

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA

NOTICE OF CLASS ACTION SETTLEMENT

**If You Were Paid to Provide Broiler Grow-Out Services
At Any Time Between January 27, 2013 and December 31,
2019, A Class Action Settlement Totaling
\$17,750,000 May Affect Your Legal Rights.**

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

- A class action lawsuit has been filed against companies that contract with Broiler chicken growers to provide Broiler¹ Grow-Out Services,² alleging that Defendants³ and certain other companies (known as Alleged Co-Conspirators)⁴ unlawfully conspired to artificially reduce the amount the Defendants and Alleged Co-Conspirators paid to Broiler chicken growers for Broiler Grow-Out Services in violation of the federal antitrust laws and the Packers and Stockyards Act (“PSA”). Broiler Grow-Out Services refers to arrangements in which Broiler chicken growers grow young chickens until the birds reach slaughtering age, under contract with companies that supply the young birds, commonly referred to as “Integrators.”
- Defendants Sanderson Farms, Inc.; Sanderson Farms, Inc. (Food Division); Sanderson Farms, Inc. (Processing Division); and Sanderson Farms, Inc. (Production Division) (together “Sanderson”) have agreed to pay \$17.75 million into a Settlement Fund to settle the class action antitrust and PSA claims against them and to provide certain cooperation to Plaintiffs in this litigation against the remaining Defendant (the “Sanderson Settlement”). In addition, Sanderson has agreed to certain restrictions on its ability to enforce arbitration provisions against broiler chicken growers and on its ability to enforce provisions restricting collective or class actions brought by Broiler chicken growers against Sanderson. Sanderson Settlement §

¹ “Broilers” excludes specialty chicken that is grown, processed, and sold according to halal, kosher, free range, pasture-raised, or organic standards. Specialty chicken does not include chicken raised without antibiotics, such as No Antibiotics Ever (“NAE”) or Antibiotic Free (“ABF”) standards. “Broilers” as used herein includes NAE and ABF chicken. *See* Settlement Agreements § 1(d).

² “Broiler Grow-Out Services” means Broiler chicken growing services.

³ Defendants are Tyson Foods, Inc.; Tyson Chicken Inc.; Tyson Breeders, Inc.; Tyson Poultry, Inc.; Pilgrim’s Pride Corporation; Perdue Foods, LLC; Koch Foods, Inc.; Koch Meat Co. Inc. d/b/a Koch Poultry Co.; Sanderson Farms, Inc.; Sanderson Farms, Inc. (Food Division); Sanderson Farms, Inc. (Processing Division); and Sanderson Farms, Inc. (Production Division).

⁴ Alleged Co-Conspirators for purposes of the Settlements are Foster Farms, Mountaire Farms, Wayne Farms, George’s, Inc., Peco Foods, Inc., House of Raeford Farms, Simmons Foods, Keystone Foods, Fieldale Farms Corp., O.K. Industries, Case Foods, Marshall Durbin Companies, Amick Farms, Inc., Mar-Jac Poultry, Inc., Harrison Poultry, Inc., Claxton Poultry Farms, Norman W. Fries, Inc., and Agri Stats, Inc.

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10. Sanderson denies that it did anything wrong and has asserted defenses to the claims against it.

- The “Settlement Class” for the Sanderson Settlement is defined as all individuals and entities in the United States and its territories that were paid to provide Broiler Grow-Out Services by any Defendant or any Alleged Co-Conspirator, or by a division, subsidiary, predecessor, or Affiliate of a Defendant or Alleged Co-Conspirator, at any time between January 27, 2013, through December 31, 2019 (the “Class Period”).
- The Court in charge of the lawsuit will decide whether to finally approve the Sanderson Settlement. If approved by the Court, the Sanderson Settlement will resolve all of the Settlement Class members’ claims against Sanderson and release Sanderson and their affiliates from all liability for the claims alleged against them in the lawsuit, including related claims or claims referred to in the lawsuit. All the claims against the non-settling Defendant in the lawsuit will continue.

