

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

IN RE PEANUT FARMERS  
ANTITRUST LITIGATION

Civil Action No. 2:19-cv-00463

**Honorable Raymond A. Jackson  
Honorable Lawrence R. Leonard**

**NOTICE OF FILING OF ADDENDUM NO. 1 TO CLASS ACTION  
SETTLEMENT AGREEMENT BETWEEN PLAINTIFFS AND  
DEFENDANT GOLDEN PEANUT COMPANY, LLC**

PLEASE TAKE NOTICE that the Plaintiffs to this Action, by counsel, are filing an Addendum No. 1 to Class Action Settlement Agreement Between Plaintiffs and Defendant Golden Peanut Company, LLC (Dkt. No. 581-1), which is filed simultaneously herewith.

Dated: May 7, 2021

Respectfully submitted,

/s/ Kevin J. Funk

Wyatt B. Durette, Jr., Esquire (VSB No. 04719)  
Kevin J. Funk, Esquire (VSB No. 65465)  
DURRETTE, ARKEMA, GERSON & GILL PC  
1111 East Main Street, 16th Floor  
Richmond, Virginia 23219  
Tel: (804) 775-6900  
Fax: (804) 775-6911  
[wdurette@dagglaw.com](mailto:wdurette@dagglaw.com)  
[kfunk@dagglaw.com](mailto:kfunk@dagglaw.com)

W. Joseph Bruckner (MN No. 0147758)  
(*pro hac vice*)

Brian D. Clark (MN No. 00390069)  
(*pro hac vice*)

Stephanie A. Chen (MN No. 0400032)  
(*pro hac vice*)

LOCKRIDGE GRINDAL NAUEN P.L.L.P.  
100 Washington Avenue South, Suite 2200  
Minneapolis, MN 55401

Tel: (612) 339-6900  
Fax: (612) 339-0981  
[wjbruckner@locklaw.com](mailto:wjbruckner@locklaw.com)  
[bdclark@locklaw.com](mailto:bdclark@locklaw.com)  
[sachen@locklaw.com](mailto:sachen@locklaw.com)

Kimberly A. Justice (PA No. 85124)  
*(pro hac vice)*  
Jonathan M. Jagher (PA No. 204721)  
*(pro hac vice)*  
FREED KANNER LONDON & MILLEN, LLC  
923 Fayette Street  
Conshohocken, PA 19428  
Tel: (610) 234-6487  
Fax: (224) 632-4521  
[kjustice@fkmlaw.com](mailto:kjustice@fkmlaw.com)  
[jjagher@fkmlaw.com](mailto:jjagher@fkmlaw.com)

Douglas A. Millen (IL No. 6226978)  
*(pro hac vice)*  
Michael E. Moskovitz (IL No. 6237728)  
*(pro hac vice)*  
Robert J. Wozniak (IL No. 6288799)  
*(pro hac vice)*  
Brian M. Hogan (IL No. 6286419)  
*(pro hac vice)*  
FREED KANNER LONDON & MILLEN, LLC  
2201 Waukegan Road, #130  
Bannockburn, IL 60015  
Tel: (224) 632-4500  
Fax: (224) 632-4521  
[dmillen@fkmlaw.com](mailto:dmillen@fkmlaw.com)  
[mmoskovitz@fkmlaw.com](mailto:mmoskovitz@fkmlaw.com)  
[rwozniak@fkmlaw.com](mailto:rwozniak@fkmlaw.com)  
[bhogan@fkmlaw.com](mailto:bhogan@fkmlaw.com)

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 7, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically e-mail notification of such filing to all counsel of record.

To the best of my knowledge, there are no other attorneys or parties who require service by U.S. Mail.

/s/ Kevin J. Funk  
Kevin J. Funk, Esquire (VSB No. 65465)  
DURRETTE, ARKEMA, GERSON & GILL PC  
1111 East Main Street, 16th Floor  
Richmond, Virginia 23219  
Tel: (804) 775-6900  
Fax: (804) 775-6911  
[kfunk@dagglaw.com](mailto:kfunk@dagglaw.com)

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

IN RE PEANUT FARMERS  
ANTITRUST LITIGATION

No. 2:19-cv-00463-RAJ-LRL

**ADDENDUM NO. 1 TO CLASS ACTION SETTLEMENT AGREEMENT BETWEEN  
PLAINTIFFS AND DEFENDANT GOLDEN PEANUT COMPANY, LLC**

RECITAL

**WHEREAS**, this Addendum No. 1 to Class Action Settlement Agreement (the “Settlement Agreement”) between Plaintiffs D&M Farms, Mark Hasty, Dustin Land, Rocky Creek Peanut Farms, LLC, Daniel Howell, and Lonnie Gilbert, on behalf of themselves and on behalf of the Class (collectively “Plaintiffs”), and Defendant Golden Peanut Company, LLC (collectively, the “Settling Parties”) is intended only to clarify and not to modify the Settlement Agreement executed March 4, 2021 by the Settling Parties. The clarification herein represents the intent of the signatories to the Settlement Agreement at the time of execution of the Settlement Agreement.

