

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE TURKEY ANTITRUST LITIGATION

No. 1:19-cv-08318

This Document Relates To:

Commercial and Institutional Indirect Purchaser
Plaintiffs' Action (1:20-cv-02295)

**DECLARATION OF CAMERON R. AZARI, ESQ. REGARDING IMPLEMENTATION AND
ADEQUACY OF NOTICE PROGRAM**

I, Cameron Azari, declare as follows:

1. My name is Cameron R. Azari, Esq. I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.

2. I am a nationally recognized expert in the field of legal notice, and I have served as an expert in hundreds of federal and state cases involving class action notice plans.

3. I am a Senior Vice President with Epiq Class Action & Claims Solutions, Inc. (“Epiq”) and the Director of Legal Notice for Hilsoft Notifications (“Hilsoft”); a firm that specializes in designing, developing, analyzing and implementing large-scale legal notification plans. Hilsoft is a business unit of Epiq.

4. This declaration will describe the implementation of the Settlement Notice Program for the Commercial and Institutional Indirect Purchaser Plaintiffs (“Notice Program” or “Notice Plan”) and notice (the “Notice” or “Notices”) here for *Sandee’s Catering, et al. v. Agri Stats, Inc. et al.*, , No. 1:20-cv-02295 (N.D. Ill.). I previously executed my *Declaration of*

Cameron R. Azari, Esq. Regarding Notice Program (Dkt. No. 205)¹, on September 27, 2021, in which I detailed Hilsoft’s class action notice experience and attached Hilsoft’s curriculum vitae. I also provided my educational and professional experience relating to class actions and my ability to render opinions on overall adequacy of notice programs.

OVERVIEW

5. On July 28, 2021, in the *Order Granting Commercial and Institutional Indirect Purchaser Plaintiffs’ Motion for Preliminary Approval of Proposed Settlement with Tyson Defendants and Provisional Certification of Settlement Class* (Dkt. No. 196) (“Preliminary Approval Order”), the Court provisionally certified the following class for settlement purposes (“Settlement Class”):

All commercial and institutional purchasers in the United States and its territories that purchased turkey, once or more, other than directly from Defendants, entities owned or controlled by Defendants, or other producers of turkey, from January 1, 2010 to January 1, 2017. Excluded from the Nationwide Class are the Court and its personnel, and any Defendants and their parent or subsidiary companies.

6. Subsequently, on October 4, 2021, the Court approved the Notice Plan as designed by Hilsoft and appointed Epiq and Hilsoft as the notice administrator in the *Order Granting Motion for Approval of Notice Plan* (Dkt. No. 206) (“Notice Order”).

7. After the Court’s Preliminary Approval Order and Notice Order were entered, we began to implement the Notice Program. This declaration will detail the notice activities undertaken and explain how and why the Notice Plan was comprehensive and well-suited to the Settlement Class. This declaration will also discuss the administration activity to date. The facts in this declaration are based on what I personally know, as well as information provided to me in the ordinary course of my business by my colleagues from Hilsoft and Epiq, who worked with us to implement the notice effort.

8. Hilsoft developed the Notice Program based on our prior experience and research into the notice issues in this case. We analyzed and proposed the most effective method

¹ All docket entry references herein (“Dkt. No.”) are to *Sandee’s Catering, et al. v. Agri Stats, Inc. et al.*, No. 1:20-cv-02295 (N.D. Ill.)

practicable of notice for this Settlement Class. In my opinion, the Notice Program as implemented reached the greatest practicable number of Settlement Class members through the use of individual notice and targeted media notice.

NOTICE PROGRAM DETAIL

9. Federal Rules of Civil Procedure, Rule 23 directs that notice must be “the best notice practicable under the circumstances,” and must include “individual notice to all members who can be identified through reasonable effort.”² The Notice Program satisfied this requirement with an individual notice effort that was supplemented by a targeted media campaign.