Please read this notice carefully. Your rights and options—and the deadlines to exercise them—are explained in this Notice.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS		DEADLINE
RECEIVE AN AUTOMATIC PAYMENT	<p>If you received this Notice of Class Action Settlement with a Pre-Populated Claim Form that contains information about the amount you were paid by Defendants and/or Alleged Co-Conspirators for Broiler Grow-Out Services during the Class Period (“pre-populated payment information”), <u>you will receive a payment from the Settlement Fund automatically and you do not need to submit the attached Claim Form or do anything else to receive a Settlement payment.</u></p> <p>If you disagree with the pre-populated payment information in the Pre-Populated Claim Form and wish to challenge or correct it, you have the right to submit a Claim Form with corrected information postmarked by December 13, 2023. For more information, see Question 9.</p> <p><u>If you do not submit an updated Claim Form with corrected information postmarked by December 13, 2023, the pre-populated payment will be deemed accepted and you will be compensated based on that information.</u></p> <p>By receiving a payment, you give up the right to sue Sanderson in a separate lawsuit related to the legal claims this Settlement resolves. Please see Question 16, which describes the release of claims in this action.</p>	December 13, 2023 (to dispute Pre-Populated payment information)
SUBMIT A CLAIM	If you are a Settlement Class member and received an Unpopulated Claim Form without pre-populated payment information, you must complete and submit an Unpopulated Claim Form and either (a) include supporting documentation concerning the amount you were	December 13, 2023

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	<p>paid for Broiler Grow-Out Services by Defendants and Alleged Co-Conspirators, or (b) answer a series of questions on the Unpopulated Claim Form, by which a reasonable estimate of the amount you were paid can be determined, by December 13, 2023 if you wish to receive a payment from the Settlement Fund. For more information, see Question 9.</p> <p>If you are a Settlement Class member and received an Unpopulated Claim Form, you will give up the right to sue Sanderson in a separate lawsuit about the legal claims this Settlement resolves regardless of whether you complete the Unpopulated Claim Form and submit it, unless you exclude yourself from the Settlement.</p> <p>If you are a Settlement Class Member and received an Unpopulated Claim form and did not receive a Pre-Populated Claim Form with pre-populated payment information, completing and submitting the Unpopulated Claim Form is the only way to receive a payment from the Settlement. Please see Question 16, which describes the release of claims in this action.</p>	
EXCLUDE YOURSELF	<p>You may submit a written request to exclude yourself from the Sanderson Settlement. If you do so, you will not participate in the Settlement or get any monetary compensation from the Settlement Fund. You will keep any rights you currently have to separately sue Sanderson related to the legal claims this Settlement resolves, but you must retain your own lawyer at your own expense if you wish to have legal representation to do so, Settlement Class Counsel (defined infra) represent the Settlement Class but do not represent excluded parties. For more information, see Question 17.</p>	July 31, 2023
OBJECT AND/OR ATTEND A HEARING	<p>If you do not exclude yourself from the Sanderson Settlement, you still have the right to file a written objection to the Sanderson Settlement or anything else referenced in this Notice, to attend the Final Approval Hearing, and to request to be heard at the Final Approval Hearing. You may also retain a lawyer at your own expense to assist you in doing so, although it is not necessary to hire a lawyer in order to object or attend the hearing. See Question 14. The hearing may occur virtually or in person at the United States District Court for the Eastern District of Oklahoma, located at 101 N 5th St, Muskogee, OK 74401. Please monitor the Settlement Website at www.BroilerGrowersAntitrustSettlement.com for updates on the Final Approval Hearing date and location. For more information, see Questions 18, 21-23.</p>	July 31, 2023

Please note, all information you provide in connection with receiving an automatic payment or submitting a claim form in this action will be maintained as strictly confidential and will not be made available publicly or to any Defendant or Alleged Co-conspirator. Only Settlement Class Counsel, the Court, and the Settlement Administrator will have access to any information you

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provide, including Your identity, in connection with receiving an automatic payment or submitting a claim form in this action. The only way your identity will become public is if you exclude yourself from the Settlement or file an objection to the Settlement.

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BASIC INFORMATION

1. Why did I receive a Notice?

A federal court directed this notice because it has preliminarily approved the proposed class action Settlement with Sanderson. You have the right to know about the Settlement, your rights, and your options before the Court decides whether to grant final approval to the Settlement.

The Honorable Chief Judge Robert J. Shelby is overseeing this lawsuit, which is called *In Re Broiler Chicken Grower Antitrust Litigation (No. II)*, No. 6:20-md-02977-RJS-CMR (the “Action”), in the United States District Court for the Eastern District of Oklahoma (the “Court”).

