

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

In Re Broiler Chicken Antitrust Litigation,
Case No: 16-cv-08637

CHICK-FIL-A, INC.,

Plaintiffs,

v.

TYSON FOODS, INC., *et al.*,

Defendants.

Case No. 20-cv-7205

Judge Thomas M. Durkin
Magistrate Judge Jeffrey T. Gilbert

STIPULATED ORDER FOR DISMISSAL WITH PREJUDICE

WHEREAS, Chick-fil-A, Inc. (referred to herein as “CFA”) and Defendants Tyson Foods, Inc., Tyson Chicken, Inc., Tyson Breeders, Inc., Tyson Poultry, Inc., Keystone Foods LLC, Keystone Foods Corporation, Equity Group Eufaula Division, LLC, Equity Group Kentucky Division LLC, Equity Group – Georgia Division LLC, and all of their predecessors; successors; assigns; and Affiliates (as defined in the Settlement Agreement) (collectively referred to herein as “Tyson”) have agreed to resolve CFA’s claims against Tyson.

WHEREAS, Tyson has received conditional leniency from the Antitrust Division of the U.S. Department of Justice with regard to conduct underlying the criminal antitrust charges against

certain suppliers and their executives in the cases captioned *United States v. Penn et al.*; *United States v. Pilgrim’s Pride Corp.*; *United States v. Norman W. Fries, Inc. et al.*, and *United States v. McGuire, et al.* (“Criminal Investigation”);

WHEREAS, Tyson, as the leniency recipient, has provided and will continue to provide timely, fulsome, and satisfactory ongoing cooperation to CFA with regard to those claims by CFA that arise from the Criminal Investigation, including, but not limited to, claims arising from conduct related to Tyson’s sales of Broiler Chicken Products to CFA from 2012-2019 (“Bid-Rigging Claims”) within the meaning of the Antitrust Criminal Penalty Enhancement and Reform Act, Pub. L. No. 108-237, 118 Stat. 661 (“ACPERA”);

NOW, THEREFORE, pursuant to Federal Rules of Civil Procedure 15(a) and 41(a), the parties stipulate and jointly move the Court to dismiss CFA’s claims against Tyson with prejudice. The parties shall bear their respective fees and costs. The parties also respectfully request that any documents filed under seal remain under seal.

So Ordered Thomas M. Guilkin
United States District Judge

Dated: 11/18/2022

Respectfully submitted,

HUNTON ANDREWS KURTH LLP

AXINN, VELTROP & HARKRIDER LLP

By: /s/ Ryan P. Phair

By: /s/ Rachel J. Adcox