



FINANCIAL RECOVERY STRATEGIES

FRS Settlement Summary

U.S. Foodservice Pricing Antitrust Class Action Settlement

This is not an official Court Notice. For additional settlement information, please contact Class Counsel or the Claims Administrator, or visit the court-approved website, www.usfoodservicepricinglitigation.com. Please understand that you have the right to file on your own.

If you or your business purchased food products in the United States from **January 1, 1998 through December 31, 2005**, you may be eligible to participate in a **\$297,000,000** class action settlement.

Filing Deadline: December 19, 2014

Eligible Class Members: Any company or individual in the United States who purchased from U.S. Foodservice, Inc., n/k/a US Foods, Inc. ("USF") from January 1, 1998 through December 31 2005 food products pursuant to an arrangement that defined a sale price in terms of a cost component plus a markup (the "Cost-Plus Arrangement" as defined below), and for which USF used a Value Added Service Provider (also defined below and hereafter, "VASP") transaction to calculate the cost component. State and municipal governmental entities are included; federal governmental entities are excluded.

"Cost-Plus Arrangement": This type of contract typically involves a supplier, a distributor and a customer. The customer agrees to purchase food from the distributor (such as USF) at "cost-plus" price that is derived by (i) the cost component, which was based on the prices USF was charged by its supplier, (2) plus an agreed upon mark-up of either a fixed percentage or a set dollar amount. The cost component of "cost-plus" is often referred to as "landed cost," and is typically based on factors such as national or regional published price lists or invoice cost plus freight.

"Value Added Service Providers": VASPs enter into product procurement agreements with USF under which USF purchased certain food products and distributed them to USF's customers. The alleged VASPs were (i) Seafood Marketing Specialists, Inc., (ii) Frozen Farms, Inc., (iii) Produce Solutions, Inc., a/k/a Cross Valley Produce, Inc., (iv) Private Labels Distribution, Inc., a/k/a Private Brands Distribution, Inc., (v) Specialty Supply & Marketing, Inc., and (vi) Commodity Management Systems, Inc.

Case History: Several class action lawsuits were filed in 2007 accusing USF of several claims including racketeering, breach of contract and price-fixing. These complaints were consolidated in the District of Connecticut in 2008. The Court's approval for this case to proceed as a class action, was appealed to the Second Circuit Court of Appeals and then to the U.S. Supreme Court; the certification was upheld. A \$297,000,000 settlement has been reached with USF.

The Services FRS Provides: Financial Recovery Strategies (FRS) is a class action settlement claims recovery consulting firm; we are not a court appointed claims administrator or class counsel. If you hire FRS and become an FRS client, we will work within your guidelines to manage the claims process. FRS will notify you when we learn of valuable settlements in which you may be eligible to participate; we will take action to assure that all of your eligible business units (e.g., subsidiaries, divisions, acquisitions and divestitures) are included in the claim process; we will provide advice on what, if any, documents need to be collected and maintained, and, when requested, we will assist in that effort; to reduce the support needed from your in-house staff, when required documents are not available or are too burdensome to collect, we will negotiate on your behalf where possible to develop alternate means to satisfy the documentation requirements; we will prepare, assemble and submit your claim package, and manage it throughout the claims processing phase, including working with you to address any concerns or questions the claims administrator may have; we will provide regular updates on the recovery process and all related developments; we will audit your payment to assure that it has not been under calculated; and we will follow up with you to assure that your recovery check is deposited. FRS's recovery specialists are always available to answer any questions you may have.

How to Retain FRS: To retain FRS to file and manage a claim on your behalf, we must receive a signed copy of an Authorization Agreement. If you wish to hire us, it is important that, before you send the executed Authorization Agreement to our office, you understand its terms and make sure that your basic information at the top of the page is correct.

To learn more about our services, visit:

www.FRSCO.com