You received this Notice because you may be a member of the Settlement Class. **To find out if you are a member of the Settlement Class, see Question 5 below.**

The people who sued are called the Plaintiffs. The companies they sued are called Defendants. The Defendants are Tyson Foods, Inc.; Tyson Chicken Inc.; Tyson Breeders, Inc.; Tyson Poultry, Inc.; Pilgrim’s Pride Corporation; Perdue Foods, LLC; Pilgrim’s Pride Corporation (“Pilgrim’s Pride”); Koch Foods, Inc.; Koch Meat Co. Inc. d/b/a Koch Poultry Co. (together, “Koch”); Sanderson Farms, Inc.; Sanderson Farms, Inc. (Food Division); Sanderson Farms, Inc. (Processing Division); and Sanderson Farms, Inc. (Production Division) (together, “Sanderson”), including each of their past, present, and future, direct and indirect, corporate parents (including holding companies), owners, subsidiaries, related entities, Affiliates, associates, divisions, departments, joint ventures, predecessors, and/or successors. As noted herein, Sanderson is the Defendant that agreed to settle with Plaintiffs as described in this Notice.

“Alleged Co-Conspirator” means a person or entity that Plaintiffs alleged participated in the conspiracy but are not named as Defendants in this Action. They are: Agri Stats, Inc., Foster Farms, Mountaire Farms, Wayne Farms, George’s, Inc., Peco Foods, Inc., House of Raeford Farms, Simmons Foods, Keystone Foods Fieldale Farms Corp., O.K. Industries, Case Foods, Marshall Durbin Companies, Amick Farms, Inc., Mar-Jac Poultry, Inc., Harrison Poultry, Inc., Claxton Poultry Farms, and Norman W. Fries, Inc., including each of their past, present, and future, direct and indirect, corporate parents (including holding companies), owners, subsidiaries, related entities, Affiliates, associates, divisions, departments, joint ventures, predecessors, and/or successors.

2. What is this lawsuit about?

Plaintiffs in this Action are Broiler chicken growers who provided Broiler Grow-Out Services. They grow young chickens bred for meat under contract with Integrators. The Plaintiffs represent a group of Broiler chicken growers who have similar claims against the Defendants. For purposes of this Settlement, this group is referred to as the Settlement Class (*see* Questions 3 and 5 for more information about the Settlement Class and whether you are part of it).

This lawsuit alleges, among other things, that Defendants entered into a conspiracy that violated federal antitrust law and the PSA by agreeing with one another and the Alleged Co-Conspirators to reduce the prices paid to Broiler chicken growers, causing the growers to be underpaid for Broiler Grow-Out Services.

All Defendants deny Plaintiffs’ antitrust and PSA claims and have asserted defenses to those claims. However, Plaintiffs have reached a Settlement with Sanderson for a total of \$17,750,000 plus cooperation in the prosecution of Plaintiffs’ claims against the non-settling Defendant, Pilgrim’s Pride (note that Tyson, Perdue and Koch previously settled with Plaintiffs and the Settlement Class). In addition, Sanderson has agreed to certain restrictions on its ability to enforce arbitration provisions against Growers and on its ability to enforce provisions restricting collective or class actions brought by broiler chicken growers against Sanderson. *See* Sanderson Settlement § 10. Sanderson denies any wrongdoing.

The Sanderson Settlement does not impact the claims against the remaining non-settling Defendant Pilgrim’s Pride; this lawsuit continues against them. If the Plaintiffs reach a Settlement with the other Defendant or the Plaintiffs receive a favorable money judgment against the other Defendant at trial, you will receive additional notice of those Settlements and/or that judgment.

It is possible, however, that the remaining Defendant will prevail against the Plaintiffs and there will be no further money to distribute to the Settlement Class members. There is no guarantee about the outcome of this Action.

Important information about the action and these Settlement will be posted on the website, www.BroilerGrowersAntitrustSettlement.com, as it becomes available. Please check the website regularly to be kept informed about any future developments or important new case documents.

3. What is a class action?

In a class action, the Plaintiffs act as “class representatives” and sue on behalf of themselves and other people or entities who have similar claims. This group is called the “class,” and the people and entities in the class are called “class members.” A single court resolves the issues for all class members, except for people who exclude themselves from the class.

In this Action, the Class Representatives are: Haff Poultry, Inc.; Nancy Butler; Johnny Upchurch; Jonathan Walters; Myles B. Weaver; Melissa Weaver; Marc McEntire; Karen McEntire; and Mitchell Mason. They are or were all Broiler chicken growers.

