

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

IN RE BROILER CHICKEN ANTITRUST  
LITIGATION

Case No. 1:16-cv-08637

This Document Relates To:

Honorable Thomas M. Durkin  
Magistrate Judge Jeffrey T. Gilbert

All Commercial and Institutional Indirect  
Purchaser Plaintiff Actions

**DECLARATION OF ERIC SCHACHTER IN SUPPORT OF  
MOTION FOR APPROVAL OF CIPPS' SETTLEMENT NOTICE PROGRAM**

I, Eric Schachter, hereby declare as follows:

1. I am a Senior Vice President of A.B. Data, Ltd.'s Class Action Administration Division ("A.B. Data"), whose Corporate Office is located in Milwaukee, Wisconsin. A.B. Data has been acting as Settlement Administrator in this case pursuant to previously reached settlements that were finally approved by this Court on April 18, 2022 (ECF 5536). I am fully familiar with the facts contained herein based upon my personal knowledge.

2. I have implemented and coordinated some of the largest and most complex class action notice and administration plans in the country. The scope of my work includes notification, claims processing, and distribution plans in all types of class actions, including but not limited to consumer, antitrust, securities, ERISA, insurance, and government agency settlements.

3. A.B. Data has also been appointed as notice, claims, and/or settlement administrator in hundreds of high-volume consumer, antitrust, civil rights, insurance, ERISA, securities, and wage and hour class action cases. A profile of A.B. Data's background and capabilities, including representative case and client lists, is included as **Exhibit A**.

4. In consultation with Class Counsel, A.B. Data has prepared a Notice Program for the additional Settlements reached in this litigation. This Declaration will specifically describe the recommended, proposed Notice Program, and how it will meet the requirements of Federal Rule of Civil Procedure (“Rule”) 23 and due process to Class Members.

### **NOTICE PROGRAM**

5. The objective of the Notice Program (which is substantially similar to the successful settlement and certification notice programs previously effectuated in this case) is to provide notice of the proposed Settlements to potential Class Members. The Notice Program includes direct notice via First-Class Mail and email, digital media advertisements in food-industry publications and websites, targeted digital advertising, and earned media via a national press release.

6. Direct notice via First-Class Mail and email will be effectuated via a Short-Form Notice, attached hereto as **Exhibit B**. The Short-Form Notice will also be utilized in the earned media described below. A more detailed Long-Form Notice, attached hereto as **Exhibit C**, will be posted on the case website, [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com).

7. The Short-Form and Long-Form Notices include summary information concerning the litigation and the proposed Settlements in plain and engaging language, including: that this is a class action; the definitions of the Classes; that the Classes allege antitrust and price-fixing claims; that Class Members may appear through an attorney; that Class Members can no longer request exclusion from the Classes; that Class Members can submit an objection to the proposed Settlements; that Class Members can file a claim, but if they filed a claim in the earlier settlements (or receive a payment from the previous distribution), they will automatically be included and do

not have to file another claim; the time and manner for submitting an objection or a claim; and the binding effect of the settlements and final class judgment.

### **DIRECT NOTICE**

8. The Short-Form Notice will be mailed and/or emailed to approximately 1,100,000 previously identified potential Class Members with a known mailing address and/or email address. If A.B. Data has both a mailing address and an email address, the notice will be sent to both. A.B. Data will process all mailing addresses through the national change of address (“NCOA”) database and, using any updated information available in the NCOA database, will send the Short-Form Notice directly to those potential Class Members. Further analysis will be performed on any mail returned as non-deliverable after use of the NCOA database and follow-up direct mail notice will be provided where appropriate.

9. For the emailed notice, A.B. Data implements certain best practices when disseminating email notice, such as not using email attachments and certain trigger words and sending the emails in tranches over a period of days or weeks to avoid SPAM and junk filters. A.B. Data also works closely with our technical partners, ISPs, and inbox providers to avoid suppression wherever possible.

### **PAID MEDIA**

10. The proposed paid media program includes banner ads on food industry websites and targeted banner and social media ads on Google Display Network and YouTube, respectively. A sample banner ad is attached as **Exhibit D**.

11. Digital ads will appear on the food industry websites, listed below. These websites provide direct access to individuals in management responsible for food-related purchasing decisions and thus, are very likely to include commercial and institutional purchasers of Broilers.

- *FoodService Director*
- *Nation's Restaurant News*
- *Progressive Grocer*
- *QSR*
- *Restaurant Hospitality*
- *Supermarket News*

12. Targeted digital ads will also be placed via the Google Display Network and YouTube, which allow targeting to owners, managers, and staff in commercial entities that purchase processed chicken. Websites and applications that include large percentages of the specific target audience will be selected, and programmatic buying will be utilized to ensure cost-efficient and effective digital ad placement. A minimum of 20 million impressions will be delivered over a period of 30 days. Comparable alternatives will be considered if any of the proposed publications do not accept legal notices or if inventory is not available at the time of placement.

### **EARNED MEDIA**

13. A.B. Data will also disseminate a news release via the *PR Newswire* distribution service. The press release will reach traditional media outlets (television, radio, newspapers, magazines), news websites, and journalists nationwide. It will also be distributed to food-industry trade publications.

14. News about the settlement will also be broadcast to the news media via X (formerly known as Twitter). It will be tweeted from PR Newswire's and A.B. Data's X accounts to thousands of media outlets, journalists, and other followers.

### **WEBSITE AND TELEPHONE**

15. To assist potential Class Members in understanding the terms of the proposed Settlements and their rights, A.B. Data will continue to maintain the existing case-specific toll-free telephone number and case-specific website.

16. The toll-free telephone number will be updated to present callers with a series of choices to hear prerecorded information concerning the additional Settlements. If callers need further help, they will have an option to speak with a live operator during business hours.

17. The case-specific website will be updated with information concerning the additional proposed Settlements, including a summary of the case; all relevant documents including the Settlement Agreements and Preliminary Approval Orders; and important dates, deadlines, and updates about the case. Also, the website will continue to have the functionality to allow Class Members to submit Claim Forms online (as needed).

### **CLAIMS ADMINISTRATION**

18. As detailed in the Long-Form Notice and Short-Form Notice, Class Members who submitted a valid claim in the previous settlements, and did not exclude themselves from the Classes, do not need to submit another Claim Form. Eligibility to receive payment from the additional Settlements will be based on data from the initial valid claim. Class Members who did not submit a claim in the previous settlements will need to submit a Claim Form online at the case-specific website or by mail to be eligible to receive a payment from these Settlements. Class Members will be able to review their eligible purchase amounts, based on known eligible purchase information from food service distributors and/or the previous claim process, on the case-specific settlement website. Claimants who disagree with or wish to supplement their known purchase

information will be able to do so by completing and submitting a Purchase Audit Request Form, attached as **Exhibit E**.

### **CONCLUSION**

19. The Notice Program described herein is estimated to deliver a reach of at least 80% of the target audience. It is my opinion, based on my expertise and experience and that of my A.B. Data colleagues on which I regularly rely, that the Notice Program is designed to effectively reach potential Class Members, will deliver plain language notices that will capture the attention of the reader, and will provide relevant information in an informative and easy to understand manner that is necessary to effectively understand the rights and options under the terms of the Settlements. For these reasons, I believe this Notice Program is the best practicable notice under the circumstances to reach Class Members and is fully compliant with Rule 23 of the Federal Rules of Civil Procedure and due process.

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

Executed this 12th day of February, 2025 in Milwaukee, Wisconsin.

/s/ Eric Schachter  
Eric Schachter

# EXHIBIT A

Class  
Action  
Administration



**Headquarters**  
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Milwaukee, WI 53217  
P: 866-217-4470  
F: 414-961-3099

**New York**  
One Battery Park Plaza  
32<sup>nd</sup> Floor  
New York, NY 10004  
P: 646-290-9137

**Washington DC**  
915 15<sup>th</sup> St., NW, Ste. 300  
Washington, DC 20005  
P: 202-618-2900  
F: 202-462-2085

**Florida**  
5080 PGA Boulevard, Ste. 209  
Palm Beach Gardens, FL 33418  
P: 561-336-1801  
F: 561-252-7720

**Israel**  
19 Weissburg Street  
Tel Aviv 69358  
Israel  
P: +972 (3) 720-8782

**London**  
71-75 Shelton Street  
Covent Garden  
London, WC2H 9JQ  
P: +44 20 4586 1892





# CAPABILITIES

## About A.B. Data



Founded in 1981, **A.B. Data has earned a reputation** for expertly managing the complexities of class action administration in consumer, antitrust, securities, Securities and Exchange Commission (SEC) enforcement actions, and ERISA, Attorneys General, employment, civil rights, insurance, environmental, wage and hour, and other class action cases. **A.B. Data's work in all aspects of class action administration** has been perfected by decades of experience in hundreds of class action cases involving billions of dollars in total settlements. Dedicated professionals deliver **A.B. Data's all-inclusive services**, working in partnership with its clients to administer their class action cases effectively, efficiently, and affordably, regardless of size or scope.

**A.B. Data offers unmatched resources and capacity** and is capable of expertly administering any class action notice, settlement, and/or fund administration. Whether notifying millions of class members in the United States or throughout the world, processing millions of claims, distributing payments digitally via A.B. Data's Digital PayPortal<sup>SM</sup>, or printing and distributing millions of checks, **A.B. Data matches its talent and technology** to the specific needs of its clients, delivering unparalleled service on time and on budget without ever compromising quality.

## Location, Ownership Structure



**A.B. Data is an independently owned**, more than 40-year-old, Milwaukee, Wisconsin-based company that prides itself on its vast expertise and industry-leading innovations. We like to remind our clients and partners that we're not just a class action administration company, but a group of experienced, dedicated professionals who believe that relationships are just as important as the accurate and timely management of class action administrations. In other words, we are people who do business with people.

## Services



**Every A.B. Data client is deserving of the best job we can put forward.** A.B. Data makes class action administration easy for our clients with clarity, convenience, and efficiency. Our priority is to navigate the intricacies of our clients' matters and deliver successful results by using our solid expertise, advanced technology, and top-quality products and services. We pay attention to the details and get it right the first time.

We aim to provide our clients the full experience of a truly collaborative working relationship. It is why we believe much of our success originates from our philosophy of "people doing business with people."

## Services

### All Digital — From Notice to Distribution

**A.B. Data is uniquely positioned to design, implement, and maintain notice and settlement administration programs** using an innovative, "all-digital" approach that replaces the more traditional and less efficient methods of administration, such as newspaper ads, mailed notices, and paper checks. Many of our recent proposed notice plans and claim programs utilize the latest technologies such as microtargeted digital ads for notice, streamlined online claims, and distributing settlement funds electronically using a digital paywall. These methods provide significant cost savings, are consistent with the amendments to Rule 23 that are now in effect, and importantly provide much-needed alignment of class action notice and administration with current consumer behaviors.

### Pre-Settlement Consultation

**The pre-settlement consultation is a collaborative session** designed to help A.B. Data clients prepare a stronger case. Our support teams simplify the task of sorting through a maze of documents during investigation and discovery, streamlining the process and preserving fund assets. From there, we assist with fully interactive media packages for court presentations and settlement negotiations. A.B. Data works closely with our clients, offering expert testimony on documents, processing, class and notice manageability, and proposed plans of allocation.

