

Exhibit 3-E

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE BROILER CHICKEN ANTITRUST
LITIGATION

This Document Relates To:

All End-User Consumer Plaintiff Actions

Case No.: 1:16-cv-08637

**DECLARATION OF ERIC
SCHACHTER REGARDING CLASS
NOTICE AND REQUESTS FOR
EXCLUSION**

I, Eric Schachter, declare and state as follows:

1. I am a Senior Vice President with A.B. Data, Ltd. ("A.B. Data"). I am fully familiar with the facts contained herein based upon my personal knowledge, and if called as a witness, could and would testify competently thereto. I submit this declaration at the request of Class Counsel in connection with the above-captioned action (the "Action").

2. As detailed in my previous Declaration of Eric Schachter in Support of Plaintiffs' Motion to Approve the Manner and Form of Class Notice dated December 21, 2022 (ECF No. 6182) (the "Notice Declaration"), and pursuant to the Court's Order Granting End-User Consumer Plaintiffs' Uncontested Motion to Approve the Manner and Form of Class Notice (ECF No. 6196) (the "Notice Order"), A.B. Data was responsible for implementing the Court-approved Notice Plan. The Notice Plan was designed to provide notice to potential members of the Certified Class, generally defined as "All persons and entities who indirectly purchased the following types [of] raw chicken, whether fresh or frozen: whole birds (with or without giblets), whole cut-up birds purchased within a package, breast cuts or tenderloin cuts, but excluding chicken that is marketed as halal, kosher, free range, organic, diced, minced, ground, seasoned, flavored, or breaded—from defendants or co-conspirators for personal consumption in the Repealer Jurisdictions from January 1, 2012, to July 31, 2019."

3. Pursuant to Notice Order, beginning on February 3, 2023, A.B. Data caused the Email Notice to be sent by email to approximately 29 million known and valid potential Class Member email addresses. To maximize deliverability, A.B. Data used certain best practices, such as avoiding attachments and certain key words likely to trigger SPAM and junk filters and sending the emails in batches over a period of days. The Email Notice was successfully delivered to approximately 98% of these email addresses. A copy of the Email Notice is attached hereto as Exhibit A.

4. To supplement direct notice efforts, beginning on February 3, 2023, A.B. Data caused digital banner and newsfeed ads to appear on various websites and social media platforms. These banner ads were placed on the Google Display Network and on social media channels such as Facebook, Instagram and YouTube. These ads appeared in both English and Spanish, and on both desktop and on mobile formats. Over 441 million impressions have been delivered, resulting in over 261,000 engagements and/or conversions across Google Display Network, Google AdWords, Facebook, Instagram, and YouTube. A sampling of the digital banner and newsfeed ads are attached as Exhibit B.

5. A.B. Data also caused notice to be disseminated as a news release via PR Newswire's US1 Newswire distribution list. This news release was distributed via PR Newswire to the news desks of approximately 10,000 newsrooms, including those of print, broadcast, and digital websites across the United States, and it was translated and published to PR Newswire's U.S. Hispanic media contacts and Hispanic news websites. A copy of the news releases in English and Spanish are attached as Exhibit C.

6. A.B. Data also updated the case-specific website, www.overchargedforchicken.com, and the recorded information on the toll-free telephone number provided to Class Members, with information concerning the Court's Class Certification Order. The Website Notice, attached as Exhibit D, was also posted to www.overchargedforchicken.com.

7. The notices provide that Class Members may request exclusion by sending a written request to the Notice Administrator that was postmarked by April 4, 2023. As of the date of this Declaration, A.B. Data has received eleven requests for exclusion from the Certified Class. Attached as Exhibit E is a list identifying each of the eleven individuals who requested exclusion.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 2nd day of June 2023.

A handwritten signature in black ink, appearing to read 'Eric Schachter', written over a horizontal line.

Eric Schachter

EXHIBIT A

From: help@mg.abdataclassactionmail.com on behalf of [Broiler Chicken Consumer Notice Administrator](#)
To: [REDACTED]
Subject: [REDACTED] Broiler Chicken Consumer - Class Certification
Date: Friday, February 3, 2023 11:35:07 AM

EXTERNAL SENDER

COURT-APPROVED LEGAL NOTICE

If you purchased raw chicken in the United States from January 1, 2012 through July 31, 2019, a class action may affect your rights.

Para una notificación en español, llame gratis al 1-877-888-5428 o visite nuestro website www.overchargedforchicken.com.