4. Why did the parties settle this lawsuit?

The Court did not decide in favor of Plaintiffs or Sanderson. Instead, Plaintiffs and Sanderson have agreed to the Sanderson Settlement Agreement to avoid the costs and risks of continued litigation. The Class Representatives and their attorneys think the Settlement is an excellent result, which will provide Settlement Class members with monetary compensation and cooperation from Sanderson that the Settlement Class Counsel believe will help them prosecute Plaintiffs' claims against the remaining Defendant.

WHO IS IN THE CLASS?

5. How do I know if I am a Settlement Class Member?

You are a member of the Settlement Class if you are a person or entity in the United States or its territories that was paid for Broiler Grow-Out Services by any Defendant or Alleged Co-Conspirator (or by a division, subsidiary, predecessor, or Affiliate of a Defendant or Alleged Co-Conspirator) at any time between January 27, 2013, through December 31, 2019.

You are a member of the Settlement Class and eligible to participate in the Sanderson Settlement if you provided Broiler Grow-Out Services for any one of the Defendants or Alleged Co-Conspirators during the Class Period. Because this case involves conspiracy claims, it is not necessary for you to have provided Broiler Grow-Out Services for Sanderson to receive a payment.

6. What should I do if I am still not sure whether I am included?

If you are not sure whether you are included in the Settlement Class, you can ask for free help by calling the Settlement Administrator at 1-833-907-3700 or email Info@BroilerGrowersAntitrustSettlement.com for more information.

An operator is available to answer your questions during normal business hours.

THE SETTLEMENT

7. What does the Settlement provide?

Sanderson has agreed to pay \$17,750,000 into a Settlement Fund to settle the lawsuit against them in exchange for the release by Settlement Class members of the claims against them in this Action. In addition, the Settlement will help the Plaintiffs pursue their claims against the remaining Defendant because Sanderson has agreed to provide certain cooperation to Plaintiffs in the litigation against the remaining Defendant and has agreed to certain restrictions on its ability to enforce arbitration provisions against Growers and restrictions on its ability to enforce bans on collective or class actions against Sanderson by Growers. Sanderson Settlement § 10. You can view the Settlement Agreement, including the release of claims, at the Settlement Website at www.BroilerGrowersAntitrustSettlement.com.

A portion of the Settlement Fund, subject to approval by the Court, will be used to pay Settlement Class Counsel for their time in pursuing this lawsuit and to reimburse them for out-of-pocket costs they have incurred. Amounts remaining after deductions for attorneys' fees, litigation costs and other expenses (*see* Questions 3, 15) will be distributed to Settlement Class members who do not exclude themselves from the Settlement *pro rata*, based on their qualifying payments from Defendants and Alleged Co-Conspirators for the provision of Broiler Grow-Out Services (*see* Question 10).

Additional details about the Settlement are contained in the Settlement Agreement, which is available at www.BroilerGrowersAntitrustSettlement.com.

8. How will payments be calculated?

At this time, it cannot be known how much you will receive from the Settlement.

The amount remaining in the Settlement Fund after deductions for attorneys' fees and litigation expenses and costs for notice and Settlement administration, will be distributed *pro rata* to eligible Settlement Class members with valid claims based on payments received from Defendants and Alleged Co-Conspirators for Broiler Grow-Out Services. That means your payment will be based on the total payments you received from Defendants and Alleged Co-Conspirators during the Class Period as a proportion of the total payments received by all eligible Class Members with valid claims.

As a simple example, if a Settlement Class member received payments totaling \$100 dollars, and the total payments to all eligible Class Members with valid claims is \$10,000, that class member would be entitled to 1% of the total amount to be distributed.

The amount you receive will depend on how much the Court allows in attorneys' fees and litigation expenses, costs for notice and Settlement administration, how many valid claims are submitted by eligible Settlement Class members, and the total amount of payments made for Broiler Grow-Out Services during the Class Period to eligible Settlement Class members with valid claims.

As described below (*see* Questions 21-23), the Court will conduct a Fairness Hearing and decide whether a) to finally approve the Settlement, b) to approve the proposed *pro rata* allocation plan; and c) to approve the Settlement Class Counsel's request for fees and reimbursement of costs.

For information on how to make a claim, *see* Question 9 and www.BroilerGrowersAntitrustSettlement.com.

HOW TO GET A PAYMENT—MAKING A CLAIM

9. How can I get a payment?

If you are a member of the Settlement Class, there are two ways for you to receive a payment from the Settlement:

1. **Pre-Populated Claims Forms with Pre-Populated Payment Information:** If you received a Pre-Populated Claim Form that already contains pre-populated payment information and you have not excluded yourself from the Settlement, you do not need to do anything further to receive a payment. This payment information was provided by Defendants and Alleged Co-Conspirators from their payment records. Your *pro rata* share will be calculated based on the payment amounts in your Claim Form. If you agree with the pre-populated payment information or otherwise do not respond to the Pre-Populated Claim Form, your *pro rata* share will be determined based on the pre-populated amount.