### Media Services

**A.B. Data continues to earn our reputation** as the early innovator in integrating advanced micro-targeting techniques, including contextual targeting, behavioral targeting, and predictive modeling. Coupled with inventive digital media strategies to drive claims, case-specific banner ad development, class member research, and comScore analysis services, our multi-tiered media programs are designed to cost-effectively deliver notice to potential class members and increase claims rates.

### Notice Administration

**In A.B. Data, clients have a comprehensive resource** with a depth of experience in direct notice. Our compliance and understanding of Rule 23 of the Federal Rules of Civil Procedure are crucial in meeting the "plain language" legal requirements for any campaign. From our sophisticated digital media capabilities and extensive global experience with class member research, our experts create notice documents that are easily understandable and cost-efficient to produce. We consult with our clients to deliver notice documents from multi-page, mailed, or emailed notice packets to concise postcards that establish the most influential and cost-effective means of communicating with potential claimants.

## Claims Processing

**A.B. Data continues to bring game-changing technologies** to improve the speed and precision in claims processing. Our robust system for online claims submissions allows us to meticulously verify data and documentation, preserve and authenticate claims, and calculate and verify settlement amounts. In addition, our data network infrastructure includes on-site data storage, backup, contingency plans, and security for electronic and hard copy claim filings. It is all part of a total commitment to be the most innovative and comprehensive resource in the industry. At A.B. Data, we take pride in having the in-house capacity to process millions of pages, as well as the organizational integrity to treat every claim as if it were the only one.

## Contact Center

**A.B. Data's Contact Center is comprised of a full staff** that is trained on and equipped with online and telecommunication systems to monitor and connect with class members. Associates routinely monitor class member communication for all class action administrations, including antitrust, consumer, and securities.

Utilizing monitoring software, associates watch multiple social media channels simultaneously, allowing for instantaneous routing of inquiries and interaction with claimants. Detailed and concise analytical reports outlining Contact Center activities are always provided.

Our Contact Center and case websites are capable of handling millions of class member engagements, as recently displayed in a campaign which garnered over 1.2 million website visits in two months and had more than 72,500 Facebook engagements. Facebook comments and threads are monitored and claimants are guided to the website for more information. Google AdWords and display advertising have also brought hundreds of thousands of visitors to various case websites.

A.B. Data's Contact Center also has Spanish language associates in-house and we can accommodate any language, given proper lead time. Traditional call center facilities are also available, if needed.

## Case Websites

**We offer a state-of-the-art technology platform** that supports every step of our class action administration process. Our expert marketing professionals design customized case-specific websites that provide potential class members easy access to case information, critical documents, important deadlines, as well as the capability to file claim forms and register for future mailings about the case. Claimants can use the website to elect to receive their settlement payments by mail or by one of several digital payment options, all accessible by mobile devices.

## Settlement Fund Distribution

**From complete escrow services to establishment of qualified settlement funds**, check printing and mailing, electronic cash or stock distribution and tax services, A.B. Data has always provided a full-service solution to Settlement Fund Distribution. Our IT team has decades of experience in developing and implementing fast, secure databases and claims administration systems that ensure class members receive the correct amount in their settlement disbursement. Today's digital capabilities allow even greater convenience for class members. In certain instances, claimants can now elect to

instantaneously receive settlement payments through popular digital-payment options, such as PayPal, Amazon, and virtual debit cards.

## A.B. Data's Leadership



A.B. Data's administration team is composed of the following key executives, who collectively have decades of experience settling and administering class actions:

**Bruce A. Arbit, Co-Managing Director** and one of the founders of the A.B. Data Group, serves as Chairman of the Board and oversees the day-to-day operations of the A.B. Data Group of companies, employing almost 400 people in the United States and Israel. Mr. Arbit is also Chairman of the Board of Integrated Mail Industries, Ltd. and has served as a member of the Board of Directors of University National Bank and State Financial Bank. He is the past Chairman of Asset Development Group, Inc., Home Source One, and American Deposit Management and is a member of the National Direct Marketing Association, the Direct Marketing Fundraising Association, and the American Association of Political Consultants. He was named 1996 Direct Marketer of the Year by the Wisconsin Direct Marketing Association.

A.B. Data's work in class action litigation support began with the Court selecting A.B. Data to oversee the restitution effort in the now-famous Swiss Banks Class Action Case, the International Commission on Holocaust Era Insurance Claims, and every other Holocaust Era Asset Restitution program, in which it was the company's job to identify, contact, and inform survivors of the Holocaust. A.B. Data delivered by reaching out to millions of people in 109 countries who spoke more than 30 languages. Since those days, Mr. Arbit has guided the class action division through phenomenal growth and success. Today, A.B. Data manages hundreds of administrations annually that distributes billions of dollars to class members.

**Thomas R. Glenn, President**, Mr. Glenn's management of A.B. Data's Class Action Administration Company includes designing and implementing notice plans and settlement administration programs for antitrust, securities, and Securities and Exchange Commission settlements and SEC disgorgement fund distributions, as well as consumer, employment, insurance, and civil rights class actions. Mr. Glenn previously served as Executive Vice President at Rust Consulting and has more than 30 years of executive leadership experience.

**Eric Miller, Senior Vice President**, as a key member of A.B. Data's Class Action Administration Leadership Team, oversees the Case Management Department and supervises the operations and procedures of all of A.B. Data's class action administration cases. Mr. Miller is recognized in the class action administration industry as an expert on securities, SEC, consumer, product recall, product liability, general antitrust, pharmaceutical antitrust, and futures contract settlements, to name a few settlement types. Prior to joining A.B. Data, Mr. Miller served as the Client Service Director for Rust Consulting, responsible there for its securities practice area. He has more than 20 years of operations, project management, quality assurance, and training experience in the class action administration industry. In addition, Mr. Miller manages A.B. Data's office in Palm Beach Gardens, Florida.

**Eric Schachter, Senior Vice President**, is a member of A.B. Data's Class Action Administration Leadership Team. He has over 15 years of experience in the legal settlement administration services industry. Mr. Schachter's responsibilities include ensuring successful implementation of claims administration services for A.B. Data's clients in accordance with settlement agreements, court orders, and service agreements. He also works closely with Project Managers to develop plans of administration to provide the highest level of effective and efficient delivery of work product. A frequent speaker on claims administration innovation and best practices at industry events nationwide, Mr. Schachter has a bachelor's degree in sociology from Syracuse University, earned his law degree at Hofstra University School of Law, and was previously an associate at Labaton Sucharow LLP in New York City.

**Elaine Pang, Vice President, Media**, oversees the Media Department and is responsible for the direction, development, and implementation of media notice plans for A.B. Data's clients. Ms. Pang brings more than 15 years of experience in developing and implementing multifaceted digital and traditional media for high profile complex legal notice programs. She uses her experience in class actions and advertising to provide the best practicable notice plans for large scale campaigns across domestic and international regions, and she leverages her expertise to better understand the evolving media landscape and utilize cutting-edge technology and measurement tools. Prior to entering the class action industry, Ms. Pang worked with many leading reputable brands, including General Mills, Air Wick, Jet-Dry, Comedy Central, Madison Square Garden, Radio City Music Hall, and Geox. She earned her MBA from Strayer University and holds a BS in Marketing from Pennsylvania State University. Ms. Pang's credentials include Hootsuite Social Marketing Certification, Google Adwords and Analytics Certification, and IAB Digital Media Buying and Planning Certification.

**Paul Sauberer, Vice President of Quality**, is responsible for overseeing quality assurance and process management, working diligently to mitigate risk, ensure exceptional quality control, and develop seamless calculation programming. Mr. Sauberer brings more than 20 years of experience as a quality assurance specialist with a leading claims-processing company where he developed extensive knowledge in securities class action administration. He is recognized as the class action administration industry's leading expert on claims and settlement administrations of futures contracts class actions.

**Justin Parks, Vice President**, is a member of A.B. Data's Class Action Administration Leadership Team. Mr. Parks brings extensive experience in client relations to A.B. Data's business development team. Mr. Parks has over 15 years of experience in the legal settlement administration services industry and has successfully managed and consulted on notice plans and other administrative aspects in hundreds of cases. Mr. Parks is uniquely experienced in Data Privacy matters, having consulted with clients on numerous matters stemming from data breaches as well as violations of the Illinois Biometric Information Privacy Act (BIPA), including some of the first ever Biometric Privacy related settlements in history. Mr. Parks' knowledge and understanding of the class action industry, as well as his client relationship skills, expand A.B. Data's capacity to achieve its business development and marketing goals effectively.

**Steve Straub, Senior Director of Operations**, started with A.B. Data in 2012 as a Claims Administrator. He moved through the ranks within the company where he spent the past five years as Senior Project Manager managing many of the complex commodities cases such as *In re LIBOR-Based Financial Instruments Antitrust Litigation*, *In re London Silver Fixing, Ltd. Antitrust Litigation*, and *Laydon v. Mizuho Bank, Ltd., et al.* Mr. Straub's performance in these roles over the past ten years, along with his comprehensive knowledge of company and industry practices and first-person experience leading the project management team, has proven him an invaluable member of the A.B. Data team.

In his role as Senior Director of Operations, his responsibilities include developing efficiencies within the operations center, which includes mailroom, call center, and claims processing areas. His areas of expertise include business process development, strategic/tactical operations planning and implementation, risk analysis, budgeting, business expansion, growth planning and implementation, cost reduction, and profit, change, and project management. Mr. Straub is well-versed in the administration of securities, consumer, and antitrust class action settlements. He earned his Juris Doctor degree from Seton Hall University School of Law in Newark, New Jersey.

**Jack Ewashko, Director of Client Services**, brings twenty years of industry and brokerage experience to his role with A.B. Data. He is an accomplished client manager adept at facilitating proactive communications between internal and outside parties to ensure accurate and timely deliverables. Mr. Ewashko previously held positions at two claim administration firms where he oversaw the securities administration teams and actively managed numerous high-profile matters, including the \$2.3 billion foreign exchange litigation. He notably served as Vice President, FX and Futures Operations at Millennium Management, a prominent global alternative investment management firm. As he progressed through trading, analytic, management, and consultancy roles at major banks and brokerage firms, Mr. Ewashko gained hands-on experience with vanilla and exotic securities products, including FX, commodities, mutual funds, derivatives, OTC, futures, options, credit, debt, and equities products. In the financial sector, he also worked closely with compliance and legal teams to ensure accuracy and conformity with all relevant rules and regulations regarding the marketing and sale of products, as well as the execution and processing of trades. He has held Series 4, Series 6, Series 7, and Series 63 licenses, and has been a member of the Futures Industry Association (FIA) and Financial Industry Regulatory Authority (FINRA). Mr. Ewashko earned his Bachelor of Business Administration from Long Island University, Brooklyn, New York.

**Brian Devery, Director of Client Services**, brings more than a decade of experience in class action administration and project management, as well as over two decades of experience as an attorney (ret.). Mr. Devery currently focuses on consumer, antitrust, employment, and other non-securities based administrations. In addition to driving project administration, he is focused on the implementation of process improvement, streamlining, and automation. Mr. Devery is admitted to practice law in State and Federal Courts of New York with his Juris Doctorate earned from the Maurice A. Deane School of Law at Hofstra University, Hempstead, New York.

