY>>

[BARCODE]

CLAIMANT NUMBER: _____

YOUR ACCESS CODE: _____

DIRECT PURCHASER ANTITRUST CLAIM FORM

Our records indicate you may be a member of the Settlement Class in this action for the settlements with Defendants Tyson, Pilgrim’s Pride, Peco, George’s, Amick and Fieldale Farms (collectively, the “Settlements”). The Settlement Class for all settlements except for the Fieldale Farms settlement is defined as “all persons who purchased Broilers directly from any of the Defendants or any co-conspirator identified in the action, or their respective subsidiaries or affiliates, for use or delivery in the United States from at least as early as January 1, 2008 until December 20, 2019.” The Fieldale Farms settlement class has a class period of January 1, 2008 through August 18, 2017.

You must submit this Claim Form to the mailing address listed at the top of this form or on the settlement website www.broilerchickenantitrustlitigation.com by _____, 2021 in order to participate in any settlement benefits available to class members. You will not be eligible to file a claim and receive settlement proceeds for any Settlement you have opted out of.

You may use your personal Access Code listed at the top of this page to log in at www.broilerchickenantitrustlitigation.com, where you can submit a claim, check the status of your claim, and review your purchase information electronically. If your organization received more than one notice, you only need to file one claim form for each Claimant Number and Access Code listed at the top of this page.

Review your purchase information

The total award amount you receive will be calculated based on the purchase information from the Defendants’ records.

The Defendants’ records indicate that your total purchase amount is \$_____ from January 1, 2008 through December 20, 2019. The details concerning the amount of your qualifying purchases are set forth on pages 2 and 3.



If you agree with the purchase information listed on pages 2 and 3, you simply need to complete the Claimant Information below and affirm and sign the attestation on page 4, and submit it by _____ (postmarked or submitted online).

If you do not agree with the purchase information on page 2 and 3, you may complete the Purchase Audit Request form posted on the settlement website and submit it with your Claim Form.

Broiler Chicken Antitrust Settlements

c/o JND Legal Administration

PO Box 91343, Seattle WA 98111

www.broilerchickenantitrustlitigation.com

[BARCODE]

CLAIMANT NUMBER: _____

YOUR ACCESS CODE: _____

PURCHASE INFORMATION

DEFENDANT/ CO-CONSPIRATOR	2008	2009	2010	2011	2012	2013
Allen Harim						
Amick Farms						
Case Farms						
Claxton Poultry						
Fieldale Farms						
Foster Farms						
George's						
Harrison Poultry						
House of Raeford						
Keystone Foods						
Koch Foods						
Mar-Jac Poultry						
Mountaire						
O.K. Foods						
Peco Foods						
Perdue						
Pilgrim's Pride						
Sanderson Farms						
Simmons Foods						
Tyson						
Wayne Farms, LLC						

Broiler Chicken Antitrust Settlements
 c/o JND Legal Administration
 PO Box 91343, Seattle WA 98111
 www.broilerchickenantitrustlitigation.com

DEFENDANT/ CO-CONSPIRATOR	2014	2015	2016	2017 (1/1 - 8/18)	2017 (8/19 - 12/31)	2018	2019 (1/1 - 12/20)
Allen Harim							
Amick Farms							
Case Farms							
Claxton Poultry							
Fieldale Farms							
Foster Farms							
George's							
Harrison Poultry							
House of Raeford							
Keystone Foods							
Koch Foods							
Mar-Jac Poultry							
Mountaire							
O.K. Foods							
Peco Foods							
Perdue							
Pilgrim's Pride							
Sanderson Farms							
Simmons Foods							
Tyson							
Wayne Farms, LLC							

Total Purchase Amount \$ _____



If you agree with the purchase information listed on pages 2 and 3, you simply need to complete the Claimant Information and affirm and sign the attestation on page 4, and submit it by _____ (postmarked or submitted online).

If you do not agree with the purchase information on page 2 and 3, you may complete the Purchase Audit Request form posted on the settlement website and submit it with your Claim Form.

Broiler Chicken Antitrust Settlements

[BARCODE]

c/o JND Legal Administration
PO Box 91343, Seattle WA 98111

www.broilerchickenantitrustlitigation.com

CLAIMANT NUMBER: _____

YOUR ACCESS CODE: _____

DIRECT PURCHASER ANTITRUST CLAIM FORM

If you **agree** with the purchase information on pages 2 and 3, please complete the Claimant Information below and submit it by _____ (postmarked or submitted online) to the Settlement Administrator at the address listed above.

If you do **not agree** with the purchase information listed on pages 2 and 3, please complete the Claimant Information below, as well as the **Purchase Audit Request form posted on the settlement website, www.broilerchickenantitrustlitigation.com** and submit them by _____ (postmarked or submitted online) to the Settlement Administrator at the address listed above, along with additional documentation to support your claim (e.g., invoices, purchase information, etc.).