If you disagree with the pre-populated payment information in the Pre-Populated Claim Form *or* if you believe the information in the Pre-Populated Claim Form is incomplete (for example, it is missing payments you received during certain years), you have the right to submit a corrected Claim Form, which must be accompanied by supplemental documentation supporting your additions or clarifications (such as settlement sheets for Broiler flocks you raised or yearend statements from the Integrator with whom you contract or contracted) **postmarked by December 13, 2023**. If validated by the Settlement Administrator, your *pro rata* share will be based on this

corrected or supplemental information. Please follow the instructions on the Pre-Populated Claim Form to submit a corrected and/or supplemental Claim Form.

2. **Unpopulated Claims Forms without Pre-Populated Payment Information:** If you have received a Claim Form that does not include any pre-populated payment information (or you did not receive a Claim Form at all) and you want to receive a payment, you **MUST** complete and submit a Claim Form, **postmarked by December 13, 2023**. If your Claim form does not have pre-populated payment information this means that the Settlement Administrator does not have information from Defendants or Alleged Co-Conspirators about the amount you were paid for Broiler Grow-Out Services during the Class Period. If you are or were a Grower for Wayne Farms, Fieldale Farms, Claxton Poultry, Case Farms, or Keystone Foods, it is more likely you received an Unpopulated Claim Form or no Claim Form at all and will have to complete and submit a Claim Form to receive a payment.

An Unpopulated Claim Form can be obtained at the Settlement Website www.BroilerGrowersAntitrustSettlement.com. You have two options for completing and submitting an Unpopulated Claim Form.

First, if you have information on your total payments for Broiler Grow-Out Services by year, provide that information with supporting documentation of those payments. If validated by the Settlement Administrator, your *pro rata* share will be based on the payment information you provide.

Second, if you do not have information or documentation regarding the total payments you received for Broiler Grow-Out Services, you must provide the years in which you provided Broiler Grow-Out Services, the name of the company (or companies) for which you provided Broiler Grow-Out Services in each year, the number of farms you operated (if more than one), and for any partial years you provided Broiler Grow-Out Services (for example, if you quit raising Broilers in the middle of a year covered by the Class Period) the number of flocks you grew during each partial year. If validated by the Settlement Administrator, your *pro rata* share will be based on that information along with available industry payment data.

Please follow the instructions on the Unpopulated Claim Form.

If you did not receive a Pre-Populated Claim Form and you do not complete and submit a valid Claim Form postmarked by the deadline, you will not receive a payment from the Settlement Fund, but you will still give up the right to sue Sanderson in a separate lawsuit related to the legal claims these Settlements resolve.

You should mail your corrected or supplemented Pre-Populated Claim Form or completed Unpopulated Claim Form to the address below, **postmarked no later than December 13, 2023** or upload it to the Settlement Website at www.BroilerGrowersAntitrustSettlement.com using the instructions there. You can also request that a Claim Form be sent to you by calling the Settlement Administrator or by sending a written request to the Settlement Administrator by mail or by email:

In re Broiler Chicken Grower Antitrust Litigation (Sanderson)
c/o Settlement Administrator
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
1-833-907-3700
Info@[BroilerGrowersAntitrustSettlement.com](mailto:Info@BroilerGrowersAntitrustSettlement.com)

If you have questions regarding your Claim Form or participating in the Settlement, contact the Settlement Administrator using the contact information set forth immediately above.

10. When will I get my payment?

Even if the Court finally approves the Settlement and approves the allocation and distribution plan, there still may be appeals of that decision. The Settlement Fund cannot be distributed until all appeals are resolved. It is hard to estimate how long that might take. Further, even if there are no appeals, it is difficult to predict how long the claims process will take. Further, it is possible that other Defendant may settle the claims against it and that distribution of the proceeds from the Sanderson Settlement may be delayed so that the proceeds from multiple settlements may be distributed at the same time.

Updates regarding the Settlement and when payments will be made will be posted on the Settlement website, www.BroilerGrowersAntitrustSettlement.com.

11. Will Sanderson, any of the other Defendants, or any of the Alleged Co-Conspirators know that I have submitted a claim or received an award from the Settlement?