The purpose of this notice is to inform you of your rights related to the class action lawsuit entitled *In re Broiler Chicken Antitrust Litigation (End-User Consumer Action)*, N.D. Ill. Case No. 1:16-cv-08637, pending in the United States District Court for the Northern District of Illinois (the "Court"). On May 27, 2022, Judge Thomas M. Durkin issued an Order certifying a class of indirect purchasers defined as: "All persons and entities who indirectly purchased the following types of raw chicken, whether fresh or frozen: whole birds (with or without giblets), whole cut-up birds purchased within a package, breast cuts or tenderloin cuts, but excluding chicken that is marketed as halal, kosher, free range, organic, diced, minced, ground, seasoned, flavored, or breaded—from defendants or co-conspirators for personal consumption in the Repealer Jurisdictions from January 1, 2012 to July 31, 2019" (the "Certified Class").

This notice provides Class Members with an opportunity to opt out of the Certified Class defined above. If you exclude yourself from the Certified Class, you will not be able to recover any award from any future settlements or judgments obtained by the lawyers for the Class, if settlements or judgments occur.. Your decision to exclude yourself (or not) from the Certified Class will not affect your ability to participate in the previous settlements reached in this litigation. Your legal rights may be affected whether you act or do not act. Please read this notice carefully.

Defendants have not admitted any liability and continue to deny the legal claims alleged in this lawsuit. No additional settlements have been reached with the Non-Settling Defendants. If there are any future settlements or judgments, you will receive an additional notice.

WHO IS INCLUDED?

The Certified Class is defined as:

All persons and entities who indirectly purchased the following types of raw chicken, whether fresh or frozen: whole birds (with or without giblets), whole cut-up birds purchased within a package, breast cuts or tenderloin cuts, but excluding chicken that is marketed as halal, kosher, free range, organic, diced, minced, ground, seasoned, flavored, or breaded—from defendants or co-conspirators for personal consumption in the Repealer Jurisdictions from January 1, 2012 to July 31, 2019.

The "Repealer Jurisdictions" are: California, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, and Wisconsin.

If you are a member of the Certified Class and do not exclude yourself, you may be eligible to participate in any additional settlements which may arise with the Non-Settling Defendants.

WHAT IS THIS LAWSUIT ABOUT?

This class action, *In re Broiler Chicken Antitrust Litigation*, N.D. Ill. Case No. 1:16-cv-08637, is pending in the United States District Court for the Northern District of Illinois. U.S. District Court Judge Thomas M. Durkin presides over this class action. End-User Consumer Plaintiffs allege that Defendants and their co-conspirators conspired to restrict the supply of, and fix, raise, and stabilize the price of Broiler chicken, from at least January 1, 2012 through at least July 31, 2019, in violation of federal and state consumer protection and antitrust laws.

The Court previously gave final approval to settlements between the Plaintiffs and Fieldale, George's, Mar-Jac, Peco, Pilgrim's, and Tyson. The End-User Consumer Plaintiffs' case is proceeding against all other Defendants who have not settled the case, known as the "Non-Settling Defendants."

This notice is a class certification notice for the Non-Settling Defendants listed below:

"Non-Settling Defendants" refers to Agri Stats, Inc.; Norman W. Fries, Inc. d/b/a

Claxton Poultry Farms; Foster Farms, LLC and Foster Poultry Farms; Harrison Poultry, Inc.; House of Raeford Farms, Inc.; JCG Foods of Alabama, LLC, JCG Foods of Georgia, LLC, Koch Foods, Inc., and Koch Meat Co., Inc.; Mountaire Farms, Inc., Mountaire Farms, LLC, and Mountaire Farms of Delaware, Inc.; O.K. Foods, Inc., O.K. Farms, Inc., and O.K. Industries, Inc.; Perdue Farms, Inc. and Perdue Foods LLC; Sanderson Farms, Inc., Sanderson Farms, Inc. (Foods Division), Sanderson Farms, Inc. (Processing Division), and Sanderson Farms, Inc. (Production Division); Wayne Farms, LLC; and Simmons Foods, Inc. and Simmons Prepared Foods, Inc.

If you are a member of the Certified Class, you may receive additional notices regarding the progress of the litigation and any resolution of claims against the Non-Settling Defendants.

WHAT ARE YOUR RIGHTS AND OPTIONS?