**Adam Walter, PMP, Director of Client Services**, has nearly fifteen years of experience managing the administration of securities class action settlements and SEC disgorgements totaling more than \$4 billion. He has managed settlement programs in engagements involving some of the largest securities class action settlements and is a key contributor to the development of administration strategies that meet the evolving needs of our clients. His responsibilities include developing case administration strategies to ensure that all client and court requirements and objectives are met, overseeing daily operations of case administrations, ensuring execution of client deliverables, providing case-related legal and administration support to class counsel, overseeing notice dissemination programs, implementing complex claims-processing and allocation methodologies, establishing quality assurance and quality control procedures, and managing distribution of settlement funds. Mr. Walter holds a bachelor's degree in business administration from Florida Atlantic University, Boca Raton, Florida. He also has been an active member of the Project Management Institute since 2010 and is PMP®-certified.

**Eric Nordskog, Director of Client Services**, started with A.B. Data in 2012 on the operations team, managing dozens of team leads and claims administrators in the administration of legal cases and actions. In 2017, Mr. Nordskog was promoted to Project Manager, due in part to his proven ability to add consistency and efficiency to the e-claim filing process with new streamlined processes and audit practices. Today, as Senior Project Manager, he directs many of A.B. Data's securities, insurance, and



consumer cases. He regularly oversees the administration of large insurance cases, such as two recent Cigna Insurance matters that involved complex calculations and over one million class members each. He is also the primary hiring and training manager for new project managers and coordinators. Mr. Nordskog earned his Juris Doctor degree from Marquette University Law School, Milwaukee, in 2001.

**Eric Schultz, MCSE, Information Technology Manager and Security Team Chairperson**, has been with A.B. Data for more than 19 years, and is currently responsible for overseeing all information technology areas for all A.B. Data divisions across the United States and abroad, including network infrastructure and architecture, IT operations, data security, disaster recovery, and all physical, logical, data, and information systems security reviews and audits required by our clients or otherwise. As a Microsoft Certified Systems Engineer (MCSE) with more than 25 years of experience in information technology systems and solutions, Mr. Schultz has developed specializations in network security, infrastructure, design/architecture, telephony, and high-availability network systems.

## Secure Environment



**A.B. Data's facilities provide the highest level of security** and customization of security procedures, including:

- A Secure Sockets Layer server
- Video monitoring
- Limited physical access to production facilities
- Lockdown mode when checks are printed
- Background checks of key employees completed prior to hire
- Frequency of police patrol – every two hours, with response time of five or fewer minutes
- Disaster recovery plan available upon request

## Data Security



**A.B. Data is committed to protecting the confidentiality, integrity, and availability of personal identifying information** and other information it collects from our clients, investors, and class members and requires that its employees, subcontractors, consultants, service providers, and other persons and entities it retains to assist in distributions do the same. A.B. Data has developed an Information Security Policy, a suite of policies and procedures intended to cover all information security issues and bases for A.B. Data, and all of its divisions, departments, employees, vendors, and clients. A.B. Data has also recently taken the necessary, affirmative steps toward compliance with the EU's General Data Protection Regulation and the California Consumer Privacy Act.

A.B. Data has a number of high-profile clients, including the Securities and Exchange Commission (SEC), the United States Department of Justice, the Attorneys General of nearly all 50 states, other agencies of the United States government, and the Government of Israel, as well as direct banking and payment services companies with some of the most recognized brands in United States financial services and some of the largest credit card issuers in the world.

We are therefore frequently subjected to physical, logical, data, and information systems security reviews and audits. We have been compliant with our clients' security standards and have also been determined to be compliant with ISO/IEC 27001/2 and Payment Card Industry (PCI) data-security standards, the Gramm-Leach-Bliley Act (GLB) of 1999, the National Association of Insurance Commissioners (NAIC) Regulations, the Health Insurance Portability and Accountability Act (HIPAA) of 1996, and the Health Information Technology for Economic and Clinical Health Act (HITECH).

The Government of Israel has determined that A.B. Data is compliant with its rigorous security standards in connection with its work on Project HEART (Holocaust Era Asset Restitution Taskforce).

A.B. Data's fund distribution team has been audited by EisnerAmper LLP and was found compliant with class action industry standards and within 99% accuracy. EisnerAmper LLP is a full-service advisory and accounting firm and is ranked the 15th-largest accounting firm in the United States.

In addition, as part of PCI compliance requirements, A.B. Data has multiple network scans and audits from third-party companies, such as SecurityMetrics and 403 Labs, and is determined to be compliant with each of them.

## Fraud Prevention and Detection



### **A.B. Data is at the forefront of class action fraud prevention.**

A.B. Data maintains and utilizes comprehensive proprietary databases and procedures to detect fraud and prevent payment of allegedly fraudulent claims.

We review and analyze various filing patterns across all existing cases and claims. Potential fraudulent filers are reported to our clients as well as to the appropriate governmental agencies where applicable.

## Representative Class Action Engagements



**A.B. Data and/or its team members have successfully administered** hundreds of class actions, including many major cases. Listed below are just some of the most representative or recent engagements.

### Consumer & Antitrust Cases

- *In re EpiPen Marketing, Sales Practices and Antitrust Litigation*
- *In re Broiler Chicken Antitrust Litigation - Commercial (Indirect)*
- *In re Broiler Chicken Antitrust Litigation - Indirect*
- *In re Broiler Chicken Antitrust Litigation - Direct*
- *In re Pork Antitrust Litigation - Directs*
- *In re Pork Antitrust Litigation - Indirects*



- *Peter Staley, et al. v. Gilead Sciences, Inc., et al.*
- *In re: Opana ER Antitrust Litigation*
- *In re Ranbaxy Generic Drug Application Antitrust Litigation*
- *In re Valeant Pharmaceuticals Int'l, Inc. Third-Party Payor Litigation*
- *Staley, et al., v. Gilead Sciences*
- *In Re: Generic Pharmaceuticals Pricing Antitrust Litigation – Direct Purchasers*
- *Beef Direct Purchaser Antitrust Litigation*
- *BCBSM, Inc. v. Vyera Pharmaceuticals, et al. (Daraprim)*
- *In re Automobile Antitrust Cases I and II*
- *Olean Wholesale Grocery Cooperative, Inc., et al. v. Agri Stats, Inc., et al. (Turkey)*
- *Integrated Orthopedics, Inc., et al. v. UnitedHealth Group, et al.*
- *In Re: Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litigation*
- *Vista Healthplan, Inc., et al. v. Cephalon, Inc., et al. (Provigil)*
- *Jeffrey Koenig, et al. v. Vizio, Inc.*
- *Wit, et al. v. United Behavioral Health*
- *Weiss, et al. v. SunPower Corporation*
- *Smith, et al. v. FirstEnergy Corp., et al.*
- *Resendez, et al. v. Precision Castparts Corp. and PCC Structurals, Inc.*
- *Julian, et al. v. TTE Technology, Inc., dba TCL North America*
- *Eugenio and Rosa Contreras v. Nationstar Mortgage LLC*
- *Phil Shin, et al. v. Plantronics, Inc.*
- *In re: Qualcomm Antitrust Litigation*
- *In re Resistors Antitrust Litigation*
- *The Hospital Authority of Metropolitan Government of Nashville and Davidson County, Tennessee v. Momenta Pharmaceuticals, Inc. and Sandoz Inc. ("Lovenox Antitrust Matter")*
- *William Kivett, et al. v. Flagstar Bank, FSB, and DOES 1-100, inclusive*
- *Adelphia, Inc. v. Heritage-Crystal Clean, Inc.*
- *LLE One, LLC, et al. v. Facebook, Inc.*
- *Bach Enterprises, Inc., et al. v. Advanced Disposal Services South, Inc., et al.*
- *JWG Inc., et al. v. Advanced Disposal Services Jacksonville, L.L.C., et al.*
- *State of Washington v. Motel 6 Operating L.P. and G6 Hospitality LLC*
- *In re GSE Bonds Antitrust Litigation*
- *Wave Lengths Hair Salons of Florida, Inc., et al. v. CBL & Associates Properties, Inc., et al.*
- *In re Loestrin 24 FE Antitrust Litigation*
- *Office of the Attorney General, Department of Legal Affairs, State of Florida v. Pultegroup, Inc. and Pulte Home Company, LLC*
- *In re Cigna-American Specialties Health Administration Fee Litigation*
- *In re: Intuniv Antitrust Litigation*
- *High Street, et al. v. Cigna Corporation, et al.*
- *Gordon Fair, et al. v. The Archdiocese of San Francisco, San Mateo, and Marin County*
- *Bizzarro, et al. v. Ocean County Department of Corrections, et al.*
- *Meeker, et al. v. Bullseye Glass Co.*
- *MSPA Claims 1, LLC v. Ocean Harbor Casualty Insurance Company*
- *Tennille v. Western Union Company - Arizona*
- *Garner, et al. v. Atherotech Holdings, Inc. and Garner, et al. v. Behrman Brothers IV, LLC, et al.*
- *Robinson, et al. v. Escallate, LLC*
- *Josefina Valle and Wilfredo Valle, et al. v. Popular Community Bank f/k/a Banco Popular North America*
- *Vision Construction Ent., Inc. v. Waste Pro USA, Inc. and Waste Pro USA, Inc. and Waste Pro of Florida, Inc.*

- *Plumley v. Erickson Retirement Communities, et al.*
- *In re London Silver Fixing, Ltd. Antitrust Litigation*
- *Ploss v. Kraft Foods Group, Inc. and Mondelēz Global LLC*
- *In re Mexican Government Bonds Antitrust Litigation*
- *In re Ready-Mixed Concrete Antitrust Litigation*
- *In re: Marine Hose Antitrust Litigation*
- *Iowa Ready Mixed Concrete Antitrust Litigation*
- *In re Potash Antitrust Litigation (II)*
- *In re Evanston Northwestern Healthcare Corp. Antitrust Litigation*
- *In re Polyurethane Foam Antitrust Litigation*
- *In re LIBOR-Based Financial Instruments Antitrust Litigation*
- *In re Lorazepam and Clorazepate Antitrust Litigation*
- *In re Cardizem CD Antitrust Litigation*
- *Vista Healthplan, Inc., and Ramona Sakiestewa v. Bristol-Myers Squibb Co., and American BioScience, Inc.*
- *In re Lupron Marketing and Sales Practices Litigation*
- *In re Terazosin Hydrochloride Antitrust Litigation*
- *In re Warfarin Sodium Antitrust Litigation*
- *Rosemarie Ryan House, et al. v. GlaxoSmithKline PLC and SmithKline Beecham Corporation*
- *Carpenters and Joiners Welfare Fund, et al. v. SmithKline Beecham*
- *New Mexico United Food and Commercial Workers Union's and Employers' Health and Welfare Trust Fund, et al. v. Purdue Pharma L.P.*
- *In Re Pharmaceutical Industry Average Wholesale Price Litigation*
- *Alma Simonet, et al. v. SmithKline Beecham Corporation, d/b/a GlaxoSmithKline*
- *In re Relafen Antitrust Litigation*
- *In Re Remeron Direct Purchaser Antitrust Litigation*
- *In re TriCor Indirect Purchasers Antitrust Litigation*
- *Nichols, et al., v. SmithKline Beecham Corporation*
- *In re: DDAVP Indirect Purchaser Antitrust Litigation*

