

## CLASS ACTION SUMMARY

**BROILERS DIRECT AND INDIRECT PURCHASER  
ANTITRUST CLASS ACTION SETTLEMENTS**

# DID YOUR BUSINESS PURCHASE CHICKEN?

## YOU MAY BE ELIGIBLE TO RECOVER MONEY!

### SUMMARY

Total Settlements Reached:  
**Various**

Purchase Date Range(s):  
**Various**

Filing deadline(s):  
**Various**

*Specific information about the class  
action(s) listed below*

### Eligible Class Members:

*Eligible Class Members are all persons or entities who or which:*

**a) Direct Class** – purchased raw “Broilers” (defined below) directly from any of the “Defendants” (listed below) or their respective subsidiaries or affiliates for use or delivery in the United States from January 1, 2008 through December 20, 2019 (excluding all federal, state or local governmental entities). This definition includes fresh or frozen Broilers in the form of: a) whole birds (with or without giblets), b) parts (boneless or bone in) derived from the front half of the whole bird or c) whole cut-up birds. *There is \$115,050,150 in new funds recovered in class action settlements. Second Round Filing Deadline: June 1, 2024; or*

**b) Indirect Commercial Class** – purchased, in the “Commercial Class Eligible Jurisdictions”, Broilers indirectly from the Defendants or the Co-Conspirators for their own use in commercial food preparation from January 1, 2009 to July 31, 2019 (excluding all federal or state governmental entities). This includes purchasers such as hospitals, nursing homes and schools. *There is \$2,800,000 in new funds recovered in class action settlements. First Round Filing Deadline: The deadline to file a claim form has passed. Late claims are no longer being accepted. Second Round Filing Deadline: No Claim Forms are available at this time and no claim filing deadline has been set by the Court.*

*“Commercial Class Eligible Jurisdictions”: The District of Columbia, AZ, CA, CT, FL, HI, IL, IA, KS, ME, MA, MI, MN, MS, MO, MT, NE, NV, NH, NM, NY, NC, ND, OR, RI, SC, SD, TN, UT, VT, WV and WI. The class period ends on February 20, 2019 for the settlements with Fieldale Farms Corporation (“Fieldale”) and Amick Farms, LLC (“Amick”). The Amick settlement is the only settlement that includes CT.*

**THIS IS NOT AN OFFICIAL COURT NOTICE.  
INFORMATION CONTAINED IN THIS SUMMARY IS SUBJECT TO CHANGE.**

**The Services FRS Provides:** Financial Recovery Strategies (FRS) is a class action claims management consultant; we are not a court appointed claims administrator or class counsel. If you hire FRS, FRS will work within your guidelines to manage the claims process. The services that FRS provides include the following: (i) notifying you when we believe that you may be eligible to participate in settlements likely to be valuable to you; (ii) endeavoring to enhance the likelihood that all of your eligible business units (e.g., subsidiaries, divisions, acquisitions and divestitures) are included in the claims process; (iii) to reduce the support needed from your in-house staff, providing advice on what, if any, documents need to be collected and maintained, and, when requested, assisting in that effort; (iv) when required documents are not available or are too burdensome to collect, attempting to develop innovative alternatives to satisfy documentation requirements and striving to obtain approval of those alternatives; (v) preparing, assembling and submitting your claim package, and managing it throughout the claims processing phase, including working with you to address any concerns or questions claims administrators may have; (vi) providing regular updates on the recovery process; (vii) reviewing your payment to assure that it has not been under calculated; and (viii) following 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:** If you wish to hire FRS to file and manage a claim on your behalf, you must return a signed Claims Management Agreement and a signed Authority to File and Manage Claims. Before doing so, it is important that you understand their terms and make sure that all information about you is correct.

