

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

*IN RE BROILER CHICKEN ANTITRUST  
LITIGATION*

Case No. 1:16-cv-08637

Hon. Judge Thomas M. Durkin

**VERDICT FORM**

In answering the following questions and completing this Verdict Form, you are to follow all instructions given in the Court's Final Jury Instructions. Your answers to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Final Jury Instructions. You should refer to and consider the Final Jury Instructions as you answer the questions in this Verdict Form.

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We, the jury, unanimously find as follows on the questions submitted to us, and we return them as our verdict in the case:

**Question 1**

Did Plaintiffs prove, by a preponderance of the evidence, that there was a conspiracy between or among two or more chicken producers to limit the supply of chicken?

YES \_\_\_\_\_ NO \_\_\_\_\_

*If you answered "YES" to Question 1, proceed to Question 2. If you answered "NO" to Question 1, do not answer any further questions, and sign and date the last page of the verdict form.*

**Question 2**

Did Plaintiffs prove, by a preponderance of the evidence, that Sanderson Farms knowingly became a member of the conspiracy?

YES \_\_\_\_\_ NO \_\_\_\_\_

*If you answered "YES" to Question 2, proceed to Question 3. If you answered "NO" to Question 2, do not answer any further questions, and sign and date the last page of the verdict form.*

**Question 3**

Did the Class Plaintiffs prove, by a preponderance of the evidence, that they did not know of the conspiracy before September 2, 2012?

YES \_\_\_\_\_ NO \_\_\_\_\_

*If you answered "YES" to Question 3, proceed to Question 4. If you answered "NO" to Question 3, proceed to Question 5.*

**Question 4**

Did the Class Plaintiffs prove, by a preponderance of the evidence, that they could not have discovered the conspiracy before September 2, 2012, through the exercise of reasonable diligence?

YES \_\_\_\_\_ NO \_\_\_\_\_

*Proceed to Question 5.*

**Question 5**

Did the Class Plaintiffs prove, by a preponderance of the evidence, that they were injured in their business or property because of the conspiracy?

YES \_\_\_\_\_ NO \_\_\_\_\_

*If you answered "YES" to Question 5, proceed to Question 6. If you answered "NO" to Question 5, proceed to Question 8.*

**Question 6**

For purposes of calculating damages, which of the following chicken producers did Class Plaintiffs prove, by a preponderance of the evidence, were members of the conspiracy?

	Yes	No		Yes	No
Amick Farms			Mountaire Farms		
George's			O.K. Foods		
Harrison Poultry			Peco Foods		
House of Raeford Farms			Pilgrim's Pride		
Keystone Foods			Simmons Foods		
Koch Foods			Tyson Foods, Inc.		
Mar-Jac					

**Question 7**

What is the total amount of damages that the Class Plaintiffs sustained as a result of the conspiracy between Sanderson Farms and the co-conspirators for which you answered "Yes" in Question 6?

*[If you did not answer "YES" to both Question 3 and Question 4, see the "Statute of Limitations" instruction at page 51 of your Final Instructions for instructions on how to calculate damages.]*

<b>Conspirators</b>	<b>Damages for the Class Plaintiffs</b>
Sanderson Farms	\$
Amick Farms	\$
George's	\$
Harrison Poultry	\$
House of Raeford	\$
Keystone Foods	\$
Koch Foods	\$
Mar-Jac	\$
Mountaire Farms	\$
O.K. Foods	\$
Peco Foods	\$
Pilgrim's Pride	\$
Simmons Foods	\$
Tyson Foods, Inc.	\$
Total Damages (add the amounts listed above):	\$

**Question 8**

Did Plaintiff Associated Wholesale Grocers, Inc. prove, by a preponderance of the evidence, that it did not know of the conspiracy before September 2, 2012?

YES \_\_\_\_\_ NO \_\_\_\_\_

*If you answered "YES" to Question 8, proceed to Question 9. If you answered "NO" to Question 8, proceed to Question 10.*

**Question 9**

Did Plaintiff Associated Wholesale Grocers, Inc. prove, by a preponderance of the evidence, that it could not have discovered the conspiracy before September 2, 2012, through the exercise of reasonable diligence?

YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 10**

Did Plaintiff Associated Wholesale Grocers, Inc. prove, by a preponderance of the evidence, that it was injured in its business or property because of the conspiracy?

YES \_\_\_\_\_ NO \_\_\_\_\_

*If you answered "YES" to Question 10, proceed to Question 11. If you answered "NO" to Question 10, proceed to Question 12.*

**Question 11**

What is the total amount of damages that Plaintiff Associated Wholesale Grocers, Inc. sustained as a result of the conspiracy based on purchases from Sanderson Farms only?

*[If you did not answer "YES" to both Question 8 and Question 9, see the "Statute of Limitations" instruction at page 51 of your Final Instructions for instructions on how to calculate damages.]*

\$ \_\_\_\_\_

*Proceed to Question 12.*

**Question 12**

For each of the following Individual Plaintiffs, did the Individual Plaintiff prove, by a preponderance of the evidence, that it did not know of the conspiracy before September 2, 2012?

	Yes	No
Action Meat Distributors, Inc.		
Affiliated Foods, Inc.		
Albertsons Companies, Inc.		
Alex Lee, Inc. (“Alex Lee/MDI”)		
Associated Food Stores, Inc.		
Associated Grocers, Inc. (“Associated Grocers”)		
Associated Grocers of Florida, Inc.		
Associated Grocers of New England, Inc.		
Associated Grocers of the South, Inc.		
Bashas’ Inc.		
Big Y Foods, Inc.		
Bi-Lo Holdings, LLC		
Brookshire Brothers, Inc.		
Brookshire Grocery Company		
Colorado Boxed Beef Co. (“CBBC OPCO”)		
Certco, Inc.		
Columbia Meats, Inc.		
The Distribution Group, Inc.		
Fareway Stores, Inc.		
Giant Eagle, Inc.		
Golub Corporation (“Golub/Price Chopper”)		
Greenville Meats, Inc.		
Howard Samuels, Trustee in Bankruptcy for Central Grocers, Inc. (“Central Grocers”)		
Hy-Vee, Inc.		
Ira Higdon Grocery Co., Inc.		

	Yes	No
King Solomon Foods, Inc.		
The Kroger Co.		
Latina Boulevard Foods, LLC		
Meijer, Inc. and Meijer Distribution, Inc. (“Meijer”)		
Nicholas & Co., Inc.		
OSI Restaurant Partners, LLC		
Pacific Food Distributors, Inc.		
Piggly Wiggly Alabama Distributing Co., Inc.		
Publix Super Markets, Inc.		
S&S Trading, LLC		
Save Mart Supermarkets		
Schnuck Markets, Inc.		
SpartanNash Co.		
Springfield Grocer Co. (“SGC Foodservice”)		
SuperValu Inc.		
Topco Associates, LLC		
Troyer Foods, Inc.		
Unified Grocers, Inc.		
URM Stores, Inc.		
W. Lee Flowers & Co.		
Wakefern Food Corp.		
Weinstein Wholesale Meats, Inc.		
Winn-Dixie Stores, Inc.		
Woodman’s Food Market		

Proceed to Question 13.

**Question 13**

For each of the Individual Plaintiffs you answered “Yes” for in Question 12, did that Individual Plaintiff prove, by a preponderance of the evidence, that it could not have discovered the conspiracy before September 2, 2012, through the exercise of reasonable diligence?

	Yes	No
Action Meat Distributors, Inc.		
Affiliated Foods, Inc.		
Albertsons Companies, Inc.		
Alex Lee, Inc. (“Alex Lee/MDI”)		
Associated Food Stores, Inc.		
Associated Grocers, Inc. (“Associated Grocers”)		
Associated Grocers of Florida, Inc.		
Associated Grocers of New England, Inc.		
Associated Grocers of the South, Inc.		
Bashas’ Inc.		
Big Y Foods, Inc.		
Bi-Lo Holdings, LLC		
Brookshire Brothers, Inc.		
Brookshire Grocery Company		
Colorado Boxed Beef Co. (“CBBC OPCO”)		
Certco, Inc.		
Columbia Meats, Inc.		
The Distribution Group, Inc.		
Fareway Stores, Inc.		
Giant Eagle, Inc.		
Golub Corporation (“Golub/Price Chopper”)		
Greenville Meats, Inc.		
Howard Samuels, Trustee in Bankruptcy for Central Grocers, Inc. (“Central Grocers”)		
Hy-Vee, Inc.		
Ira Higdon Grocery Co., Inc.		