**NOW THEREFORE, IT IS HEREBY AGREED**, by and among the undersigned on behalf of the Settling Parties, that the below paragraph to the Settlement Agreement is clarified as follows (revision shown in bold and italicized font):


III. MISCELLANEOUS


E. **Governing Law**. All terms of this Settlement Agreement shall be governed by and interpreted according to the substantive laws of Virginia without regard to its choice-of-law or conflict-of-law principles, *including, but not limited to, Section II.B.4.*

*[signatures begin on the following page]*

APPROVED BY:

Dated: April 26, 2021

By   
\_\_\_\_\_  
W. Joseph Bruckner (MN No. 0147758)  
(admitted *pro hac vice*)  
Brian D. Clark (MN No. 00390069)  
(admitted *pro hac vice*)  
Simeon A. Morbey (MN No. 0391338)  
(admitted *pro hac vice*)  
**LOCKRIDGE GRINDAL NAUEN P.L.L.P.**  
100 Washington Avenue South, Suite 2200  
Minneapolis, MN 55401  
Tel: (612) 339-6900  
Fax: (612) 339-0981  
[wjbruckner@locklaw.com](mailto:wjbruckner@locklaw.com)  
[bdclark@locklaw.com](mailto:bdclark@locklaw.com)  
[samorbey@locklaw.com](mailto:samorbey@locklaw.com)

By   
\_\_\_\_\_  
Kimberly A. Justice (PA No. 85124)  
(admitted *pro hac vice*)  
Jonathan M. Jagher (PA No. 204721)  
(admitted *pro hac vice*)  
**FREED KANNER LONDON & MILLEN LLC**  
923 Fayette Street  
Conshohocken, PA 19428  
Tel: (610) 234-6487  
Fax: (224) 632-4521  
[kjustice@fkmlaw.com](mailto:kjustice@fkmlaw.com)  
[jjagher@fkmlaw.com](mailto:jjagher@fkmlaw.com)

William H. London (IL No. 6196353)  
(admitted *pro hac vice*)  
Douglas A. Millen (IL No. 6226978)  
(admitted *pro hac vice*)  
Michael E. Moskovitz (IL No. 6237728)  
(admitted *pro hac vice*)

Brian M. Hogan (IL No. 6286419)  
(admitted *pro hac vice*)  
FREED KANNER LONDON & MILLEN LLC  
2201 Waukegan Road, #130  
Bannockburn, IL 60015  
Tel: (224) 632-4500  
Fax: (224) 632-4521  
[blondon@fkmlaw.com](mailto:blondon@fkmlaw.com)  
[dmillen@fkmlaw.com](mailto:dmillen@fkmlaw.com)  
[mmoskovitz@fkmlaw.com](mailto:mmoskovitz@fkmlaw.com)  
[bhogan@fkmlaw.com](mailto:bhogan@fkmlaw.com)

***Counsel for Plaintiffs and Co-Lead Counsel for the Class***

Jeffrey J. Corrigan (NY No. 2372654)  
(admitted *pro hac vice*)  
Jeffrey L. Spector (PA No. 207208)  
(admitted *pro hac vice*)  
SPECTOR ROSEMAN & KODROFF, P.C.  
Two Commerce Square  
2001 Market Street, Suite 3420  
Philadelphia, PA 19103  
Tel: (215) 496-0300  
Fax: (215) 496-6611  
[jcorrigan@srkattorneys.com](mailto:jcorrigan@srkattorneys.com)  
[jspector@srkattorneys.com](mailto:jspector@srkattorneys.com)

***Additional Counsel for Plaintiffs and the Class***

Wyatt B. Durette, Jr. (VSB No. 04719)  
Kevin J. Funk (VSB No. 65465)  
**DURRETTE, ARKEMA, GERSON & GILL PC**  
1111 East Main Street, 16th Floor  
Richmond, VA  
Tel: (804) 775-6900  
Fax: (804) 775-6911  
[wdurette@dagglaw.com](mailto:wdurette@dagglaw.com)  
[kfunk@dagglaw.com](mailto:kfunk@dagglaw.com)

***Counsel for Plaintiffs and Liaison Counsel for the Class***

By Dan Laytin  
Daniel E. Laytin, P.C. (admitted pro hac vice)  
Stacy Pepper (admitted *pro hac vice*)  
KIRKLAND & ELLIS LLP  
300 North LaSalle Street  
Chicago, IL 60654  
Tel: (312) 862-2000  
Fax: (312) 862-2200  
dlaytin@kirkland.com  
stacy.pepper@kirkland.com

***Counsel for Defendant Golden Peanut Company, LLC***