If you do not want to remain a member of the Certified Class and you do not want to be legally bound by the terms of any potential settlements or judgments, or if you wish to pursue your own separate lawsuit against Defendants, you must exclude yourself by submitting a written request to the Administrator stating your intent to exclude yourself from the Certified Class (an "Exclusion Request").

Your Exclusion Request must include the following: (a) your name and address; (b) a statement that you want to be excluded from the End-User Consumer Certified Class in *In re Broiler Chicken Antitrust Litigation (End-User Consumer Action)*; and (c) your signature. You must mail your Exclusion Request, postmarked by **April 4, 2023**, to: Broiler Chicken Consumer Litigation, Attn: EXCLUSIONS, c/o A.B. Data, Ltd., P.O. Box 173001, Milwaukee, WI 53217.

This notice is only a summary. You can find more details about the Certified Class at www.overchargedforchicken.com or by calling toll-free 1-877-888-5428. Please do not contact the Court.

Broiler Chicken Consumer Litigation
c/o A.B. Data, Ltd.
P.O. Box 173001
Milwaukee, WI 53217

If you'd like to unsubscribe [click here](#).

EXHIBIT B


EXPLORE
myrecipes

Home > Course > Bread Recipes

How to Make Every Kind of Savory Scone with One Simple Recipe

These are way easier than dinner rolls (and more delicious!)

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More



CREDIT: GETTY / BUDDYB76

Scones tend to be thought of as a sweet treat for an [afternoon tea](#). But this simple bake lends itself easily to savory flavors and can be endlessly adapted to be the ideal companion to a salad, soup, stew, or [in place of](#)

ADVERTISEMENT

If You Purchased
RAW CHICKEN
in the U.S. for
Personal Consumption
from 1/1/12 - 7/31/19
A CLASS ACTION
MAY AFFECT
YOUR RIGHTS
Learn More Here >>
OverchargedForChicken.com


EatingWell

HOME > HEALTHY RECIPES > HEALTHY INGREDIE

Crispy Roast Chicken


★★★★★
2 Ratings
2 Reviews

Classic and delicious, this roast chicken recipe will shine on the table fresh from the oven, served with any side. And this oven-roasted chicken is basic enough to play well in any recipe that calls for cooked chicken.


EatingWell Test Kitchen

Source: 400 Calorie Recipes

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If You Purchased
RAW CHICKEN
in the U.S. for Personal
Consumption from 1/1/12 - 7/31/19
A CLASS ACTION MAY AFFECT YOUR RIGHTS
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If You Purchased **RAW CHICKEN**
in the U.S. for Personal Consumption
from 1/1/12 - 7/31/19
A CLASS ACTION MAY AFFECT YOUR RIGHTS

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FOOD NEWS AND TRENDS

Winner Winner Chicken Dinner — Our Top New Recipe Broke Records Last Week

What even is Chicken Romano?

By [Courtney Kassel](#)

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g




PHOTO: LUTZFUCAT

Ever wanted a peek behind the scenes at Allrecipes? Well, every Monday, our

EXHIBIT C

Hagens Berman Sobol Shapiro LLP and Cohen Milstein Sellers & Toll, PLLC Announce Certification of Class
for Consumers Who Purchased Chicken Products

CHICAGO / February 3, 2023 / PR Newswire --

COURT-APPROVED LEGAL NOTICE

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o visite nuestro website www.overchargedforchicken.com.*

The purpose of this notice is to inform you of your rights related to the class action lawsuit entitled *In re Broiler Chicken Antitrust Litigation (End-User Consumer Action)*, N.D. Ill. Case No. 1:16-cv-08637, pending in the United States District Court for the Northern District of Illinois (the “Court”). On May 27, 2022, Judge Thomas M. Durkin issued an Order certifying a class of indirect purchasers defined as: “All persons and entities who indirectly purchased the following types of raw chicken, whether fresh or frozen: whole birds (with or without giblets), whole cut-up birds purchased within a package, breast cuts or tenderloin cuts, but excluding chicken that is marketed as halal, kosher, free range, organic, diced, minced, ground, seasoned, flavored, or breaded—from defendants or co-conspirators for personal consumption in the Repealer Jurisdictions from January 1, 2012 to July 31, 2019” (the “Certified Class”).