10. The Notice Program (individual notice and supplemental media – nationally distributed digital and social media) reached 73% of the Settlement Class, with an average frequency of 2.7 times each. “Reach” refers to the estimated percentage of the unduplicated audience exposed to the notice. Notice exposure is defined as the opportunity to see a notice. “Frequency” of notice exposure is the average number of times that those reached by a notice would be exposed to the notice. The reach was further enhanced by internet sponsored search listings, an informational release, and a settlement website, which were not included in the reach calculation. In my experience, the reach of the Notice Program was consistent with other court approved notice programs, was the best notice practicable under the circumstances of this case, and satisfied the requirements of due process, including its “desire to actually inform” requirement.³

CAFA NOTICE

11. As required by the federal Class Action Fairness Act of 2005 (CAFA), 28 U.S.C. § 1715, on July 9, 2021, Epiq sent 58 CAFA Notice Packages (“CAFA Notice”) on behalf of

² Fed. R. Civ. P. 23(c)(2)(B).

³ *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 315 (1950) (“But when notice is a person’s due, process which is a mere gesture is not due process. The means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it. The reasonableness and hence the constitutional validity of any chosen method may be defended on the ground that it is in itself reasonably certain to inform those affected . . .”).

Defendants Tyson Foods, Inc., Tyson Prepared Foods, Inc., Tyson Fresh Meats, Inc., and The Hillshire Brands Company (collectively, “Tyson”). The CAFA Notice was mailed via United States Postal Service (“USPS”) Certified Mail to 56 officials, including the Attorneys General of each of the 50 states, the District of Columbia, and the United States Territories. The CAFA Notice was also sent via United Parcel Service (“UPS”) to the United States Department of Agriculture and the Attorney General of the United States. Details regarding the CAFA Notice mailing are provided in the *Declaration of Stephanie J. Fiereck, Esq. on Implementation of CAFA Notice*, dated July 9, 2021, which is included as **Attachment 1**.

INDIVIDUAL NOTICE

Email Notice – Direct Mail

12. On September 30, 2021, Epiq acquired an email list of 118,711 restaurants nationwide (“potential Settlement Class Member List”). This data was used to provide individual notice to the Settlement Class. Epiq used the potential Settlement Class Member List to send an Email Notice to all facially valid email addresses contained in the List.

13. On November 3, 2021, Epiq sent 118,712 Email Notices to potential Settlement Class Members with a facially valid email address, as obtained from the potential Settlement Class Member List.⁴ Industry standard best practices were followed for the Email Notice efforts. The Email Notice was drafted in such a way that the subject line, the sender, and the body of the message would overcome SPAM filters and ensure readership to the fullest extent reasonably practicable. For instance, the Email Notice used an embedded html text format. This format provided easy to read text without graphics, tables, images, attachments, and other elements that increased the likelihood that the message could be blocked by Internet Service Providers (“ISPs”) and/or SPAM filters. The Email Notices were sent from an IP address known to major email providers as one not used to send bulk “SPAM” or “junk” email blasts. Each Email Notice

⁴ The Email Notice was sent to the Settlement Class Member List plus one of the named Plaintiffs, as approved by counsel.

was transmitted with a digital signature to the header and content of the Email Notice, which allowed ISPs to programmatically authenticate that the Email Notices were from our authorized mail servers. Each Email Notice was transmitted with a unique message identifier. The Email Notice included an embedded link to the settlement website. By clicking the link, recipients were able access the Long Form Notice, Settlement Agreement and other information about the Settlement. The Email Notice is included as **Attachment 2**.

14. If the receiving email server could not deliver the message, a “bounce code” was returned along with the unique message identifier. For any Email Notice for which a bounce code was received indicating that the message was undeliverable for reasons such as an inactive or disabled account, the recipient’s mailbox was full, technical auto-replies, etc., at least two additional attempts were made to deliver the Notice by email. After completion of the Email Notice effort, 15,997 Email Notices remained undeliverable.