No. All information you provide in connection with receiving an automatic payment or submitting a claim form in this action will be maintained as strictly confidential and will not be made available publicly or to any Defendant or Alleged Co-conspirator. Only Settlement Class Counsel, the Court, and the Settlement Administrator will have access to any information you provide, including Your identity, in connection with receiving an automatic payment or submitting a claim form in this action.

If, however, you exclude yourself from the Settlement or object to the Settlement, the filings of exclusions and objections with the Court will publicly reveal your identity.

12. What happens if I move or change my mailing address?

If you have moved since you received this Notice, you may update your address with the Settlement Administrator by completing the “Claimant Information” section of the Pre- or Un-Populated Claims Form and by mailing or emailing completed information to:

In re Broiler Chicken Grower Antitrust Litigation (Sanderson Settlement)
c/o Settlement Administrator
1650 Arch Street, Suite 2210
Philadelphia, PA 19103
1-833-907-3700

Info@BroilerGrowersAntitrustSettlement.com

You may update your mailing address even if you are not disputing or supplementing any of the pre-populated payment information in the Pre-Populated Claims Form you received.

You may also update your address at *any time* during this litigation by contacting the Settlement Administrator at the above address to notify them of your new mailing address. Because there may be additional settlements reached with the other Defendants or there may be a judgment in Plaintiffs’ favor, it is important that the Settlement Administrator have updated address information so they may send you notice of such settlements or judgments.

THE LAWYERS REPRESENTING YOU

13. Do I have a lawyer in the case?

Yes. The Court appointed the law firms of Hausfeld LLP and Berger Montague PC (“Settlement Class Counsel”) to represent you and the other Settlement Class Members.

They can be contacted at:

Eric L. Cramer BERGER MONTAGUE PC 1818 Market Street, Suite 3600 Philadelphia, PA 19103	Melinda R. Coolidge HAUSFELD LLP 888 16th Street, NW, Suite 300 Washington, DC 20006	Gary I. Smith, Jr. HAUSFELD LLP 600 Montgomery Street, Suite 3200 San Francisco, CA 94111
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You will not be charged for their services or for contacting them. If you want to be represented by your own lawyer, you may hire one at your own expense. See Question 14.

14. Should I get my own lawyer?

You do not need to hire your own lawyer because Settlement Class Counsel is working on your behalf at no out-of-pocket charge to you. If you want your own lawyer, you may hire one, but you will be responsible for any payment for that lawyer’s services. For example, you can ask your own lawyer to appear in Court for you if you want someone other than Settlement Class Counsel to speak for you. You may also appear for yourself at the Fairness Hearing without a lawyer. See Questions 21-23.

15. How will the lawyers be paid?

You do not have to pay Settlement Class Counsel. Settlement Class Counsel, who have not yet been paid for their services or reimbursed for their expenses, will seek approval from the Court for a) an award of attorneys’ fees up to one third of the gross Settlement amount, and b) reimbursement for litigation costs they advanced in pursuing the Claims up to \$2.5 million, also from the Settlement Fund. The fees will compensate Settlement Class Counsel for investigating the facts, litigating the case, and negotiating and administering the Settlement over the last five years. The Court will decide the amount of fees and/or expenses to award.

Settlement Class Counsel will file their motion for fees and reimbursement of litigation expenses at least 30 days before the deadline to object to the Settlement. The motion will be filed on the Settlement Website at www.BroilerGrowersAntitrustSettlement.com, where you will also be able to review it.

16. If I participate in the Settlement, can I sue Sanderson for the same thing later?

No. Unless you exclude yourself from the Sanderson Settlement (See Question 17 below), you will give up the right to sue Sanderson related to the legal claims the Sanderson Settlement resolves.

Details on the claims that you release unless you exclude yourself are detailed in the Sanderson Settlement, which is available at www.BroilerGrowersAntitrustSettlement.com.

EXCLUDING YOURSELF FROM THE SETTLEMENT CLASS

17. Can I get out of the Settlement Class?

If you do not want to receive any benefits from the Settlement, and you want to keep your right, if any, to sue Sanderson on your own about the legal issues in this Action, then you must exclude yourself from the Settlement Class for the Sanderson Settlement. This is called “opting out” of the Settlement Class. The deadline for requesting exclusion from the Sanderson Settlement is **July 31, 2023** (postmarked).