## Securities Cases

- *Plymouth County Retirement Association v. Spectrum Brands Holdings, Inc., et al.*
- *Tung, et al. v. Dycom Industries, Inc., et al.*
- *Boutchard., et al. v. Gandhi, et al. ("Tower/e-Minis")*
- *MAZ Partners LP v. First Choice Healthcare Solutions, Inc.*
- *SEB Investment Management AB, et al. v. Symantec Corporation, et al.*
- *In re Impinj, Inc. Securities Litigation*
- *In re Netshoes Securities Litigation*
- *Yellowdog Partners, LP, et al. v. Curo Group Holdings Corp., et al.*
- *In re Brightview Holdings, Inc. Securities Litigation*
- *In re Obalon Therapeutics, Inc. Securities Litigation*
- *In re Willis Towers Watson PLC Proxy Litigation*
- *In re Blue Apron Holdings, Inc. Securities Litigation*
- *In re: Qudian Inc. Securities Litigation*
- *Plymouth County Contributory Retirement System v. Adamas Pharmaceuticals, et al.*
- *In re Perrigo Company PLC Securities Litigation*
- *Enriquez, et al. v. Nabriva Therapeutics PLC, et al.*
- *Teamsters Local 456 Pension Fund, et al. v. Universal Health Services, Inc., et al.*
- *Olenik, et al. v. Earthstone Energy, Inc.*

- *Shenk v. Mallinckrodt plc, et al.*
- *In re The Allstate Corp. Securities Litigation*
- *Christopher Vataj v. William D. Johnson, et al.* (PG&E Securities II)
- *Kirkland v. WideOpenWest, Inc.*
- *Oklahoma Police Pension and Retirement System v. Sterling Bancorp, Inc.*
- *In re Uxin Limited Securities Litigation*
- *City of Hallandale Beach Police Officers' & Firefighters' Personnel Retirement Trust v. Ergen, et al.* (Echostar)
- *Lewis v. YRC Worldwide Inc., et al.*
- *Tomaszewski v. Trevena, Inc., et al.*
- *In re Restoration Robotics, Inc. Securities Litigation*
- *Public Employees' Retirement Systems of Mississippi, et al. v. Treehouse Foods, Inc., et al.*
- *Ronald L. Jackson v. Microchip Technology, Inc., et al.*
- *In re Micro Focus International plc Securities Litigation*
- *In re Dynagas LNG Partners LP Securities Litigation*
- *Weiss, et al. v. Burke, et al.* (Nutraceutical)
- *Yaron v. Intersect ENT, Inc., et al.*
- *Utah Retirement Systems v. Healthcare Services Group, Inc., et al.*
- *In re PPDAL Group Inc. Securities Litigation*
- *In re: Evoqua Water Technologies Corp. Securities Litigation*
- *In re Aqua Metals, Inc. Securities Litigation*
- *St. Lucie County Fire District Firefighters' Pension Trust Fund v. Southwestern Energy Company*
- *In re CPI Card Group Inc. Securities Litigation*
- *Arkansas Teacher Retirement System, et al. v. Alon USA Energy, Inc., et al.*
- *In re TAL Education Group Securities Litigation*
- *GCI Liberty Stockholder Litigation*
- *In re SciPlay Corporation Securities Litigation*
- *In re Allergan Generic Drug Pricing Securities Litigation*
- *In re Vivint Solar, Inc. Securities Litigation*
- *In re YayYo Securities Litigation*
- *In re JPMorgan Treasury Futures Spoofing Litigation*
- *Searles, et al. v. Crestview Partners, LP, et al.* (Capital Bank)
- *In re Lyft, Inc. Securities Litigation*
- *In re Aegean Marine Petroleum Network, Inc. Securities Litigation*
- *In re JPMorgan Precious Metals Spoofing Litigation*
- *In re Pivotal Software, Inc. Securities Litigation*
- *Longo, et al. v. OSI Systems, Inc., et al.*
- *In re Homefed Corporation Stockholder Litigation*
- *Pierrelouis v. Gogo Inc., et al.*
- *Pope v. Navient Corporation, et al.*
- *In re Merit Medical Systems, Inc. Securities Litigation*
- *In re Frontier Communications Corporation Stockholder Litigation*
- *Holwill v. AbbVie Inc.*
- *Budicak, Inc., et al. v. Lansing Trade Group, LLC, et al.* (SRW Wheat Futures)
- *Yannes, et al. v. SCWorx Corporation*
- *In re Fannie Mae/Freddie Mac Senior Preferred Stock Purchase Agreement Class Action Litigations*
- *In re Myriad Genetics, Inc. Securities Litigation*
- *In re Chicago Bridge & Iron Co. N.V. Securities Litigation*
- *The Arbitrage Fund, et al. v. William Petty, et al.* (Exactech)
- *In re Columbia Pipeline Group, Inc. Merger Litigation*

- *Martinek v. AmTrust Financial Services, Inc.*
- *City of Pittsburgh Comprehensive Municipal Pension Trust Fund, et al. v. Benefitfocus, Inc., et al.*
- *In re: Evoqua Water Technologies Corp. Securities Litigation*
- *Laydon v. Mizuho Bank, Ltd., et al.*
- *Lomingkit, et al. v. Apollo Education Group, Inc., et al.*
- *In re Caraco Pharmaceutical Laboratories, Ltd. Shareholder Litigation*
- *Norfolk County Retirement System, et al. v. Community Health Systems, Inc., et al.*
- *Chester County Employees' Retirement Fund v. KCG Holdings, Inc., et al.*
- *Oklahoma Law Enforcement Retirement System, et al. v. Adeptus Health Inc., et al.*
- *Di Donato v. Insys Therapeutics, Inc., et al.*
- *Lundgren-Wiedinmyer, et al. v. LJM Partners, Ltd, et al.*
- *Martin, et al. v. Altisource Residential Corporation, et al.*
- *Stephen Appel, et al. v. Apollo Management, et al.*
- *In re Medley Capital Corporation Stockholder Litigation*
- *Forman, et al. v. Meridian BioScience, Inc., et al.*
- *Public Employees' Retirement System of Mississippi, et al. v. Endo International PLC, et al.*
- *In Re Flowers Foods, Inc. Securities Litigation*
- *Jiangchen, et al. v. Rentech, Inc., et al.*
- *In re Liberty Tax, Inc. Stockholder Litigation*
- *In re RH, Inc. Securities Litigation*
- *Lazan v. Quantum Corporation, et al.*
- *Nabhan v. Quantum Corporation, et al.*
- *Edmund Murphy III, et al. v. JBS S.A.*
- *Public Employees' Retirement System of Mississippi, et al. v. Sprouts Farmers Market, Inc., et al.*
- *In re Starz Stockholder Litigation*
- *Judith Godinez, et al. v. Alere Inc., et al.*
- *Rahman and Giovagnoli, et al. v. GlobalSCAPE, Inc., et al.*
- *Arthur Kaye, et al. v. ImmunoCellular Therapeutics, Ltd., et al.*
- *In re CPI Card Group Inc. Securities Litigation*
- *Daniel Aude, et al. v. Kobe Steel, Ltd., et al.*
- *In re Quality Systems, Inc. Securities Litigation*
- *Cooper, et al. v. Thoratec Corporation, et al.*
- *Washtenaw County Employees' Retirement System, et al. v. Walgreen Co., et al.*
- *Elkin v. Walter Investment Management Corp., et al.*
- *In Re CytRx Corporation Securities Litigation*
- *Ranjit Singh, et al. v. 21Vianet Group, Inc., et al.*
- *In re PTC Therapeutics, Inc. Securities Litigation*
- *Securities and Exchange Commission v. Mark A. Jones*
- *In re Sequans Communications S.A. Securities Litigation*
- *In re Henry Schein, Inc. Securities Litigation*
- *Ronge, et al. v. Camping World Holdings, Inc., et al.*
- *Oklahoma Firefighters Pension & Retirement System v. Lexmark International, Inc.*
- *Christakis Vrakas, et al. v. United States Steel Corporation, et al.*
- *Emerson et al. v. Mutual Fund Series Trust, et al. ("Catalyst")*
- *In re Fannie Mae 2008 Securities Litigation*
- *In re Anadarko Petroleum Corporation Class Action Litigation*
- *Ge Dandong, et al., v. Pinnacle Performance Limited, et al.*
- *In Re: Rough Rice Commodity Litigation*
- *Xuechen Yang v. Focus Media Holding Limited et al.*
- *In re Massey Energy Co. Securities Litigation*

- *In re Swisher Hygiene, Inc.*
- *The City of Providence vs. Aeropostale, Inc., et al.*
- *In re Metrologic Instruments, Inc. Shareholders Litigation*
- *Public Pension Fund Group v. KV Pharmaceutical Company et al.*
- *Pension Trust Fund for Operating Engineers, et al. v. Assisted Living Concepts, Inc., et al.*
- *In re Lehman Brothers Equity/Debt Securities Litigation*
- *In re: Platinum and Palladium Commodities Litigation (Platinum/Palladium Physical Action)*
- *In re: Platinum and Palladium Commodities Litigation (Platinum/Palladium Futures Action)*
- *In re General Electric Co. Securities Litigation*
- *In re CNX Gas Corporation Shareholders Litigation*
- *Oscar S. Wyatt, Jr. et al. v. El Paso Corporation, et al.*
- *In re Par Pharmaceutical Securities Litigation*
- *In re Par Pharmaceutical Companies, Inc. Shareholders Litigation*
- *In re Delphi Financial Group Shareholders Litigation*
- *In re SLM Corporation Securities Litigation*
- *In re Del Monte Foods Company Shareholder Litigation*
- *Leslie Niederklein v. PCS Edventures!.com, Inc. and Anthony A. Maher*
- *In re Beckman Coulter, Inc. Securities Litigation*
- *Michael Rubin v. MF Global, Ltd., et al.*
- *Allen Zametkin v. Fidelity Management & Research Company, et al.*
- *In re BP Prudhoe Bay Royalty Trust Securities Litigation*
- *Police and Fire Retirement System of the City of Detroit et al. v. SafeNet, Inc., et al.*
- *In re Limelight Networks, Inc. Securities Litigation*
- *In re Gilead Sciences Securities Litigation*
- *In re ACS Shareholder Litigation, Consolidated C.A. No. 4940-VCP*
- *Lance Provo v. China Organic Agriculture, Inc., et al.*
- *In re LDK Solar Securities Litigation*

