

CLASS ACTION SUMMARY

**PACKAGED SEAFOOD PRODUCTS (TUNA) DIRECT AND INDIRECT PURCHASER
ANTITRUST CLASS ACTION SETTLEMENTS**

DID YOUR BUSINESS PURCHASE PACKAGED TUNA?

YOU MAY BE ELIGIBLE TO RECOVER MONEY!

Eligible Class Members:

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

Direct Class – *directly* purchased packaged tuna products (defined as shelf-stable tuna sold for human consumption and packaged in either cans or pouches, but excluding purchases of tuna salad kits and cups and salvage purchases) from any “Defendant” within the United States, its territories and the District of Columbia from June 1, 2011 through July 31, 2015 (the “Direct Class Period”). All governmental entities are excluded from this Class.

Indirect Class – resided in the “Eligible Jurisdictions” (listed below), who indirectly purchased (that is, from an entity other than a Defendant, such as a retailer, wholesaler and/or distributor) Chicken of the Sea, Starkist or Bumble Bee tuna in cans or pouches smaller than 40 ounces (excluding meal kits) for end consumption and not for resale, produced by any Defendant or any current or former subsidiary or affiliate thereof, or any co-conspirator, during the period from June 1, 2011 through July 1, 2015.

Indirect Class Eligible Jurisdictions: District of Columbia, Guam, AZ, AR, CA, FL, HI, IA, KS, ME, MA, MI, MN, MS, MO, NE, NV, NH, NM, NY, NC, ND, OR, RI, SC, SD, TN, UT, VT, VA, WV and WI.

Indirect Commercial Class – *indirectly* purchased packaged tuna products produced in packages of 40 ounces or more that were manufactured by any Defendant (or any current or former subsidiary or any affiliate thereof) and that were purchased directly from DOT Foods, Sysco, US Foods, Sam’s Club, Wal-Mart or Costco (other than inter-company purchases among these distributors) from June 1, 2011 through December 31, 2016. Potential Indirect Commercial Class Members may include, but is not limited to, restaurants and other retail food service establishments, caterers and institutional food services like schools and company cafeterias. Second Round Filing Deadline: No Claim Forms are available at this time and no claim filing deadline has been set by the Court.

Indirect Commercial Class Eligible Jurisdictions: District of Columbia, AZ, AR, CA, FL, IA, KS, ME, MA, MI, MN, MS, NE, NV, NH, NM, NY, NC, ND, OR, RI, SC, SD, TN, UT, VT, WV and WI.

**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.

SUMMARY

Total Settlements Reached:
Various

Purchase Date Range(s):
Various

Filing deadline(s):
Various

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

“Defendants”:

“Defendants”: The following is a list of Defendants included in at least one of the class action complaints:

1) Tri-Union Seafoods LLC d/b/a Chicken of the Sea International and Thai Union Group PCL (collectively, “COSI”); 2) Lion Capital LLC, Lion Capital (Americas), Inc. and Big Catch Cayman LP (collectively, “Lion Capital”); 3) Starkist Company (“Starkist”); 4) Del Monte Corporation; and 5) Dongwon Industries Co., Ltd. (“DWI”).

CLASS ACTION SUMMARY

**PACKAGED SEAFOOD PRODUCTS (TUNA) DIRECT AND INDIRECT PURCHASER
ANTITRUST CLASS ACTION SETTLEMENTS**

Case History

In 2015, several class action lawsuits were filed by direct and various indirect purchasers of packaged tuna products alleging the Defendants conspired to raise, fix, stabilize and/or maintain prices for packaged tuna products in violation of U.S. federal antitrust laws. These lawsuits are currently pending in the Southern District of California. At this time, the Indirect Commercial Class entered into a “First Round of Settlements” with COSI for approximately \$6.5 million (the deadline to file a claim for this First Round of Settlements was June 21, 2023). The Indirect Commercial Class also entered into a “Second Round of Settlements” with the remaining Defendants (Lion Capital, Starkist and DWI) for approximately \$3.875 million (these settlements are pending preliminary approval). The settlement funds will be distributed if and when final approval is granted and after completion of a claims process.

COSI has also entered into settlements with the Indirect Class for approximately \$15 million (the deadline to file a claim for this settlement was August 22, 2022) and the Direct Class for approximately \$13 million (which is 3.2% of the combined COSI sales of packaged tuna products sold during the Direct Class Period; the deadline to file a claim for this settlement was January 6, 2023). The settlements received final approval. It is impossible to predict the outcome of the remaining litigations; however, it is possible that more money may become available to eligible class members if additional settlements are reached with the remaining Defendants.

**Class Counsel or the Settlement Administrator may be
contacted for additional settlement information.**

You also may visit the Court-approved websites.

Please understand that you have the right to file on your own.

To learn more about our services, visit www.FRSCO.com.

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.