

CLASS ACTION SUMMARY

**PORK PURCHASER
ANTITRUST CLASS ACTION SETTLEMENTS****DID YOUR BUSINESS
PURCHASE PORK?****YOU MAY BE ELIGIBLE TO RECOVER MONEY!****Eligible Class Members:**

Eligible Class Members are all persons or entities (excluding all federal, state or local governmental entities) who or which:

Direct Class – purchased “Pork” **directly** from any “Defendant”, or their respective subsidiaries or affiliates for use or delivery in the United States from June 29, 2014 through June 30, 2018. There is **\$9.75 MILLION** recovered thus far in class action settlements. No Claim Forms are available at this time and no claim filing deadline has been set by the Court.

Indirect Commercial Class – purchased Pork in the District of Columbia, AR, AZ, 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/or WI **indirectly** from Defendants or co-conspirators or their respective subsidiaries or affiliates (e.g. the purchases were made from a retailer) for their own business use in commercial food preparation from January 1, 2009 through April 19, 2022. There is **\$54.75 MILLION** recovered thus far in class action settlements. No Claim Forms are available at this time and no claim filing deadline has been set by the Court.

Definition of “Pork”:

Pork includes porcine or swine products processed, produced or sold by the Defendants or their co-conspirators including, but not limited to, primals (such as loins, shoulders, picnics, butts, ribs, bellies, hams or legs), trim or sub-primal products (such as backloins, tenderloins, backribs, boneless loins, boneless sirloins, riblets, chef’s prime, prime ribs, brisket, skirt, cushion, ground meats, sirloin tip roast or hocks), further processed and value added porcine products (such as bacon, sausage, lunch meats, further processed ham or jerky products). The Indirect Commercial Class definition of Pork also includes offal or variety products (such as hearts, tongues, livers, head products, spleens, kidneys, feet, stomach, bladder, uterus, snoot, ears, tail, brisket bone, intestines, jowls, neck bones or other bones, skin, lungs, glands, hair or pet food ingredients), rendered product and byproducts (such as lard, grease, meat meal, bone meal, blood meal or blood plasma), casing (such as mucosa) and carcasses. The Direct Class definition of Pork includes fresh or frozen loins, shoulders, ribs, bellies, bacon, or hams and excludes any product that is marketed as organic or as no antibiotics ever (NAE); any product that is fully cooked or breaded; any product other than bacon that is marinated, flavored, cured, or smoked; and ready-to-eat bacon. These definitions are subject to change.

SUMMARY

Total Settlements Reached:
Various

Purchase Date Range(s):
Various

Filing deadline(s):
Various

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

“Defendants” and “Co-Conspirators”:

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

1) Agri Stats, Inc.; 2) Clemens Food Group, LLC and The Clemens Family Corporation; 3) Hormel Foods Corporation and Hormel Foods, LLC; 4) Indiana Packers Corporation; 5) JBS USA Food Company and JBS USA Food Company Holdings (collectively, “JBS”); 6) Mitsubishi Corporation (Americas); 7) Seaboard Foods, LLC (“Seaboard”); 8) Smithfield Foods, Inc.; 9) Triumph Foods, LLC; and 10) Tyson Foods, Inc., Tyson Prepared Foods, Inc., and Tyson Fresh Meats, Inc.

**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.

CLASS ACTION SUMMARY

**PORK PURCHASER
ANTITRUST CLASS ACTION SETTLEMENTS**

Case History

Several class action lawsuits were filed on behalf of the Direct and Commercial Indirect Purchasers in the District of Minnesota alleging the Defendants conspired to fix, raise, maintain and stabilize Pork prices in violation of U.S. federal antitrust laws. At this time, the Indirect Commercial Class has entered into settlements with JBS for approximately \$12.75 million (the class period ends on May 3, 2021 for this settlement) and Smithfield for approximately \$42 million (both of these settlements received final approval). The Direct Class has entered into settlements with JBS for approximately \$24.5 million and Smithfield for approximately \$83 million, which was later reduced to approximately \$77.4 million (the “First Round of Direct Class Settlements”). The Class Period for the First Round of Direct Class Settlements was January 1, 2009 through January 12, 2021, and the claim filing deadline was June 14, 2022 (both of these settlements received final approval). The Direct Class has also entered into a settlement with Seaboard for approximately \$9.75 million (the “Second Round of Direct Class Settlements”), which received final approval. The respective settlements funds listed above (less any expenses and fees) will be distributed if and when the Court grants final approval of the settlements and claims processes are completed. The litigation is presently ongoing against the remaining Defendants on behalf of the Classes (the class periods in the ongoing litigations are June 28, 2014 through June 30, 2018 for the Indirect Commercial Classes). 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.

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.

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