### Labor & Employment Cases

- *Verizon OFCCP Settlement*
- *Alvarez, et al. v. GEO Secure Services, LLC*
- *Sartena v. Meltwater FLSA*
- *Carmen Alvarez, et al. v. Chipotle Mexican Grill, Inc., et al.*
- *Turner, et al. v. Chipotle Mexican Grill, Inc.*
- *Long, et al. v. Southeastern Pennsylvania Transportation Authority*
- *Matheson, et al. v. TD Bank, N.A.*
- *Ludwig, et al. v. General Dynamics Information Technology, Inc., et al.*
- *Bedel, et al. v. Liberty Mutual Group Inc.*
- *Irene Parry, et al. v. Farmers Insurance Exchange, et al.*
- *Maldonado v. The GEO Group, Inc.*
- *Alderman and Maxey v. ADT, LLC*
- *Albaceet v. Dick's Sporting Goods*
- *Rodriguez v. The Procter & Gamble Company*
- *Adekunle, et al. v. Big Bang Enterprises, Inc. d/b/a The Revenue Optimization Companies*
- *Gorski, et al. v. Wireless Vision, LLC*
- *Lopez, et al. v. New York Community Bank, et al.*
- *Hamilton, et al. v. The Vail Corporation, et al.*
- *Eisenman v. The Ayco Company L.P.*
- *Matheson v. TD Bank, N.A.*



- *Simon v. R.W. Express LLC, d/b/a Go Airlink NYC*
- *Perez v. Mexican Hospitality Operator LLC, d/b/a Cosme*
- *Shanahan v. KeyBank, N.A.*
- *Loftin v. SunTrust Bank*
- *Alvarez v. GEO Secure Services, LLC*
- *Weisgarber v. North American Dental Group, LLC*
- *Talisa Borders, et al. v. Wal-mart Stores, Inc.*
- *Reale v. McClain Sonics Inc., et al.*
- *Larita Finisterre and Songhai Woodard, et al. v. Global Contact Services, LLC*
- *Adebisi Bello v. The Parc at Joliet*
- *Garcia, et al. v. Vertical Screen, Inc.*
- *Brook Lemma and Matthieu Hubert, et al. v. 103W77 Partners LLC, et al. ("Dovetail Settlement")*
- *American Federation of Government Employees, Local 1145 v. Federal Bureau of Prisons, U.S. Penitentiary, Atlanta, Georgia*
- *Lisa Ferguson, Octavia Brown, et al. v. Matthew G. Whitaker, Acting AG, DOJ Bureau of Prisons ("USP Victorville")*
- *American Federation of Government Employees, Local 2001 v. Federal Bureau of Prisons, Federal Correctional Institution, Fort Dix, New Jersey*
- *American Federation of Government Employees, Local 506 v. U.S. Department of Justice, Federal Bureau of Prisons, U.S. Penitentiary Coleman II, Coleman, Florida*
- *Vargas v. Sterling Engineering*
- *Rosenbohm v. Verizon*
- *Alex Morgan, et al. v. United States Soccer Federation, Inc.*
- *Iskander Rasulev v. Good Care Agency, Inc.*
- *Kyndl Buzas, et al., v. Phillips 66 Company and DOES 1 through 10*
- *American Federation of Government Employees, Local 408 v. U.S. Dept. of Justice, Federal Bureau of Prisons, Federal Correctional Complex, Butner, NC*
- *In re 2014 Avon Products, Inc. ERISA Litigation*
- *In re Eastman Kodak ERISA Litigation*
- *Taronica White, et al. v. Attorney General Loretta Lynch, Department of Justice*
- *Lisa Ferguson, et al. v. Acting Attorney General Matthew Whitaker, Department of Justice*
- *Melissa Compere v. Nusret Miami, LLC, et al.*
- *Abelar v. American Residential Services, L.L.C., Central District of California*
- *Flores, et al. v. Eagle Diner Corp., et al., Eastern District of Pennsylvania*
- *Michael Furman v. Godiva Chocolatier, Inc., 15<sup>th</sup> Judicial Circuit, Palm Beach County, Florida*
- *Finisterre et. al v. Global Contact Services, LLC, New York State Supreme Court, Kings County*
- *McGuire v. Intelident Solutions, LLC, et al., Middle District of Florida, Tampa Division*
- *Duran De Rodriguez, et al. v. Five Star Home Health Care Agency, Inc. et al., Eastern District of New York*

### Data Breach/BIPA Cases

- *Hunter v. J.S.T. Corp. BIPA Settlement*
- *Atkinson, et al. v. Minted, Inc.*
- *Rosenbach, et al. v. Six Flags Entertainment Corporation and Great America LLC*
- *Pratz, et al. v. MOD Super Fast Pizza, LLC*
- *The State of Indiana v. Equifax Data Breach Settlement*
- *In re: Vizio, Inc. Consumer Privacy Litigation*
- *In re: Google, Inc. Street View Electronic Communications Litigation*
- *Devin Briggs and Bobby Watson, et al. v. Rhinoag, Inc. ("Briggs Biometric Settlement")*
- *Trost v. Pretium Packaging L.L.C.*

- *In re: Barr, et al. v. Drizly, LLC f/k/a Drizly, Inc., et al.*

### Telephone Consumer Protection Act (TCPA) Cases

- *Perrong, et al. v. Orbit Energy & Power, LLC*
- *Baldwin, et al. v. Miracle-Ear, Inc.*
- *Floyd and Fabricant, et al. v. First Data Merchant Services LLC, et al.*
- *Hoffman, et al. v. Hearing Help Express, Inc., et al.*
- *Lowe and Kaiser, et al. v. CVS Pharmacy, Inc., et al.*
- *Johansen v. HomeAdvisor, Inc., et al.*
- *Charvat, et al. v. National Holdings Corporation*
- *Hopkins, et al. v. Modernize, Inc.*
- *Diana Mey vs. Frontier Communications Corporation*
- *Matthew Donaca v. Dish Network, L.L.C.*
- *Matthew Benzion and Theodore Glaser v. Vivint, Inc.*
- *John Lofton v. Verizon Wireless (VAW) LLC, et al.*
- *Lori Shamblin v. Obama for America, et al.*
- *Ellman v. Security Networks*

## For More Information

For more detailed information regarding A.B. Data's experience, services, or personnel, please see our website at [www.abdataclassaction.com](http://www.abdataclassaction.com).

# **EXHIBIT B**



## LEGAL NOTICE

### **Purchased Broiler Chicken Indirectly for Commercial Use Since 2009? You May Be Entitled to Money From New Class Action Settlements Totaling Approximately \$41,250,000.**

Additional settlements – referred to in this notice as the Round 2 Settlements – have been reached with indirect commercial and institutional purchasers of Broiler chicken. The Round 2 Settlements are with Defendants: Harrison Poultry, Inc., House of Raeford Farms, Inc.; Koch Foods Inc., JCG Foods of Alabama, LLC., JCG Foods of Georgia, LLC, and Koch Meat Co., Inc.; Mountaire Farms, LLC and Mountaire Farms of Delaware, Inc.; O.K. Foods, Inc., O.K. Farms, Inc., and O.K. Industries, Inc.; Sanderson Farms, LLC (f/k/a Sanderson Farms, Inc.), Sanderson Farms 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)) Simmons Foods, Inc. and Simmons Prepared Foods, Inc.; Agri Stats, Inc.; Case Foods, Inc., Case Farms, LLC, and Case Farms Processing, Inc.; Norman W. Fries, Inc., d/b/a Claxton Poultry Farms; Foster Farms, LLC and Foster Poultry Farms; Perdue Farms, Inc. and Perdue Foods LLC; Wayne Farms, LLC (collectively, the “Round 2 Settling Defendants”).

#### **Am I Included?**

Your company may be included if, from January 1, 2009, through July 31, 2019, it indirectly purchased Broilers from a Defendant or co-conspirator in an Indirect Purchaser State for use in commercial food preparation. The largest categories of purchasers included are businesses that purchased Broilers through distributors such as restaurants, grocery store deli counters that commercially prepare meals, and institutional purchasers such as nongovernmental hospitals, nursing homes, and schools. A more detailed notice, including the exact Class definitions and exceptions to Class membership, is available at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com).

#### **What do the Settlements provide?**

Some Round 2 Settling Defendants’ settlements include monetary payments which, if approved by the Court, will total \$41,250,000. Under the Settlement with Agri Stats, Class members can also receive free access to 6 months of price reporting services from Agri Stats subsidiary Express Markets Inc. (EMI). Class members can obtain this service by emailing [ciippsettlement@expressmarketsinc.com](mailto:ciippsettlement@expressmarketsinc.com) by [Month 00, 2025]. More details about the Round 2 Settlements are provided in the Settlement Agreements, available at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com).

The Court granted summary judgment in favor of Agri Stats, Case Farms, Claxton, Foster Farms, Perdue, and Wayne Farms. The Classes have agreed to not appeal or otherwise challenge the summary judgment order as to these Defendants, and in exchange these Defendants agree to waive their right to recover any and all fees and costs against the Classes related to this action. Because the Class claims were disposed of as to Defendants Agri Stats, Case Farms, Claxton, Foster Farms, Perdue, and Wayne Farms by the summary judgment order, there is no separate release of claims for the settlements with these Defendants. Co-Lead Class Counsel will not request any litigation expenses or attorneys’ fees from these settlements.

The Court already approved previous settlements, totaling \$103,890,000 (plus \$1 million from the Pilgrim’s Pride settlement that was used for class notice and claims administration services) (the “Round 1 Settlements”). Payment distribution from the Round 1 Settlements is nearly complete. Together, the funds from the Round 1 Settlements and Round 2 Settlement Funds total \$145,140,000.

**For More Information: 1-800-983-6533/[www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com)**

### **How can I get a payment?**

To receive money from the Round 2 Settlements, you must have made qualifying purchases of “Broilers” from an included Indirect Purchaser State and must not have excluded yourself from the Classes in 2023.

**If you have already filed a claim in connection with the previous Round 1 Settlements (or received a payment from the previous distribution) and did not exclude yourself, you do not need to submit another claim as your previous submission will determine your eligibility for payment from the Round 2 Settlements.** Please note, however, that the definition of “Broilers” has changed since the Round 1 Settlements, and the funds from the Round 2 Settlement will be used to compensate purchases of breast, whole birds, and/or wings only. If you would like to review your approved purchases from the approved claim you previously submitted, you may do so by visiting [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com).

If you did not previously file a claim and did not exclude yourself, you must submit a valid Claim Form to get a payment from the Round 2 Settlements. You can get a Claim form at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com) or by calling 1-800-983-6533. For some Class Members, qualifying purchase information from Defendants is available and can be incorporated into your claim. Please visit [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com) to access this information.

### **When will I get a payment?**

Payments from the Round 2 Settlements will not be distributed, at a minimum, until the Court grants final approval, any objections or appeals are resolved, and all claims are processed and validated. Updates on when the net funds from the Round 2 Settlements will be distributed will be provided on the settlement website at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com).

### **What are my rights?**

If you do nothing, unless you previously excluded yourself from the Classes, you won’t be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Round 2 Settling Defendants about the claims that the Round 2 Settlements resolve. The deadline to request exclusion from the Classes has already passed. You will remain part of the Round 2 Settlements, and you may participate in the monetary distribution if you made qualifying Broiler purchases.

If you already filed a claim in the Round 1 Settlements and did not exclude yourself from the Classes, you do not need to submit a claim. Your previous claim submission will determine your eligibility for payment from the Round 2 Settlements. If you did not previously file a claim and do not submit a Claim Form to ask for a payment by [Month 00, 2025], you will not receive a payment.

If there are future settlements or judgments, you will be sent a notice with instructions on how to receive a benefit at that time.

