

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

<p>IN RE CATTLE ANTITRUST LITIGATION</p> <p>This document relates to:</p> <p>ALL CASES</p>	<p>Case No. 19-cv-1222 (JRT/HB)</p>
<p>KENNETH PETERSON, et al.</p> <p style="text-align: right;">Plaintiffs,</p> <p>v.</p> <p>JBS USA FOOD COMPANY HOLDINGS, et al.</p> <p style="text-align: right;">Defendants.</p>	<p>Case No. 19-cv-1129 (JRT/HB)</p>
<p>IN RE DPP BEEF LITIGATION</p> <p>This document applies to:</p> <p>ALL CASES</p>	<p>Case No. 20-cv-1319 (JRT/HB)</p>
<p>ERBERT & GERBERT’S, INC.</p> <p style="text-align: right;">Plaintiff,</p> <p>v.</p> <p>JBS USA FOOD COMPANY HOLDINGS, et al.,</p> <p style="text-align: right;">Defendants.</p>	<p>Case No. 20-cv-1414 (JRT/HB)</p>

DEFENDANTS’ JOINT MOTION TO DISMISS

Pursuant to Rule 12 of the Federal Rules of Civil Procedure, Defendants hereby jointly move the Court for an order dismissing with prejudice the most recently amended complaints in the above-captioned actions:

- The Third Consolidated Amended Class Action Complaint, *In re Cattle Antitrust Litigation*, Case No. 19-cv-1222 (JRT/HB), ECF No. 312;
- The Consumer Indirect Purchaser Plaintiffs' Corrected Third Amended Class Action Complaint, *Peterson, et al., v. JBS S.A., et al.*, Case No. 19-cv-1129 (JRT/HB), ECF No. 256;
- The Direct Purchaser Plaintiffs' Corrected Consolidated Amended Class Action Complaint, *In re DPP Beef Litigation*, Case No. 20-cv-1319 (JRT/HB), ECF No. 158; and
- The Corrected Amended Class Action Complaint, *Erbert & Gerbert's, Inc. v. Cargill, Incorporated, et al.*, Case No. 20-cv-1414 (JRT/HB), ECF No. 125.

The motion is supported by the Memorandum of Law in Support of Defendants' Joint Motion to Dismiss the Federal Claims, the State Law Memorandum in Support of Defendants' Joint Motion to Dismiss Class Action Complaints in All Cases, and all of the files, records, and proceedings herein.

Date: February 18, 2021

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