This notice provides Class Members with an opportunity to opt out of the Certified Class defined above. If you exclude yourself from the Certified Class, you will not be able to recover any award from any future settlements or judgments obtained by the lawyers for the Class, if settlements or judgments occur. Your decision to exclude yourself (or not) from the Certified Class will not affect your ability to participate in the previous settlements reached in this litigation. Your legal rights may be affected whether you act or do not act. Please read this notice carefully.

Defendants have not admitted any liability and continue to deny the legal claims alleged in this lawsuit. No additional settlements have been reached with the Non-Settling Defendants. If there are any future settlements or judgments, you will receive an additional notice.

WHO IS INCLUDED?

The Certified Class is defined as:

All persons and entities who indirectly purchased the following types of raw chicken, whether fresh or frozen: whole birds (with or without giblets), whole cut-up birds purchased within a package, breast cuts or tenderloin cuts, but excluding chicken that is marketed as halal, kosher, free range, organic, diced, minced, ground, seasoned, flavored, or breaded—from defendants or co-conspirators for personal consumption in the Repealer Jurisdictions from January 1, 2012 to July 31, 2019.

The “Repealer Jurisdictions” are: California, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, and Wisconsin.

If you are a member of the Certified Class and do not exclude yourself, you may be eligible to participate in any additional settlements which may arise with the Non-Settling Defendants.

WHAT IS THIS LAWSUIT ABOUT?

This class action, *In re Broiler Chicken Antitrust Litigation*, N.D. Ill. Case No. 1:16-cv-08637, is pending in the United States District Court for the Northern District of Illinois. U.S. District Court Judge Thomas M. Durkin presides over this class action. End-User Consumer Plaintiffs allege that Defendants and their co-conspirators conspired to restrict the supply of, and fix, raise, and stabilize the price of Broiler chicken, from at least January 1, 2012 through at least July 31, 2019, in violation of federal and state consumer protection and antitrust laws.

The Court previously gave final approval to settlements between the Plaintiffs and Fieldale, George’s, Mar-Jac, Peco, Pilgrim’s, and Tyson. The End-User Consumer Plaintiffs’ case is proceeding against all other Defendants who have not settled the case, known as the “Non-Settling Defendants.”

This is a class certification notice for the Non-Settling Defendants listed below:

“Non-Settling Defendants” refers to Agri Stats, Inc.; Norman W. Fries, Inc. d/b/a Claxton Poultry Farms; Foster Farms, LLC and Foster Poultry Farms; Harrison Poultry, Inc.; House of Raeford Farms, Inc.; JCG Foods of Alabama, LLC, JCG Foods of Georgia, LLC, Koch Foods, Inc., and Koch Meat Co., Inc.; Mountaire Farms, Inc., Mountaire Farms, LLC, and Mountaire Farms of Delaware, Inc.; O.K. Foods, Inc., O.K. Farms, Inc., and O.K. Industries, Inc.; Perdue Farms, Inc. and Perdue Foods LLC; Sanderson Farms, Inc., Sanderson

Farms, Inc. (Foods Division), Sanderson Farms, Inc. (Processing Division), and Sanderson Farms, Inc. (Production Division); Wayne Farms, LLC; and Simmons Foods, Inc. and Simmons Prepared Foods, Inc.

If you are a member of the Certified Class, you may receive additional notices regarding the progress of the litigation and any resolution of claims against the Non-Settling Defendants.

WHAT ARE YOUR RIGHTS AND OPTIONS?

If you do not want to remain a member of the Certified Class and you do not want to be legally bound by the terms of any potential settlements or judgments, or if you wish to pursue your own separate lawsuit against Defendants, you must exclude yourself by submitting a written request to the Administrator stating your intent to exclude yourself from the Certified Class (an “Exclusion Request”).

Your Exclusion Request must include the following: (a) your name and address; (b) a statement that you want to be excluded from the End-User Consumer Certified Class in *In re Broiler Chicken Antitrust Litigation (End-User Consumer Action)*; and (c) your signature. You must mail your Exclusion Request, postmarked by **April 4, 2023**, to: Broiler Chicken Consumer Litigation, Attn: EXCLUSIONS, c/o A.B. Data, Ltd., P.O. Box 173001, Milwaukee, WI 53217.

You can find more details about the Certified Class at www.overchargedforchicken.com or by calling toll-free 1-877-888-5428. Please do not contact the Court.