### **The Final Fairness Hearing**

The Court will hold the Final Fairness Hearing at X:00 X.m. on [Month 00, 2025], at the United States District Court for the Northern District of Illinois, 219 S. Dearborn Street, Chicago, IL 60604. It is possible that the Court will hold the hearing by teleconference or video conference. At this hearing, the Court will consider whether the Round 2 Settlements are fair, reasonable, and adequate. If there are objections or comments, the Court will consider them at that time and may listen to people who have asked to speak at the hearing. The Court may also decide whether to award attorneys’ fees, costs and expenses, as well as service awards to the CIIPP Class representatives. At or after the hearing, the Court will decide whether to approve the Round 2 Settlements.

# **EXHIBIT C**

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS

## **If You Purchased Broiler Chicken for Commercial Use Since 2009, You May Be Entitled to Money From New Class Action Settlements Totaling Approximately \$41,250,000.**

*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 new Settlements in the class action lawsuit, *In re Broiler Chicken Antitrust Litigation (Commercial and Institutional Indirect Purchaser Plaintiffs)*, No. 1:16-cv-08637, pending in the United States District Court for the Northern District of Illinois (the “Court”).
- Additional settlements – referred to in this notice as the Round 2 Settlements – have been reached with indirect commercial and institutional purchasers of Broiler chicken. The Round 2 Settlements are with Defendants: • Harrison Poultry, Inc. (“Harrison Poultry”); • House of Raeford Farms, Inc. (“House of Raeford”); • Koch Foods, Inc., JCG Foods of Alabama, LLC., JCG Foods of Georgia, LLC, and Koch Meat Co., Inc. (“collectively “Koch Foods”); • Mountaire Farms, LLC and Mountaire Farms of Delaware, Inc. (“collectively “Mountaire”); • O.K. Foods, Inc., O.K. Farms, Inc., and O.K. Industries, Inc. (collectively, “O.K. Foods”); • Sanderson Farms, LLC (f/k/a Sanderson Farms, Inc.), Sanderson Farms 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”); • Simmons Foods, Inc. and Simmons Prepared Foods, Inc. (collectively “Simmons Foods”); • Agri Stats, Inc. (“Agri Stats”); • Case Foods, Inc., Case Farms, LLC, and Case Farms Processing, Inc. (collectively “Case Foods”); • Norman W. Fries, Inc., d/b/a Claxton Poultry Farms (“Claxton”); • Foster Farms, LLC and Foster Poultry Farms (collectively “Foster Farms”); • Perdue Farms, Inc. and Perdue Foods LLC (collectively “Perdue”); and • Wayne Farms, LLC (“Wayne Farms”) (collectively, the “Round 2 Settling Defendants”).
- On April 18, 2022, previous settlements totaling approximately \$103 million (“Previous Settlements” or “Round 1 Settlements”) were reached with 7 Defendants (“Previous Settling Defendants”). The Previous Settlements were given final approval by the Court, and distribution of these settlements to qualified claimants is nearly complete. Please visit [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com) for updates.
- The Round 2 Settlements, along with the Previous Settlements, will resolve the litigation in full between the Commercial and Institutional Indirect Purchaser Plaintiff Class (“CIIPP Class”) and all Defendants.
- On May 27, 2022, the Court certified the CIIPP damages and injunctive relief classes (“Classes”). The Damages Class is generally defined as: “All entities that purchased Broilers indirectly from a Defendant or named co-conspirator in an Indirect Purchaser State for their own use in commercial food preparation from January 1, 2009, until July 31, 2019.” The Injunctive Class is generally defined as: “All entities that purchased Broilers indirectly from a Defendant or named co-conspirator in the United States for their own use in commercial food preparation from January 1, 2009, until July 31, 2019.” If you previously excluded yourself from the certified litigation Classes, you are not included in the Round 2 Settlements. Only persons that did not opt-out of the Classes may participate in these settlements.

- You may receive settlement money from the Round 2 Settlements if you indirectly purchased broiler chicken products (“Broilers”) from a Defendant for commercial or institutional food preparation in one of the following states: Arizona, California, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin (“Indirect Purchaser States”).
- The Round 2 Settlements require Harrison Poultry to pay \$2,800,000, House of Raeford to pay \$5,750,000, Koch Foods to pay \$13,500,000, Mountaire to pay \$9,700,000, O.K. Foods to pay \$4,500,000, Simmons Foods to pay \$4,250,000, and Sanderson Farms to pay \$750,000. Together with the amounts paid by the Previous Settling Defendants (Fieldale \$1.4 million, Amick \$2.95 million, Peco \$3.525 million, Mar-Jac \$5.99 million, Pilgrim’s \$44 million (plus up to \$1 million additional to be used for notice and settlement administration, and Tyson \$42.5 million)), the total monetary recovery in the Commercial and Institutional Indirect Purchaser case is \$145,140,000.00 (the “Settlement Proceeds”).
- Under the Settlement with Agri Stats, Class members can also receive free access to 6 months of price reporting services from Agri Stats subsidiary Express Markets Inc. (EMI). Class members can obtain this service by emailing [ciippsettlement@expressmarketsinc.com](mailto:ciippsettlement@expressmarketsinc.com) by **[Month 00, 2025]**
- On June 30, 2023, the Court granted summary judgment in favor of Defendants Foster Farms, Perdue, Case Foods, Claxton, Wayne Farms, and Agri Stats against the CIIPPs Class. With respect to the Round 2 Settlements with these Defendants, the CIIPP Class agrees to not appeal or otherwise challenge the summary judgment orders. In exchange, these Defendants agree to waive their right to recover any and all of their costs against the CIIPPs Class related to this action.
- The Round 2 Settling Defendants have not admitted any liability and continue to deny the legal claims alleged in this lawsuit.
- If the Round 2 Settlements are approved by the Court, the Round 2 Settling Defendants will be dismissed from the case, and the money from the Round 2 Settlements will be distributed according to a Plan of Allocation where eligible CIIPP Class members will get a pro rata (or proportional) share of the funds based on their qualifying purchases of Broilers made in the Indirect Purchaser States.
- Please read this Notice and the Settlement Agreements available at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com) carefully. This Notice is only a summary. To obtain more specific details about the Round 2 Settlements, please read the Settlement Agreements. Your legal rights may be affected whether or not you act.

<b>YOUR LEGAL RIGHTS AND OPTIONS</b>		
<b>SUBMIT A CLAIM FORM</b>	<p>If you already filed a claim in the Previous Settlements (<i>see</i> Question 14) and did not exclude yourself from the Classes, you <u>do not</u> need to submit another claim. Your previous claim submission will determine your eligibility for payment from the Round 2 Settlements. Please note, however, that the definition of “Broilers” has changed since the last round of settlements. Accordingly, your authorized claim amount may have changed since the Round 1 Settlements. If you would like to review your authorized claim amount, you may do so via the settlement website.</p> <p>You should submit a Claim Form to ask for a payment for your Broiler purchases in an included Indirect Purchaser State <u>only</u> if you did not previously submit one. The deadline to file a claim for the Round 2 Settlements is <b>Month 00, 2025</b>. You may submit a claim form online through the settlement website.</p> <p>The deadline to file a claim to share in the previous, Round 1 Settlements has passed. You can no longer submit a claim form for payment from the Round 1 settlements.</p>	<b>Month 00, 2025</b>
<b>OBJECT TO THE ROUND 2 SETTLEMENTS</b>	You can write to the Court explaining why you object to the Round 2 Settlements. The deadline to object to the previous, Round 1 Settlements has passed.	<b>Month 00, 2025</b>
<b>GO TO THE HEARING</b>	The Court will consider whether the Round 2 Settlements are fair, reasonable, and adequate at a hearing. You can ask to speak in Court about the fairness of the Round 2 Settlements.	<b>Month 00, 2025</b>
<b>DO NOTHING</b>	You will continue to be part of the Round 2 Settlements, assuming you did not opt-out of the Classes. If you already filed a claim with respect to the Round 1 Settlements and did not exclude yourself from the Classes, you do not need to submit a claim. Your previous claim submission will determine your eligibility for payment from the Round 2 Settlements. If you did not previously file a claim and do not submit a Claim Form to ask for a payment by [ <b>Month 00, 2025</b> ], you will not receive a payment.	

The Court in charge of this case still has to decide on final approval of the Round 2 Settlements. Distribution payments will be made to eligible CIIPP Class members only (1) if the Court grants final approval of the Round 2 Settlements and after any appeals are resolved, and (2) after the Court approves a Plan of Allocation to distribute the Round 2 Settlement Funds minus expenses and any Court-approved attorneys’ fees and other appropriate deductions (“Net Settlement Funds”).

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### **Basic Information**

#### **1. What is this notice about?**

This Notice is to inform you about the Round 2 Settlements reached in this litigation before the Court decides whether to grant final approval to them. This Notice explains the lawsuit, the Round 2 Settlements, your legal rights in relation to them, and the Claim Form filing process. The Court in charge is the United States District Court for the Northern District of Illinois. This lawsuit is a class action and is formally known as *In re: Broiler Chicken Antitrust Litigation – Commercial & Institutional Indirect Purchaser Plaintiff Actions*, No. 1:16-cv-08637. The entities that sued are called the “Plaintiffs.” The companies they sued are called the “Defendants.”

#### **2. What is this lawsuit about?**

The Classes of Commercial and Institutional Indirect Purchaser Plaintiffs allege that between January 1, 2009, and July 31, 2019, Defendants and their co-conspirators conspired to fix, maintain, stabilize, and/or raise the prices of Broilers, resulting in overcharges to commercial and institutional indirect purchasers of Broilers. The complaint describes how the Defendants and co-conspirators allegedly violated federal and state antitrust, unfair competition, and consumer protection laws by agreeing to fix prices and restrict output of Broilers. Defendants deny Plaintiffs’ allegations.

The Court previously gave final approval to settlements totaling approximately \$103 million between the Commercial and Institutional Indirect Purchaser Plaintiffs and Defendants Amick Farms, LLC (“Amick”), Fieldale Farms Corporation (“Fieldale Farms”), George’s Inc. and George’s Farms, Inc. (collectively, “George’s”), 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, Inc. (collectively, “Mar-Jac”), Peco Foods, Inc. (“Peco”), Pilgrim’s Pride Corporation (“Pilgrim’s Pride”), Tyson Foods, Inc., Tyson Chicken, Inc., Tyson Breeders, Inc., and Tyson Poultry, Inc. (collectively, “Tyson”) (collectively, “Previous Settling Defendants”). Payment distribution from these settlements is complete. Please visit [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com) for updates.

On May 27, 2022, the Court certified the indirect purchasers’ damages and injunctive relief Classes. Now, proposed Round 2 Settlements have been reached on behalf of the Classes with Defendants Harrison Poultry, Koch Foods, Sanderson Farms, Mountaire, House of Raeford Farms, Simmons, O.K. Foods, Agri Stats, Inc. (“Agri Stats”); Case Foods; Claxton Poultry; Foster Farms; Perdue; and Wayne Farms. Some of these settlements include monetary payments totaling approximately \$41,250,000.00. If the Court approves these Settlements, it will resolve the claims against these Round 2 Settling Defendants.