To exclude yourself from the Settlement, you must submit a written request by mail. Your request for exclusion must include:

- The name of the class member wishing to opt out;
- Their current address;
- A statement that the opt out is a Settlement Class member and was compensated for Broiler Grow-Out Services by a Defendant or Alleged Co-Conspirator, or by a division, subsidiary, predecessor, or affiliate of a Defendant or Alleged Co-Conspirator during the Class Period, along with documentation showing membership in the Settlement Class;
- an express statement that they wish to be excluded from the Sanderson Settlement in *In re Broiler Chicken Grower Antitrust Litigation (No. II)*, No. 6:20-md-02977-RJS-CMR; and
- The Class member’s signature.

Your request for exclusion must be mailed to the Settlement Administrator with a postmarked date on or before by **July 31, 2023**:

In re Broiler Chicken Grower Antitrust Litigation (Sanderson Settlement)
ATTN: Exclusion Request
PO Box 58220
Philadelphia, PA 19102

If you exclude yourself from the Sanderson Settlement, you are telling the Court you do not want to be part of the Settlement. You will not be eligible to receive any money from the Settlement; you will not be eligible to object to the Settlement, and; you will keep any rights you currently have to separately sue Sanderson related to the legal claims the Settlement resolves.

OBJECTING TO THE SETTLEMENT

18. How do I tell the Court if I do not like the Settlement?

If you are a member of the Settlement Class and do not exclude yourself from the Sanderson Settlement, you may object to the Sanderson Settlement. If you are a member of the Settlement Class and do not exclude yourself from the Sanderson Settlement, you may also object to Settlement Class Counsel’s request for attorney’s fees, unreimbursed litigation costs and expenses, and the proposed plan of allocation.

You cannot ask the Court to modify the Settlement; the Court can only approve or deny the Settlement.

If you wish to object to the Sanderson Settlement, the proposed plan of allocation or distribution, or Settlement Class Counsel’s request for attorney’s fees, and unreimbursed litigations costs and expenses, you must do so in writing. To object,

you must file a document with the Court by **July 31, 2023** saying that you object to the Sanderson Settlement in *In re Broiler Chicken Grower Antitrust Litigation No. II*, No. 6:20-md-02977-RJS-CMR. You must include:

- The objector's full name, address, and telephone number;
- A statement saying that the objector objects to the Sanderson Settlement, the proposed plan of allocation, the request for fees and expenses, or another component in *In re Broiler Chicken Grower Antitrust Litigation (No. II)*, No. 6:20-md-02977-RJS-CMR;
- Whether the objector plans to appear at the Fairness Hearing;
- Proof of membership in the Settlement Class, including any documentation evidencing the objector was compensated for Broiler Grow-Out Services by a Defendant or Alleged Co-Conspirator, or by a division, subsidiary, predecessor, or affiliate of a Defendant or Alleged Co-Conspirator, during the Class Period;
- The specific reasons supporting the objection, along with any supporting materials or documents that you want the Court to consider;
- The identity of the objector's legal counsel, if any; and
- The objector's signature.

You must mail the written objection by First Class U.S. Mail, **postmarked no later than July 31, 2023** to the Court at the following address: United States District Court for the Eastern District of Oklahoma, 101 N. 5th St., Muskogee, OK 74401.

You must also mail your objection by First Class U.S. Mail to Settlement Class Counsel and Counsel for Sanderson at each of the following addresses by **July 31, 2023**:

Settlement Class Counsel	Settlement Class Counsel
Eric L. Cramer BERGER MONTAGUE PC 1818 Market Street, Suite 3600 Philadelphia, PA 19103	Gary I. Smith, Jr. HAUSFELD LLP 600 Montgomery Street, Suite 3200 San Francisco, CA 94111

Counsel for Sanderson
Christopher E. Ondeck PROSKAUER 1001 Pennsylvania Avenue, NW Suite 600 South Washington, DC 20004-2533

If your objection is not postmarked by **July 31, 2023** and does not include the information listed above, it may be rejected by the Court.

You may also appear at the Fairness Hearing, either in person or through your own attorney. See Questions 14, 21-23. If you wish to appear at the Fairness Hearing you must include a statement in your written objection that you intend to appear at the hearing and wish to be heard. If you appear through your own attorney, you are responsible for paying that attorney.

19. What is the difference between objecting and asking to be excluded?

Objecting is telling the Court that you disagree with something about the Settlement while excluding yourself tells the Court that you do not wish to participate in the Settlement at all. You cannot object to the Sanderson Settlement if you exclude yourself from it. If you exclude yourself from the Sanderson Settlement, you cannot object to the Settlement because the Settlement no longer affects you.