Source:

Hagens Berman Sobol Shapiro LLP and Cohen Milstein Sellers & Toll, PLLC

Contact: Ashley Klann

pr@hbsslaw.com

206-268-9363

Hagens Berman Sobol Shapiro LLP y Cohen Milstein Sellers & Toll, PLLC anuncian la certificación como grupo de demandantes de consumidores que compraron productos de pollos

CHICAGO / 3 de febrero de 2023 / PR Newswire --

AVISO LEGAL APROBADO POR EL TRIBUNAL

Si hubiese comprado pollo crudo en los Estados Unidos de Norteamérica entre el 1 de enero de 2012 y el 31 de julio de 2019, una demanda colectiva puede afectar sus derechos.

*Para una notificación en español, llame gratis al 1-877-888-5428
o visite nuestro sitio web www.overchargedforchicken.com.*

El propósito de este aviso es informarle de sus derechos relacionados con la demanda colectiva titulada *In re Broiler Chicken Antitrust Litigation (End-User Consumer Action)*, N.D. Ill. causa n.º 1:16-cv-08637, la cual tramita en el Tribunal de distrito de los Estados Unidos de Norteamérica para el distrito norte de Illinois (el “Tribunal”). El 27 de mayo de 2022, el juez Thomas M. Durkin dictó una Orden que certificaba un grupo de compradores indirectos definidos como: “Todas las personas y entidades que compraron de manera indirecta los siguientes tipos de pollo crudo, ya sea fresco o congelado: aves enteras (con o sin menudillos), aves enteras troceadas compradas dentro de un paquete, cortes de pechuga o cortes de lomo, pero excluido el pollo que se comercializa como halal, kosher, criado en libertad, orgánico, cortado en dados, picado, molido, condimentado, aromatizado o empanado, a los demandados o coconspiradores para consumo personal en las Jurisdicciones revocadoras entre el 1 de enero de 2012 y el 31 de julio de 2019” (el “Grupo certificado”).

Este aviso brinda a los Miembros del grupo la oportunidad de excluirse del Grupo certificado definido con anterioridad. Si se excluyese del Grupo certificado, no podrá recuperar ninguna indemnización de ningún acuerdo o sentencia futuros obtenidos por los abogados del Grupo, si se produjesen acuerdos o sentencias. Su decisión de excluirse (o no) del Grupo certificado no afectará su capacidad para participar en los acuerdos anteriores alcanzados en este litigio. Sus derechos legales pueden verse afectados independientemente de que actuase o no. Por favor lea este aviso atentamente.

Los Demandados no han admitido responsabilidad alguna y continúan negando las demandas legales alegadas en este litigio. No se han alcanzado acuerdos adicionales con los Demandados no conciliadores. Si hubiese acuerdos o sentencias futuros, recibirá una notificación adicional.

¿QUIÉN ESTÁ INCLUIDO?

El Grupo certificado se define como:

todas las personas y entidades que compraron de manera indirecta los siguientes tipos de pollo crudo, ya sea fresco o congelado: aves enteras (con o sin menudillos), aves enteras troceadas compradas dentro de un paquete, cortes de pechuga o cortes de lomo, pero excluido el pollo que se comercializa como halal, kosher, criado en libertad, orgánico, cortado en dados, picado, molido, condimentado, aromatizado o empanado, a los demandados o coconspiradores para consumo personal en las Jurisdicciones revocadoras desde el 1 de enero de 2012 hasta el 31 de julio de 2019.

Las “Jurisdicciones revocadoras” son: California, distrito de Columbia, Florida, Hawái, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, Nuevo Hampshire, Nuevo México, Nueva York, Carolina del Norte, Rhode Island, Carolina del Sur, Dakota del Sur, Tennessee, Utah y Wisconsin.

Si fuese miembro del Grupo certificado y no se excluyese, puede tener derecho a participar de cualquier conciliación adicional que pudiese surgir con otros Demandados no conciliadores.

¿DE QUÉ TRATA ESTA DEMANDA?

Esta demanda colectiva, *In re Broiler Chicken Antitrust Litigation*, N.D. Ill. causa n.º 1:16-cv-08637, tramita en el Tribunal de distrito de los Estados Unidos de Norteamérica para el distrito norte de Illinois. El Juez del tribunal de distrito de los EE. UU., Thomas M. Durkin, preside esta demanda colectiva. Los Demandantes consumidores que eran usuarios finales alegan que los Demandados y sus coconspiradores conspiraron para restringir el suministro y fijar, aumentar y estabilizar el precio del pollo Broiler, desde, al menos, el 1 de enero de 2012 hasta, al menos, el 31 de julio de 2019, en infracción a las leyes federales y estatales de protección al consumidor y antimonopolio.