	Yes	No
King Solomon Foods, Inc.		
The Kroger Co.		
Latina Boulevard Foods, LLC		
Meijer, Inc. and Meijer Distribution, Inc. (“Meijer”)		
Nicholas & Co., Inc.		
OSI Restaurant Partners, LLC		
Pacific Food Distributors, Inc.		
Piggly Wiggly Alabama Distributing Co., Inc.		
Publix Super Markets, Inc.		
S&S Trading, LLC		
Save Mart Supermarkets		
Schnuck Markets, Inc.		
SpartanNash Co.		
Springfield Grocer Co. (“SGC Foodservice”)		
SuperValu Inc.		
Topco Associates, LLC		
Troyer Foods, Inc.		
Unified Grocers, Inc.		
URM Stores, Inc.		
W. Lee Flowers & Co.		
Wakefern Food Corp.		
Weinstein Wholesale Meats, Inc.		
Winn-Dixie Stores, Inc.		
Woodman’s Food Market		

*Proceed to Question 14.*

**Question 14**

For each of the following Individual Plaintiffs, did the Individual Plaintiff prove, by a preponderance of the evidence, that it was injured in its business or property because of the conspiracy?

	Yes	No
Action Meat Distributors, Inc.		
Affiliated Foods, Inc.		
Albertsons Companies, Inc.		
Alex Lee, Inc. (“Alex Lee/MDI”)		
Associated Food Stores, Inc.		
Associated Grocers, Inc. (“Associated Grocers”)		
Associated Grocers of Florida, Inc.		
Associated Grocers of New England, Inc.		
Associated Grocers of the South, Inc.		
Bashas’ Inc.		
Big Y Foods, Inc.		
Bi-Lo Holdings, LLC		
Brookshire Brothers, Inc.		
Brookshire Grocery Company		
Colorado Boxed Beef Co. (“CBBC OPCO”)		
Certco, Inc.		
Columbia Meats, Inc.		
The Distribution Group, Inc.		
Fareway Stores, Inc.		
Giant Eagle, Inc.		
Golub Corporation (“Golub/Price Chopper”)		
Greenville Meats, Inc.		
Howard Samuels, Trustee in Bankruptcy for Central Grocers, Inc. (“Central Grocers”)		
Hy-Vee, Inc.		
Ira Higdon Grocery Co., Inc.		

	Yes	No
King Solomon Foods, Inc.		
The Kroger Co.		
Latina Boulevard Foods, LLC		
Meijer, Inc. and Meijer Distribution, Inc. (“Meijer”)		
Nicholas & Co., Inc.		
OSI Restaurant Partners, LLC		
Pacific Food Distributors, Inc.		
Piggly Wiggly Alabama Distributing Co., Inc.		
Publix Super Markets, Inc.		
S&S Trading, LLC		
Save Mart Supermarkets		
Schnuck Markets, Inc.		
SpartanNash Co.		
Springfield Grocer Co. (“SGC Foodservice”)		
SuperValu Inc.		
Topco Associates, LLC		
Troyer Foods, Inc.		
Unified Grocers, Inc.		
URM Stores, Inc.		
W. Lee Flowers & Co.		
Wakefern Food Corp.		
Weinstein Wholesale Meats, Inc.		
Winn-Dixie Stores, Inc.		
Woodman’s Food Market		

*If you answered “YES” for any individual Plaintiff in Question 14, proceed to Question 15. If you answered “NO” for every individual Plaintiff in Question 14, do not answer any further questions, and sign and date the last page of the verdict form.*

**Question 15**

For each Individual Plaintiff listed below and for which you answered “Yes” for in Question 14, what is the total amount of damages that Plaintiff sustained as a result of the conspiracy based on purchases from Sanderson Farms only?