<u>CLAIMANT INFORMATION</u>			
<u>CONTACT NAME:</u>	First	M.I.	Last
<u>COMPANY NAME:</u>	Company Name		
<u>CURRENT MAILING ADDRESS:</u>	Address 1		
	Address 2		
	City		
	State/Province		
	Postal Code	Country	
<u>CONTACT TELEPHONE:</u>	_ _ _ _ - _ _ _ _ _ - _ _ _ _ _		
<u>CONTACT EMAIL ADDRESS:</u>			

By signing below I/we certify that (1) the above and foregoing information is true and correct; (2) I warrant that I am duly authorized and have the legal capacity to sign this Claim Form on behalf of the direct purchaser entity; (3) I/we are not officers, directors or employees of any Defendant; any entity in which any Defendant has a controlling interest; an affiliate, legal representative, heir, or assign of any Defendant, or a federal, state, or local governmental entity; and (4) I/we agree to submit additional information, if requested, in order for the Settlement Administrator to process my/our claim.

Signature: _____ Date: _____

Printed Full Name (First, Middle, and Last): _____

Title: _____

EXHIBIT E

Broiler Chicken Antitrust Settlements
 c/o JND Legal Administration
 PO Box 91343, Seattle WA 98111
 www.broilerchickenantitrustlitigation.com

CLAIMANT NUMBER (printed on your Claim Form): _____

DIRECT PURCHASER ANTITRUST PURCHASE AUDIT REQUEST FORM

Please use this form if you do not agree with the purchase information pre-printed on pages 2 and 3 of your Claim Form and you would like to have that information audited. Please fill out your contact information below and provide annualized purchase information on pages 2 and 3.

You must submit this Purchase Audit Request Form to the mailing address listed at the top of this form or on the settlement website, www.broilerchickenantitrustlitigation.com, along with your Claim Form, by _____, 2021.

<u>CLAIMANT INFORMATION</u>			
<u>CONTACT NAME:</u>	First	M.I.	Last
<u>COMPANY NAME:</u>	Company Name		
<u>CURRENT MAILING ADDRESS:</u>	Address 1		
	Address 2		
	City		
	State/Province		
	Postal Code	Country	
<u>CONTACT TELEPHONE:</u>	_ _ _ _ - _ _ _ _ _ - _ _ _ _ _		
<u>CONTACT EMAIL ADDRESS:</u>			

If you do not agree with the purchase information provided on pages 2 and 3 of the Claim Form, you must complete the purchase information tables on pages 2 and 3 of this form with all purchase information to which you believe you are entitled. This form must reflect ALL of the purchases from the Defendants and alleged Co-Conspirators that you are claiming during the relevant time periods. You may not seek Settlement Proceeds with respect to any Settlement from which you have opted out.

You must submit this form along with your Claim Form by _____, 2021 (postmarked or submitted online) to the Settlement Administrator at the address listed above, along with additional documentation to support your dispute (e.g., invoices, purchase information, etc.).

Broiler Chicken Antitrust Settlements
c/o JND Legal Administration
PO Box 91343, Seattle WA 98111
www.broilerchickenantitrustlitigation.com

PURCHASE INFORMATION

DEFENDANT/ CO-CONSPIRATOR	2008	2009	2010	2011	2012	2013
Allen Harim						
Amick Farms						
Case Farms						
Claxton Poultry						
Fieldale Farms						
Foster Farms						
George's						
Harrison Poultry						
House of Raeford						
Keystone Foods						
Koch Foods						
Mar-Jac Poultry						
Mountaire						
O.K. Foods						
Peco Foods						
Perdue						
Pilgrim's Pride						
Sanderson Farms						
Simmons Foods						
Tyson						
Wayne Farms, LLC						

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DEFENDANT/ CO-CONSPIRATOR	2014	2015	2016	2017 (1/1 - 8/18)	2017 (8/19 - 12/31)	2018	2019 (1/1 - 12/20)
Allen Harim							
Amick Farms							
Case Farms							
Claxton Poultry							
Fieldale Farms							
Foster Farms							
George's							
Harrison Poultry							
House of Raeford							
Keystone Foods							
Koch Foods							
Mar-Jac Poultry							
Mountaire							
O.K. Foods							
Peco Foods							
Perdue							
Pilgrim's Pride							
Sanderson Farms							
Simmons Foods							
Tyson							
Wayne Farms, LLC							

By signing below I/we certify that (1) the above and foregoing information is true and correct; (2) I warrant that I am duly authorized and have the legal capacity to sign this Purchase Audit Request Form on behalf of the direct purchaser entity; (3) I/we are not officers, directors or employees of any Defendant; any entity in which any Defendant has a controlling interest; an affiliate, legal representative, heir, or assign of any Defendant, or a federal, state, or local governmental entity; and (4) I/we agree to submit additional information, if requested, in order for the Settlement Administrator to process my/our claim and audit request.

Signature: _____ Date: _____

Printed Full Name (First, Middle, and Last): _____

Title: _____

QUESTIONS? CALL 1-866-552-1178 TOLL FREE OR VISIT WWW.BROILERCHICKENANTITRUSTLITIGATION.COM