Con anterioridad, el Tribunal dio su aprobación definitiva a los acuerdos entre los demandantes y Fieldale, George's, Mar-Jac, Peco, Pilgrim's y Tyson. La causa de los Demandantes consumidores finales sigue adelante contra todos los demás Demandados que no han llegado a un acuerdo, conocidos como los “Demandados no conciliadores”.

El presente es un aviso de certificación de grupo para los Demandados no conciliadores enumerados a continuación:

“Demandados no conciliadores” se refiere a Agri Stats, Inc.; Norman W. Fries, Inc., razón social Claxton Poultry Farms; Foster Farms, LLC, y Foster Poultry Farms; Harrison Poultry, Inc.; House of Raeford Farms, Inc.; JCG Foods of Alabama, LLC, JCG Foods of Georgia, LLC, Koch Foods, Inc., y Koch Meats Co., Inc.; Mountaire Farms, Inc., Mountaire Farms, LLC, y Mountaire Farms of Delaware, Inc.; O.K. Foods, Inc., O.K. Farms, Inc., y O.K. Industries, Inc.; Perdue Farms, Inc. y Perdue Foods LLC; Sanderson Farms, Inc., Sanderson Farms, Inc. (División de Alimentos), Sanderson Farms, Inc. (División de procesamiento), and Sanderson Farms, Inc. (División de procesamiento); Wayne Farms, LLC y Simmons Foods, Inc. y Simmons Prepared Foods, Inc.

Si fuese miembro del Grupo certificado, puede recibir avisos adicionales sobre el progreso del litigio y cualquier resolución de reclamos contra los Demandados no conciliadores.

¿CUÁLES SON SUS DERECHOS Y OPCIONES?

Si no deseara seguir siendo miembro del Grupo certificado y no deseara estar legalmente vinculado por los términos de cualquier posible acuerdo o sentencia o si deseara interponer su propia demanda contra los Demandados, debe excluirse mediante la presentación de una solicitud por escrito al Administrador al indicar su intención de excluirse del Grupo certificado (una “Solicitud de exclusión”).

Su Solicitud de exclusión debe incluir lo siguiente: (a) su nombre y dirección; (b) una declaración de que desea ser excluido del Grupo certificado de consumidores finales en *In re Pork Antitrust Litigation (End-User Consumer Action)* y (c) su firma. Debe enviar por correo su Solicitud de exclusión, con sello postal no posterior al **4 de abril de 2023**, a: Broiler Chicken Consumer Litigation, Attn: EXCLUSIONS, c/o A.B. Data, Ltd., P.O. Box 173001, Milwaukee, WI 53217.

Podrá consultar más detalles sobre el Grupo certificado en www.overchargedforchicken.com o al llamar a la línea gratuita 1-877-888-5428. Le solicitamos que no se comuniquen con el Tribunal.

Fuente:

Hagens Berman Sobol Shapiro LLP y Cohen Milstein Sellers & Toll, PLLC

Contacto: Ashley Klann

pr@hbsslaw.com

206-268-9363

EXHIBIT D

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

If you purchased raw chicken in the United States from January 1, 2012, through July 31, 2019, a class action may affect your rights.

A federal court authorized this notice. This is not a solicitation from a lawyer.

- The purpose of this notice is to inform you of your rights related to the class action lawsuit entitled *In re Broiler Chicken Antitrust Litigation (End-User Consumer Action)*, N.D. Ill. Case No. 1:16-cv-08637, pending in the United States District Court for the Northern District of Illinois (the "Court").
- On May 27, 2022, Judge Thomas M. Durkin issued an Order certifying a class of indirect purchasers generally defined as: "All persons and entities who indirectly purchased the following types of raw chicken, whether fresh or frozen: whole birds (with or without giblets), whole cut-up birds purchased within a package, breast cuts or tenderloin cuts, but excluding chicken that is marketed as halal, kosher, free range, organic, diced, minced, ground, seasoned, flavored, or breaded—from defendants or co-conspirators for personal consumption in the Repealer Jurisdictions from January 1, 2012, to July 31, 2019" (the "Certified Class").
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- Defendants have not admitted any liability and continue to deny the legal claims alleged in this lawsuit. No additional settlements have been reached with the Non-Settling Defendants. If there are any future settlements or judgments, you will receive an additional notice.
- Your legal rights may be affected whether you act or do not act. Please read this notice carefully.