*[For any individual Plaintiff for which you did not answer “YES” to both Question 12 and Question 13, see the “Statute of Limitations” instruction at page 51 of your Final Instructions for instructions on how to calculate damages.]*

Affiliated Foods, Inc.	\$
Albertsons Companies, Inc.	\$
Alex Lee, Inc. (“Alex Lee/MDI”)	\$
Associated Food Stores, Inc.	\$
Associated Grocers, Inc. (“Associated Grocers”)	\$
Associated Grocers of Florida, Inc.	\$
Associated Grocers of New England, Inc.	\$
Associated Grocers of the South, Inc.	\$
Bashas’ Inc.	\$
Big Y Foods, Inc.	\$
Bi-Lo Holdings, LLC	\$
Brookshire Brothers, Inc.	\$
Brookshire Grocery Company	\$
Colorado Boxed Beef Co. (“CBBC OPCO”)	\$
The Distribution Group, Inc.	\$
Fareway Stores, Inc.	\$
Giant Eagle, Inc.	\$
Golub Corporation (“Golub/Price Chopper”)	\$
Howard Samuels, Trustee in Bankruptcy for Central Grocers, Inc. (“Central Grocers”)	\$
Ira Higdon Grocery Co., Inc.	\$

King Solomon Foods, Inc.	\$
The Kroger Co.	\$
Latina Boulevard Foods, LLC	\$
Meijer, Inc. and Meijer Distribution, Inc. (“Meijer”)	\$
Nicholas & Co., Inc.	\$
Pacific Food Distributors, Inc.	\$
Piggly Wiggly Alabama Distributing Co., Inc.	\$
Publix Super Markets, Inc.	\$
Schnuck Markets, Inc.	\$
SpartanNash Co.	\$
Springfield Grocer Co. (“SGC Foodservice”)	\$
SuperValu Inc.	\$
Topco Associates, LLC	\$
Troyer Foods, Inc.	\$
Unified Grocers, Inc.	\$
W. Lee Flowers & Co.	\$
Wakefern Food Corp.	\$
Weinstein Wholesale Meats, Inc.	\$
Winn-Dixie Stores, Inc.	\$
	\$

*Proceed to Question 16.*



**Question 16**

The following 10 Individual Plaintiffs, which are listed below in Table A, have no purchases from Sanderson Farms.

Table A: List of 10 Individual Plaintiffs with no purchases from Sanderson Farms:

Action Meat Distributors, Inc.
Certco, Inc.
Columbia Meats, Inc.
Greenville Meats, Inc.
Hy-Vee, Inc.
OSI Restaurant Partners, LLC
S&S Trading, LLC
Save Mart Supermarkets
URM Stores, Inc.
Woodman’s Food Market

For purposes of calculating damages, which of the following chicken producers listed in Table B did those 10 Individual Plaintiffs (Table A) prove, by a preponderance of the evidence, were members of the conspiracy?

Table B

	Yes	No		Yes	No
Amick Farms			Mountaire Farms		
George’s			O.K. Foods		
Harrison Poultry			Peco Foods		
House of Raeford Farms			Pilgrim’s Pride		
Keystone Foods			Simmons Foods		
Koch Foods			Tyson Foods, Inc.		
Mar-Jac					

*Proceed to Question 17.*

**Question 17**

For each Individual Plaintiff listed in Table A in Question No. 16 and for which you answered “Yes” for in Question 14, what is the total amount of damages that Plaintiff sustained as a result of the conspiracy between Sanderson Farms and the co-conspirators for which you answered “Yes” in Question 16?

<b>Conspirators</b>	<b>Damages for the 10 Individual Plaintiffs</b>
Amick Farms	\$
George’s	\$
Harrison Poultry	\$
House of Raeford	\$
Keystone Foods	\$
Koch Foods	\$
Mar-Jac	\$
Mountaire Farms	\$
O.K. Foods	\$
Peco Foods	\$
Pilgrim’s Pride	\$
Simmons Foods	\$
Tyson Foods, Inc.	\$
Total Damages (add the amounts listed above):	\$

*Proceed to the last page of the verdict form.*

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. Each juror should then sign the verdict form in the spaces below and the presiding juror should date the form below and notify the court security officer that you have reached a unanimous verdict. The presiding juror should retain possession of the verdict form and bring it when the jury is brought back into the courtroom.

DATED:

Signatures of Jurors

\_\_\_\_\_  
Presiding Juror

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