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## Case History

In 2016, class action lawsuits were filed on behalf of the Direct Class and Indirect Commercial Class in the Northern District of Illinois alleging the Defendants and Co-Conspirators conspired and combined to fix, raise, maintain, and stabilize the price of Broilers in violation of U.S. federal antitrust laws. The Direct Class entered into a First Round of Settlements with Tyson, Pilgrim, Fieldale, Peco, George's and Amick for a total of \$170.2616 million (this First Round of Settlements has been distributed to eligible claimants). The Direct Class also entered into a Second Round of Settlements with Harrison (\$3.3 million), Mar-Jac (\$7.975 million), Simmons (\$8.019 million), Mountaire (\$15,899,826), O.K. Foods (\$4,856,333), HRF (\$27.5 million) and Koch (\$47.5 million). The Direct Class also entered into settlements with Foster Farms, Perdue, Case, Claxton, Wayne Farms, Agri Stats, and Sanderson Farms but no funds will be made available to the Direct Class pursuant to these settlement agreements. The Harrison, Mar-Jac, Simmons, Mountaire and O.K. Foods settlements received final approval and the remaining settlements are pending final approval. The class period for the Simmons, Mountaire, O.K. Foods, HRF and Koch settlements is December 1, 2008 through July 31, 2019. Funds will be distributed if and when final approval is granted (for the settlements still pending final approval) and a claims process is completed. The Indirect Commercial Class has entered into settlements with Fieldale (\$1.4 million), Amick (\$2.95 million), Peco (\$3.525 million), George's (\$3.525 million), Tyson (\$42.5 million), Pilgrim (\$44 million) and Mar-Jac (\$5.99 million) in the total amount of approximately \$103.89 million (the "First Round of Settlements"). The class period for the First Round of Settlements commenced on January 1, 2008, and the claim filing deadline was March 2, 2022 (these settlements received final approval). The Indirect Commercial Class has also entered into a settlement with Harrison (\$2.8 million), which is pending final approval (the "Second Round of Settlements"). The litigation is presently ongoing against the remaining Defendants on behalf of the Indirect Class. It is impossible to predict the outcome; however, it is possible that money may become available to eligible class members if additional settlements are reached with the Defendants in the future.

**Definition of "Broilers":** Broilers are chickens raised for meat consumption to be slaughtered before the age of 13 weeks, and which may be sold in a variety of forms, including fresh or frozen, raw or cooked (note: cooked Broilers may not be included in all classes), whole or in parts, or as a meat ingredient in a value-added product, but excluding chicken that is grown, processed, and sold per halal, kosher, free range, or organic standards. This definition may slightly differ for the certified classes with respect to the non-settling Defendants.

**"Defendants" and "Co-Conspirators":** The following is a list of Defendants included in at least one of the class action complaints:

- Amick;
- Tyson Foods, Inc., Tyson Chicken, Inc., Tyson Breeders, Inc. and Tyson Poultry, Inc. (collectively, "Tyson");
- Pilgrim;
- Perdue Farms, Inc. and Perdue Foods LLC (collectively, "Perdue");
- JCG Foods of Alabama, LLC, JCG Foods of Georgia, LLC, Koch Foods, Inc. and Koch Meat Co., Inc. (collectively, "Koch");
- Sanderson Farms, LLC (f/k/a Sanderson Farms, Inc.), Sanderson Farm Foods, LLC (f/k/a Sanderson Farms, Inc. (Foods Division)), Sanderson Farms Production, LLC (f/k/a Sanderson Farms, Inc. (Production Division)) and Sanderson Farms Processing, LLC (f/k/a Sanderson Farms, Inc. (Processing Division)) (collectively, "Sanderson Farms");
- Wayne Farms, LLC ("Wayne Farms");
- Mountaire Farms, Inc., Mountaire Farms, LLC and Mountaire Farms of Delaware, Inc. (collectively, "Mountaire");
- Peco Foods, Inc. ("Peco");
- Foster Farms, LLC and Foster Poultry Farms LLC (collectively, "Foster Farms");
- House of Raeford Farms, Inc. ("HRF");
- Simmons Foods, Inc. and Simmons Prepared Foods, Inc. (collectively, "Simmons");
- Fieldale;
- George's, Inc. and George's Farms, Inc. (collectively, "George's");
- O.K. Foods, Inc., O.K. Farms, Inc. and O.K. Industries, Inc. ("O.K. Foods");
- Case Foods, Inc., Case Farms, LLC and Case Farms Processing, Inc. (collectively, "Case"); and
- Mar-Jac Poultry, Inc., Mar-Jac Poultry MS, LLC, Mar-Jac Poultry AL, LLC, Mar-Jac AL/MS, Inc., Mar-Jac Poultry, LLC and Mar-Jac Holdings, LLC (collectively, "Mar-Jac").
- Co-Conspirators include: Agri Stats, Inc. ("Agri Stats"); Norman W. Fries, Inc., d/b/a Claxton Poultry Farms, Inc. ("Claxton"); and Harrison Poultry, Inc. ("Harrison").

**Class Counsel or the Settlement Administrator may be contacted for additional settlement information. You also may visit the Court-approved website. Please understand that you have the right to file on your own. To learn more about our services, visit [www.FRSCO.com](http://www.FRSCO.com).**

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