20. Will anyone other than the Court and the lawyers know that I have objected or excluded myself?

Yes. If you exclude yourself or object to the Sanderson Settlement, the filings of exclusions and objections with the Court will publicly reveal your identity.

THE COURT'S FAIRNESS HEARING

21. When and where will the Court decide whether to approve the Settlement with Sanderson?

The Court will hold a Fairness Hearing at **2:00 p.m. on August 25, 2023** in the United States District Court for the Eastern District of Oklahoma, located at 101 N 5th St, Muskogee, OK 74401. If the Court determines that it is appropriate, the hearing may be conducted remotely by telephone or other electronic means. If the Court decides to hold the hearing remotely, Settlement Class Counsel will post that information on the website devoted to the litigation www.BroilerGrowersAntitrustSettlement.com and provide any Settlement Class member that has informed the Court that it intends to participate at the hearing with the information required to participate remotely.

The Court may reschedule the Fairness Hearing or change any of the deadlines described in this notice. The date of the Fairness Hearing may change without further notice. Be sure to check the website, www.BroilerGrowersAntitrustSettlement.com, for news of any such changes.

At this hearing, the Court will consider whether the Sanderson Settlement is fair, reasonable, and adequate. The Court will also consider Settlement Class Counsel's request for attorney's fees of up to one third of the gross Settlement Fund, unreimbursed litigation costs and expenses not to exceed \$2.5 million, and the proposed plan of allocation and distribution. If there are objections, the Court will consider them at the hearing. The Court may decide to permit those Settlement Class members who have previously notified the Court that they wished to appear to speak at the hearing.

At or after the Fairness Hearing, the Court will decide whether to finally approve the Settlement and the related matters raised by Settlement Class Counsel.

22. Do I have to come to the Fairness Hearing?

No. Settlement Class Counsel will answer any questions the Court may have. You may attend at your own expense if you wish or pay your own lawyer to attend, but it is not necessary. If you send an objection, you do not have to come to Court to talk about it. So long as you mailed your written objection **postmarked by July 31, 2023**, the Court will consider it.

23. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must include a statement in your written objection (*see* Question 18) that you intend to appear at the hearing. Be sure to include your name, address, telephone number, and signature as well. You cannot speak at the hearing if you excluded yourself from the Settlement Class.

If you do not object to the Sanderson Settlement but still wish to speak at the Fairness Hearing, you must send a letter or other written document that expressly states that the letter or document is your “Notice of Intention to Appear” in *In Re Broiler Chicken Grower Antitrust Litigation (No. II)*, No. 6:20-md-02977-RJS-CMR. Include your name, address, telephone number, and your signature. You must send your “Notice of Intention to Appear” to the addresses listed in Question 18, **postmarked no later than July 31, 2023.**

The Court will decide whether you will be allowed to speak at the Fairness Hearing.

IF I DO NOTHING

24. What happens if I do nothing at all?

If you do nothing, you will remain a member of the Settlement Class and will have released all your claims against Sanderson related to the claims in this Action.

If you received a Pre-Populated Claim Form that already has information about the total payments you received from any Defendant or Alleged Co-Conspirator on the Claim Form, and you do nothing, you will still receive a payment. But you may correct or supplement that information by returning the Claim Form if you wish. (*see* Question 9.1).

If you received an Unpopulated Claim Form that does not include any information about the total payments you received from any Defendant or Alleged Co-Conspirator, or you did not receive a Claim Form at all, and you do nothing, you will not have the right receive any portion of the Settlement Fund. You must complete and submit a Claim Form to the Settlement Administrator to receive a payment (*see* Question 9.2).

GETTING MORE INFORMATION

25. Are more details about the Settlement available?

Yes. This notice summarizes the Settlement with Sanderson. You can review the complete Sanderson Settlement Agreement and get copies of case-related documents, and the lawyers’ application to the Court for fees and cost reimbursement and their proposed plan of allocation when it becomes available, as well as other information about the Action at www.BroilerGrowersAntitrustSettlement.com.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THIS ACTION.

26. How do I get more information?

The website www.BroilerGrowersAntitrustSettlement.com has important Court documents and answers to questions about the Action. You can also call, email, or write to the Settlement Administrator at:

In re Broiler Chicken Grower Antitrust Litigation (Sanderson Settlement)
c/o Settlement Administrator
1650 Arch Street, Suite 2210

Philadelphia, PA 19103
1-833-907-3700
Info@BroilerGrowersAntitrustSettlement.com