#### **3. What are 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, and whole or in parts, but excluding chicken that is grown, processed, and sold according to halal, kosher, free range, or organic standards. “Broilers” does not include dark meat chicken products,



such as chicken thighs. The definition also does not include certain “further processed” products, which include any chicken meat that has been breaded, cooked, or “formed,” such as patties, or nuggets; or products made from mechanically separated meat such as chicken sausages; or products that are ground, sliced, diced, or cubed. Marinated, seasoned, frozen and portioned products, that are not otherwise further processed, are included within the definition of Broilers. Accordingly, for the Round 2 Settlements, certain purchases of chicken products will not be compensated in the same manner as the Round 1 Settlements. For purposes of the Round 2 Settlements, only breast products, whole birds, and wing products will be compensated, in accord with the definition of Broilers that was certified with the class. For example, so-called “further processed product” purchases will not be compensated with respect to the Round 2 Settlements as they are not qualifying products. If you want to know what your authorized claim amount is, you may find that information through the settlement website.

#### **4. 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. One court resolves the issues for everyone in the class, except for those who exclude themselves from the class.

#### **5. Why are there Round 2 Settlements in this case?**

Both sides have agreed to settle. By agreeing to the Round 2 Settlements, the parties avoid the costs and uncertainty of a trial, and the Classes receive the benefits described in this notice. The proposed Round 2 Settlements do not mean that any law was broken or that the Round 2 Settling Defendants did anything wrong. Class Counsel believe that the Round 2 Settlements are in the best interests of the CIIPP Class.

On June 30, 2023, the Court granted summary judgment in favor of Defendants Agri Stats, Case Farms, Claxton, Foster Farms, Perdue, and Wayne Farms and against the Classes. The Classes have agreed to not appeal or otherwise challenge the summary judgment order as to these Defendants, and in exchange these Defendants agree to waive their right to recover any and all fees and costs against the Classes related to this action.

### **Who is Included**

#### **6. Am I part of the Round 2 Settlements?**

You are part of the Round 2 Settlements if you are in the Classes. The Classes are defined as:

##### **Damages Class**

**All entities that purchased Broilers indirectly from a Defendant or named co-conspirator in an Indirect Purchaser State for their own use in commercial food preparation from January 1, 2009, until July 31, 2019 (“Damages Class”).**

The “Indirect Purchaser States” included in the Round 2 Settlements are: Arizona, California, the District of Columbia, Florida, Hawaii, Iowa, Illinois, Kansas, Massachusetts, Maine, Michigan, Minnesota, Missouri, Mississippi, Montana, North Carolina, North Dakota, Nebraska, New Hampshire, New Mexico, Nevada, New York, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Wisconsin, Vermont, and West Virginia.

Damages Class members who purchased Broilers in the included Indirect Purchaser States from January 1, 2009, until July 31, 2019 can receive money from the Round 2 Settlements (*see* Question 12).

##### **Injunctive Relief Class**

**All entities that purchased Broilers indirectly from a Defendant or named co-conspirator in the United States for their own use in commercial food preparation from January 1, 2009, until July 31, 2019 (“Injunctive Class”).**

**7. Who is not included in the Classes?**

The Classes do not include:

- Natural persons who purchased Broilers for their personal use and not for commercial food preparation;
- Purchases of Broilers directly from Defendants;
- Purchases of Broilers for resale in unaltered form;
- Purchases of Broilers from an intermediary who has further processed the Broiler;
- The Defendants;
- The officers, directors, or employees of any Defendant;
- Any entity in which any Defendant has a controlling interest;
- Any affiliate, legal representative, heir, or assign of any Defendant;
- Any federal and state governmental entities;
- Any judicial officer presiding over this action and the members of her/her immediate family and judicial staff;
- Any co-conspirator identified in this action;
- Anyone who previously excluded themselves from the Classes (*see* Question 19);
- Purchases for products that are not considered “Broilers” pursuant to the Classes certified by the Court.

**8. Can I still exclude myself from the Classes?**

No. The deadline to exclude yourself from the Classes has passed. If you did not exclude yourself from the classes when they were certified in 2022, you are still a part of the Classes and cannot request to exclude yourself now.

**9. What did I give up to stay in the Classes?**

Unless you previously excluded yourself from the Classes certified in 2022, you are still in the Classes. This means you can’t sue, continue to sue, or be part of any other lawsuit against the Round 2 Settling Defendants about the claims in this lawsuit. It also means that all Court orders will apply to you and legally bind you. The specific claims you released (“Released Claims”) are detailed in the Settlement Agreements, available at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com).

**10. 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.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com). You may also call the Settlement Administrator at 1-800-983-6533 or write to: Broilers CIIPP Settlement, c/o A.B. Data, Ltd., P.O. Box 173122, Milwaukee, WI 53217-8042.

**The Round 2 Settlements****11. What do the Round 2 Settlements provide?**

The combined (gross) Settlement Fund from the Round 2 Settlements, if approved by the Court, will be \$41,250,000.

<b>Round 2 Settling Defendant</b>	<b>Settlement Amount</b>
Harrison Poultry	\$2,800,000
House of Raeford Farms	\$5,750,000
Koch Foods	\$13,500,000
Mountaire	\$9,700,000
O.K. Foods	\$4,500,000
Simmons Foods	\$4,250,000
Sanderson Farms	\$750,000
<b>Total</b>	<b>\$41,250,000</b>

More details about the Round 2 Settlements are provided in the Settlement Agreements, available at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com).

Under the Settlement with Agri Stats, Class members can also receive free access to 6 months of price reporting services from Agri Stats subsidiary Express Markets Inc. (EMI). Class members can obtain this service by emailing [ciippsettlement@expressmarketsinc.com](mailto:ciippsettlement@expressmarketsinc.com) by [Month 00, 2025]

The Court already approved previous settlements, totaling \$103,890,000 (plus \$1 million from the Pilgrim's Pride settlement that was used for class notice and claims administration services). Payment distribution from the previous settlements is nearly complete. Together, the previous and Round 2 Settlement Funds total \$145,140,000.00.

The settlements with Agri Stats, Case Farms, Claxton, Foster Farms, Perdue and Wayne Farms ensure that these Defendants who prevailed in the litigation at summary judgment or trial will not be able to recover any fees or costs against the Classes in conjunction with this action.

As previously set forth in the class certification notice, Class members are bound by all judgments and orders in the case. Because the Classes' claims were disposed of as to Defendants Agri Stats, Case Farms, Claxton, Foster Farms, Perdue and Wayne Farms by the summary judgment order, there is no separate release of claims for the settlements with these Defendants. Class counsel are not seeking to recover any litigation expenses or attorneys' fees from these settlements.

### **How to Get a Payment From the Round 2 Settlements**

#### **12. What Settlement Proceeds will be Distributed to the Class?**

In March of 2024, payments from the previous settlements with Amick, Fieldale Farms, George's, Mar-Jac, Peco, Pilgrim's Pride, and Tyson started being made to CIIPP Class members that submitted Claim Forms with validated qualifying Broiler purchases. These distributions are nearly complete.

The gross amount for these Round 2 Settlements (that are not part of the previous settlements distribution) is \$41,250,000. After these Round 2 Settlements receive final approval, attorneys' fees, costs, and expenses; service awards; and any other expenses or costs approved by the Court will be deducted from the Round 2 Settlement funds before they are paid to qualified claimants. The net Round 2 Settlement amounts will be distributed to eligible CIIPP Class members who have filed or will file valid claims (*see* Question 13 below) and did not exclude themselves from the Classes.

#### **13. How can I get a payment from the Round 2 Settlements?**

To receive money, you must have made qualifying purchases of Broilers from an included Indirect Purchaser State and must not have excluded yourself from the Classes in 2023.

If you already filed a claim in the previous settlements and did not exclude yourself from the Classes, you do not need to submit a new claim. Your previous claim submission will determine your eligibility for payment from the Round 2 Settlements. You may review your authorized claim amount through the settlement website. If you do not agree with this authorized claim amount, you may submit additional evidence to the Claims Administrator substantiating your Broiler purchases. If you did not previously file a claim and do not submit a Claim Form to ask for a payment by [Month 00, 2025], you will not receive a payment from these Round 2 Settlements. You may submit a claim via the settlement website.

If you did not previously file a claim and did not exclude yourself, you must submit a valid Claim Form to get a payment from the Round 2 Settlements. You can get a Claim form at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com) or by calling 1-800-983-6533.

Please read the Claim Form carefully, fill out the form, include all the information and documents it asks for, sign it, and submit it to the Settlement Administrator no later than [Month 00, 2025]. You can submit your Claim Form online at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com) or by mail postmarked no later than [Month 00, 2025]. Claim Forms submitted by mail should be sent to:

Broilers CIIPP Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 173122  
Milwaukee, WI 53217-8042

**14. If I filed a claim previously, do I need to submit a claim to get a payment from the Round 2 Settlements?**

If you already submitted a claim in connection with the Round 1 Settlements (or received a payment from the previous distribution of funds from the Round 1 Settlements) and did not exclude yourself from the Classes in 2023, you do not need to submit a claim. Your previous claim submission will determine your eligibility for payment from the Round 2 Settlements. If, however, you would like to challenge your authorized claim amount, you may do so by submitting additional evidence substantiated your purchases. You may find your authorized claim amount through the settlement website.

**15. How much money can I get?**

At this time, it is unknown how much each eligible CIIPP Class member that submits a valid claim will receive. Payments to qualified claimants will be calculated on a proportional (or *pro rata*) basis. Please consult the Proposed Plan of Allocation document on the settlement website. The amount of your payment will depend on several factors, including the number of valid claims filed, how much you paid, the part type(s) and the amount of your eligible Broiler purchases from the Defendants from January 1, 2009, until July 31, 2019.

**16. How do I review or update my eligible purchase amount?**

You can review your eligible purchase amounts at: [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com). To access this information, you should use your unique identifier listed on the notice that was mailed to you. If you do not agree with your purchase amounts and/or want to supplement your claim, complete a Purchase Audit Request form and provide supporting documentation by [Month 00, 2025]. The instructions on how to complete and submit the Purchase Audit Request form are available on the website.

**17. When will I get my payment from the Round 2 Settlements?**

Payments from the Round 2 Settlements will not be distributed, at a minimum, until the Court grants final approval, any objections or appeals are resolved, and all claims are processed and validated. Updates on when the net funds from the Round 2 Settlement will be distributed will be provided on the settlement website at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com).

**18. What happens if there are funds remaining after distribution?**

If there are any funds remaining after distribution is complete, those funds will be distributed as the Court orders. No remaining funds will be returned to the Defendants.

**19. Can I get a payment from the Round 2 Settlements if I excluded myself from the Classes?**

No. If you excluded yourself from the Classes in connection with the Court certifying the Classes, you will continue to be excluded. You will not get a payment from the Round 2 Settlements (even if you filed a claim and/or get a payment in the previous settlements). Also, you cannot file a claim for a payment from the Round 2 Settlements if you already excluded yourself from the Classes.

**20. Can I submit a claim in or get a payment from the previous settlements, the Round 1 Settlements?**

No. The deadline to submit a claim in the Previous Settlements has passed. You are no longer able to submit a claim for payment from the Previous Settlements.