| YOUR LEGAL RIGHTS AND OPTIONS | |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ASK TO BE EXCLUDED | You must submit a valid request for exclusion to remove yourself from the Certified Class. This is the only option that allows you to ever be part of any <i>other</i> lawsuit against the Defendants for the claims set forth in this matter. Requests for Exclusion must be postmarked by April 4, 2023 . |
| DO NOTHING | If you do nothing, you will remain a member of the Certified Class, and if there is a settlement or judgment, you will be sent a notice with instructions on how to benefit from it. |

What This Notice Contains

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1. What is this lawsuit about?

This class action, *In re Broiler Chicken Antitrust Litigation*, N.D. Ill. Case No. 1:16-cv-08637, is pending in the United States District Court for the Northern District of Illinois. U.S. District Court Judge Thomas M. Durkin presides over this class action.

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The Court previously gave final approval to settlements between the Plaintiffs and Fieldale, George's, Mar-Jac, Peco, Pilgrim's, and Tyson. The End-User Consumer Plaintiffs' case is proceeding against all other Defendants who have not settled the case, known as the "Non-Settling Defendants."

This notice is a class certification notice for the Non-Settling Defendants listed below:

"Non-Settling Defendants" refers to Agri Stats, Inc.; Norman W. Fries, Inc. d/b/a Claxton Poultry Farms; Foster Farms, LLC and Foster Poultry Farms; Harrison Poultry, Inc.; House of Raeford Farms, Inc.; JCG Foods of Alabama, LLC, JCG Foods of Georgia, LLC, Koch Foods, Inc., and Koch Meat Co., Inc.; Mountaire Farms, Inc., Mountaire Farms, LLC, and Mountaire Farms of Delaware, Inc.; O.K. Foods, Inc., O.K. Farms, Inc., and O.K. Industries, Inc.; Perdue Farms, Inc. and Perdue Foods LLC; Sanderson Farms, Inc., Sanderson Farms, Inc. (Foods Division), Sanderson Farms, Inc. (Processing Division), and Sanderson Farms, Inc. (Production Division); Wayne Farms, LLC; and Simmons Foods, Inc. and Simmons Prepared Foods, Inc.

If you are a member of the Certified Class, you may receive additional notices regarding the progress of the litigation and any resolution of claims against the Non-Settling Defendants.

2. What is a class action and who is involved?

In a class action lawsuit, one or more people or businesses called “class representatives” sue on behalf of themselves and others who have similar claims in the specific class action, all of whom together are a “class.” Class Members do not have to file a lawsuit to participate in the class action settlement or be bound by the judgment in the class action. One court resolves the issues for everyone in the class, except for those who exclude themselves from the class.

3. Why am I getting this notice?

The Court has directed notice to be sent to the Certified Class, as this lawsuit may affect your rights. This notice provides you with the status of the litigation and the opportunity to exclude yourself from the Certified Class should you choose to do so.

You may have received notices and/or submitted claims with respect to prior settlements reached in this litigation. The prior notices and/or claims only relate to the Settling Defendants. You are receiving this notice because the Court has certified a Class regarding the Non-Settling Defendants.

4. Am I part of the Certified Class?

The Certified Class is defined as:

All persons and entities who indirectly purchased the following types [of] raw chicken, whether fresh or frozen: whole birds (with or without giblets), whole cut-up birds purchased within a package, breast cuts or tenderloin cuts, but excluding chicken that is marketed as halal, kosher, free range, organic, diced, minced, ground, seasoned, flavored, or breaded—from defendants or co-conspirators for personal consumption in the Repealer Jurisdictions from January 1, 2012 to July 31, 2019.

The “Repealer Jurisdictions” are: California, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, and Wisconsin.

If you are a member of the Certified Class and do not exclude yourself, you may be eligible to participate in any additional settlements which may arise with the Non-Settling Defendants.

5. I’m still not sure if I am included.

If you are still not sure if you are included, please review the detailed information contained on the litigation website, www.overchargedforchicken.com.

6. Is there a Settlement?

Settlements were previously reached with Fieldale, George’s, Mar-Jac, Peco, Pilgrim’s, and Tyson. There is no settlement or judgment at this time with respect to the Non-Settling Defendants and there is no guarantee that a settlement will be reached or that a judgment in favor of Plaintiffs will be entered by the Court.