**21. What happens if I do nothing at all?**

Unless you previously excluded yourself from the Classes, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against the Round 2 Settling Defendants about the claims that the Round 2 Settlements resolve, ever again. The deadline to request exclusion from the Classes has already passed. You will remain part of the Round 2 Settlements, and you may participate in the monetary distribution.

If you already filed a claim in the previous settlements and did not exclude yourself from the Classes, you do not need to submit a new claim. Your previous claim submission will determine your eligibility for payment from the Round 2 Settlements. Please note, however, that your authorized claim amount may be different with respect to the Round 2 settlements than it was with respect to the Round 1 settlements because the definition of the compensable products has changed. If you want to know what your authorized claim amount is, you may do so through the settlement website. If you do not agree with it, you may submit evidence substantiating your purchases. If you did not previously file a claim and do not submit a Claim Form to ask for a payment by [Month 00, 2025], you will not receive a payment. If you did not previously submit a claim form in connection with the Round 1 Settlements, you may be able to obtain your authorized claim amount through the settlement website, to the extent the claims administrator has data for your purchases. The website will then provide you with prompts to submit a claim for the authorized claim amount, or to submit additional information substantiating a higher amount.

If there are future settlements or judgments, you will be sent a notice with instructions on how to receive a benefit at that time.

### **The Lawyers Representing You**

#### **22. Do I have a lawyer in this case?**

The Court has appointed the following lawyers as CIIPP Class Counsel to represent you and all other members of the Classes:

Daniel C. Hedlund, Esq. GUSTAFSON GLUEK PLLC 120 South Sixth Street, Suite 2600 Minneapolis, MN 55402 (612) 333-8844 dhedlund@gustafsongluek.com	Adam J. Zapala, Esq. COTCHETT, PITRE & MCCARTHY, LLP San Francisco Airport Office Center 840 Malcolm Road, Suite 200 Burlingame, CA 94010 (650) 697-6000 azapala@cpmlegal.com
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You will not be charged for contacting these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

#### **23. How will the lawyers be paid?**

At the Final Fairness Hearing, or at a later date, CIIPP Class Counsel will ask the Court for attorneys' fees based on their services in this litigation, not to exceed 33 and 1/3% of the funds from the Round 2 Settlement including interest and will ask to be reimbursed for certain expenses already incurred on behalf of the Classes in an amount not to exceed \$5.5 million. Any payment to the attorneys will be subject to Court approval, and the Court may award less than the requested amount. The attorneys' fees, costs, and litigation expenses that the Court orders, plus the costs to administer the Round 2 Settlements, will come out of the funds from the Round 2 Settlements. Additionally, CIIPP Class Counsel will seek service awards in an amount not to exceed \$15,000 per CIIPP Class representative.

CIIPP Class Counsel intend on submitting their motion for an award of attorneys' fees, reimbursement of litigation expenses, and CIIPP Class representative service awards on or before [Month 00, 2025]. When CIIPP Class Counsel's motion for attorneys' fees, costs, and expenses is filed, a copy will be available at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com). The motion will be posted on the website before the objection deadline. CIIPP Class members who did not exclude themselves from the Classes will have an opportunity to object to this request.

## **Objecting to the Settlements**

### **24. How do I object to the Round 2 Settlements?**

If you have objections regarding any aspect of the Round 2 Settlements, you may express your views to the Court. You can object to one or more Round 2 Settlements only if you did not exclude yourself from the Classes. To object to the Round 2 Settlements, you must do the following:

- Specify in writing your name and company name, address, and telephone number;
- Specify in writing the case name and number (*In re: Broiler Chicken Antitrust Litigation – Commercial & Institutional Indirect Purchaser Plaintiff Actions*, No. 1:16-cv-08637) and Settlement;
- Set out the basis upon which you assert you are a CIIPP class member, including details of your qualifying purchases;
- Set out the entirety of your objection, including any applicable legal authorities and supporting evidence and whether the objection applies only to you or a specific class or subset of a class;
- Provide the identity of all counsel who represent you, including former or current counsel who may be entitled to compensation for any reason related to the objection, along with a statement of the number of times in which that counsel has objected to a class action within five years preceding the submission of the objections, and the caption of the case for each prior objection;
- Provide any agreements that relate to the objection or the process of objecting between you, your counsel, and/or any other person or entity;
- Provide your (and your attorney's) signature on the written objection;
- Provide a statement indicating whether you intend to appear at the Final Fairness Hearing (either personally or through counsel);
- Provide a declaration under penalty of perjury that the information provided is true and correct;
- Submit your letter to the Court either by mailing it to the Clerk of Court, United States District Court for the Northern District of Illinois, 219 S. Dearborn Street, Chicago, IL 60604, or by filing it in person at any location of the United States District Court for the Northern District of Illinois;
- Also submit your letter or objection to Class Counsel by mailing to at least one of the addresses listed in Question 21; and
- Make sure that the letter to the Court is filed or postmarked on or before **[Month 00, 2025]**.

### **25. Can I object to the previous settlements?**

No. The deadline to object to the previous Round 1 Settlements has passed.

### **26. What is the difference between excluding myself and objecting?**

Objecting is simply telling the Court that you do not like something about the Round 2 Settlements. You can object only if you did not exclude yourself from the Classes. Excluding yourself is telling the Court that you do not want to be part of the Classes or the lawsuit. The time to exclude yourself has already passed. If you excluded yourself, you have no standing to object because the case no longer affects you.

## **The Final Fairness Hearing**

The Court will hold a hearing to decide whether to grant final approval of the Round 2 Settlements ("Final Fairness Hearing"). You may attend and you may ask to speak, but you do not have to do so.

### **27. When and where will the Court decide whether to approve the Round 2 Settlements?**

The Court will hold the Final Fairness Hearing at **X:00 X.m.** on **[Month 00, 2025]**, at the United States District Court for the Northern District of Illinois, 219 S. Dearborn Street, Chicago, IL 60604. It is possible that the Court will hold the hearing by teleconference or video conference. The hearing may be moved to a different date or time without additional



notice, so check the Court's PACER site, <http://ilnd.uscourts.gov/cm-ecf>; or [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com) or call 1-800-983-6533 to confirm the status of the hearing and date.

At this hearing, the Court will consider whether the Round 2 Settlements are fair, reasonable, and adequate. If there are objections or comments, the Court will consider them at that time and may listen to people who have asked to speak at the hearing. The Court may also decide whether to award attorneys' fees, costs and expenses, as well as service awards to the CIIPP Class representatives. At or after the hearing, the Court will decide whether to approve the Round 2 Settlements.

### **28. Do I have to attend the hearing?**

No. Class Counsel will answer any questions the Court may have at the Final Fairness Hearing. But you are welcome to attend at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you filed or mailed your written objection on time, the Court will consider it. You may also hire your own lawyer at your own expense to attend the hearing on your behalf, but you are not required to do so.

### **29. May I speak at the hearing?**

If you send an objection (*see* Question 24), you may ask the Court for the right to speak at the Final Fairness Hearing.

### **30. How do I get more information?**

This Notice is only a summary. More details are available on the website. You can find copies of the Settlement Agreements, Court orders, other important documents, and information about the status of the litigation by visiting [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com). You also may write with questions to the Settlement Administrator: Broilers CIIPP Settlement, c/o A.B. Data, Ltd., P.O. Box 173122, Milwaukee, WI 53217-8042 or call the toll-free number 1-800-983-6533. You can also contact CIIPP Class Counsel at the addresses and phone numbers provided in Question 21.

**PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.**

# EXHIBIT D



***In re Broiler Chicken Antitrust Litigation, Case No. 1:16-cv-08637***

The online banner ads are designed to alert potential Settlement Class Members and entities about the case and encourage them to obtain additional information. The ads will each include a link to the case website so that potential Settlement Class Members may click on it and go directly to the website for case information or to file a claim. A.B. Data will include product or usage photos as part of the digital banner ads to increase awareness, generate interest, and stimulate click-through to the website. Below is the recommended banner ad for this litigation.



# **EXHIBIT E**

**COMMERCIAL AND INSTITUTIONAL INDIRECT PURCHASERS "CIIPP"**  
**PURCHASE AUDIT REQUEST FORM**

## STEP 1: ENTER CLAIMANT INFORMATION

CLAIMANT INFORMATION			
<b><u>CONTACT NAME:</u></b>	First	M.I.	Last
<b><u>COMPANY NAME:</u></b>	Company Name		
<b><u>CURRENT MAILING ADDRESS:</u></b>	Address 1		
	Address 2		
	City		
	State/Province		
	Postal Code	Country	
<b><u>CONTACT TELEPHONE:</u></b>	<div> <div></div> <div></div> <div></div> <div></div> </div> - <div> <div></div> <div></div> <div></div> <div></div> </div> - <div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> </div>		
<b><u>CONTACT EMAIL ADDRESS:</u></b>			

Broilers CIIPP Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 173122  
Milwaukee, WI 53217  
www.ChickenCommercialSettlement.com

## STEP 2: ENTER YOUR PURCHASE INFORMATION

Enter the purchase information for **ALL** of the qualifying broiler purchases you made in the United States from January 1, 2008, until July 31, 2019, in the form below. You may not seek Settlement Proceeds with respect to any Settlement(s) from which you have opted out.

**UNIQUE ID:** \_\_\_\_\_

BROILER CHICKEN PURCHASE INFORMATION		
UNIQUE ID: _____		
Broiler Part Category	Purchase Amount January 1, 2008 - November 30, 2011	Purchase Amount December 1, 2011 – July 31, 2019
Whole Bird Products	\$	\$
Breast Products	\$	\$
Wing Products	\$	\$

**UPDATED Total Purchase Amount \$** \_\_\_\_\_

Broilers CIIPP Settlement  
c/o A.B. Data, Ltd.  
P.O. Box 173122  
Milwaukee, WI 53217  
[www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com)

### STEP 3: ATTACH DOCUMENTATION

Please attach (or submit) documents to support your updated claim and/or audit request (*e.g.*, invoices, purchase information, etc.). Supporting documents must include actual receipts or invoices that include the product name, name of Defendant/producer, date of purchase, and net purchase amount.

Please submit legible copies. *Do not send originals. You should maintain the originals in your records.*

### STEP 4: SIGN STATEMENT

Sign the statement below.

By signing below, I/we certify that (1) the above and foregoing information is true and correct; (2) I/we warrant that I am/we are duly authorized and have the legal capacity to sign this purchase Audit Request Form on behalf of the indirect purchaser entity; (3) I/we are not officers, directors, or employees of any Defendant; any entity in which any Defendant has a controlling interest; an affiliate, legal representative, heir, or assign of any Defendant; or a federal, state, or local governmental entity; and (4) I/we agree to submit additional information, if requested, in order for the Settlement Administrator to process my/our updated claim and audit request.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Full Name (First, Middle, and Last): \_\_\_\_\_

Title: \_\_\_\_\_

### STEP 5: SUBMIT STATEMENT BY DATE, 2025

Please submit your completed Audit Request Form, along with additional documentation to support your updated claim and audit request (*e.g.*, invoices, purchase information, etc.), to the Settlement Administrator by **DATE, 2025** (postmarked to the address above or submitted online at [www.ChickenCommercialSettlement.com](http://www.ChickenCommercialSettlement.com)).