7. What do I do if I already filed a claim in this litigation?

Any claims filed related to prior settlements reached in this litigation are unaffected by the Court’s Order regarding the Certified Class.

8. What am I giving up by staying in the Class?

Unless you exclude yourself by following the directions below, you will remain in the Certified Class, which means that you cannot sue, continue to sue, or be part of any *other* lawsuit against the Non-Settling Defendants and their affiliates that pertains to the claims in this case. It also means that should a settlement be reached, or a judgment be issued by the Court, regardless of if it is in favor of the Plaintiffs or the Defendants, the Court's orders will apply to you and legally bind you.

9. What happens if I do nothing at all?

If you do nothing, you will remain a member of the Certified Class. In the event of future settlements or judgments, you will be notified and have the opportunity to participate.

10. How do I exclude myself from the Certified Class?

If you do not want to remain a member of the Certified Class and you do not want to be legally bound by the terms of any potential settlements or judgments, or if you wish to pursue your own separate lawsuit against Defendants, you must exclude yourself by submitting a written request to the Administrator stating your intent to exclude yourself from the Certified Class (an "Exclusion Request").

Your Exclusion Request must include the following: (a) your name and address; (b) a statement that you want to be excluded from the End-User Consumer Certified Class in *In re Broiler Chicken Antitrust Litigation (End-User Consumer Action)*; and (c) your signature. You must mail your Exclusion Request, postmarked by **April 4, 2023**, to: Broiler Chicken Consumer Litigation, Attn: EXCLUSIONS, c/o A.B. Data, Ltd., P.O. Box 173001, Milwaukee, WI 53217.

11. If I don't exclude myself, can I sue Defendants for the same thing later?

No. Unless you exclude yourself, you give up the right to sue the Non-Settling Defendants for the claims set forth in the litigation. If you have a pending lawsuit against one or more of the Non-Settling Defendants, speak to your lawyer in that lawsuit immediately to determine whether you must exclude yourself from this Class to continue your own lawsuit against Non-Settling Defendants.

12. Do I have a lawyer in this case?

The Court has appointed Hagens Berman Sobol Shapiro LLP and Cohen Milstein Sellers & Toll, PLLC as Co-Lead Counsel for the Certified Class. If you wish to remain a member of the Certified Class, you do not need to hire your own lawyer because Co-Lead Counsel is working on your behalf. If you wish to pursue your own case separate from this one, or if you exclude yourself from the Certified Class, these lawyers will no longer represent you. You will need to hire your own lawyer if you wish to pursue your own lawsuit against Non-Settling Defendants.

13. How will the lawyers be paid?

In the event of a future settlement or judgment, Co-Lead Counsel will ask the Court for attorneys' fees based on their services in this litigation. Any payment to the attorneys will be subject to Court approval. You will not be responsible for paying Co-Lead Counsel directly.

14. How do I get more information?

This notice summarizes the Certified Class. More details are available on the website. You can find copies of the Order Certifying the Class, other important documents, and information about the current status of the litigation by visiting www.overchargedforchicken.com.

PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.

EXHIBIT E

In re Broiler Chicken Antitrust Litigation (End-User Consumer Action),**N.D. III. Case No. 1:16-cv-08637****Exclusion Report: Notice of Certification**

| # | <u>Exclusion ID</u> | <u>Name 1</u> | <u>Postmark Date</u> | <u>Details</u> |
|----------|----------------------------|----------------------|-----------------------------|-----------------------|
| 1. | 115826327 | J. Shriber | 2/11/2023 | El Dorado Hills, CA |
| 2. | 115826328 | P. Market | 2/22/2023 | |
| 3. | 115826329 | No name provided | 2/24/2023 | |
| 4. | 115826330 | R. Greenbaum | 2/28/2023 | |
| 5. | 115826331 | M. Dodds | 3/10/2023 | Apex, NC |
| 6. | 115826332 | J. Lee | 3/20/2023 | State College, PA |
| 7. | 115826333 | W. Bae | 3/22/2023 | Los Angeles, CA |
| 8. | 115826334 | V. Roberts | 3/24/2023 | Ida, MI |
| 9. | 115826335 | L. Isenhoff | 4/4/2023 | Clinton Township, MI |
| 10. | 115826336 | L. Coronel | 4/5/2023 | |
| 11. | 115826337 | M. Juarez | 4/7/2023 | Plainfield, WI |