Media Plan

Targeted Internet Banner Advertising

15. Internet advertising has become a standard component in legal notice programs. The internet has proven to be an efficient and cost-effective method to target class members as part of providing notice of class certification and/or a settlement for a class action case. According to MRI-Simmons syndicated research, over 89% of adults, aged 18+ in the United States are online.⁵

16. The Notice Program included targeted banner advertising on selected advertising networks, which were targeted to the Settlement Class. The Banner Notices linked directly to the settlement website, which allowed visitors easy access to relevant information and documents.

17. The internet Banner Notices used language from the Notices, which allowed users to identify themselves as potential members of the Settlement Class. As an additional way to draw the interest of the Settlement Class, and to be consistent with FJC recommendations that a picture or graphic may help class members self-identify, the internet Banner Notices prominently

⁵ MRI-Simmons 2020 Survey of the American Consumer®.

featured a high-resolution graphic of a diagram of the butcher cuts identified on a turkey. Examples of the Banner Notices are included as **Attachment 3**.

18. The Notice Program included Banner Notices in various sizes, which were placed on the advertising networks, *Google Display Network* and *Verizon (Yahoo) Audience Network*. Combined, these ad networks cover 90% of the United States’ population that is online. All Banner Notices ran on desktop, mobile, and tablet devices, and were distributed to the selected targeted audiences nationwide as described below. Banner Notices were also targeted (remarketed) to people who visited the settlement website.

19. The Notice Program also included advertising on social media, which consisted of Banner Notices on *Facebook* and *LinkedIn* in multiple sizes. *Facebook* is the leading social networking site in the United States with more than 220 million users in the United States and *LinkedIn* is the world's largest professional network on the internet with more than 178 million members in the United States.

20. More details regarding the target audiences, distribution, and specific ad sizes of the Banner Notices, are included in the following table.

<i>Network/Property</i>	<i>Target</i>	<i>Distribution</i>	<i>Ad Sizes</i>	<i>Delivered Impressions</i>
<i>Google Display Network</i>	Adults 18+	National	728x90, 300x250, 300x600, 970x250	23,226,557
<i>Google Display Network</i>	Custom Affinity Audience: ⁶ Business Owner	National	728x90, 300x250, 300x600, 970x250	29,522,375
<i>Google Display Network</i>	Custom Intent Audience: ⁷ Food Service	National	728x90, 300x250, 300x600, 970x250	28,062,459
<i>Google Display Network</i>	Custom Affinity Audience: Food Service	National	728x90, 300x250, 300x600, 970x250	28,098,197

⁶ “Custom Affinity Audience” means Banner Notices were targeted to specific website content, here meaning websites, blogs, etc. that focus on business owners, small businesses, business opportunities, and business formation.

⁷ “Custom Intent Audience” means Banner Notices were targeted to individuals who have searched for the targeted topic, here meaning the food service, restaurant, & hospitality industry.

<i>Verizon (Yahoo) Audience Network</i>	Finance/Business Channels	National	728x90, 300x250, 300x600, 970x250	31,019,091
<i>Facebook</i>	Adults 18+	National	Newsfeed & Right Hand Column	5,106,620
<i>Facebook</i>	Interests include Business Ownership	National	Newsfeed & Right Hand Column	15,222,647
<i>Facebook</i>	Interests include Food Service	National	Newsfeed & Right Hand Column	14,915,670
<i>Facebook</i>	Demographics Targeting: Food and Restaurants	National	Newsfeed & Right Hand Column	15,904,258
<i>LinkedIn</i>	Jobs in the Food Service Industry	National	LinkedIn Ads	9,162,306
TOTAL				200,240,180

21. Combined, more than 200.2 million targeted impressions were generated by the internet Banner Notices, which ran from November 3, 2021, through December 3, 2021, nationwide.⁸ Clicking on the Banner Notices linked the reader to the settlement website, where they could easily obtain detailed information about the case.

22. Throughout the implementation of the Notice Program, Hilsoft continuously monitored the effectiveness of the Notice Program to ensure impression goals are met to satisfy a combined reach of at least 70%.

Sponsored Search Listings

23. The Notice Program included purchasing sponsored search listings to facilitate locating the settlement website. Sponsored search listings were acquired on the three most highly-visited internet search engines: *Google, Yahoo!* and *Bing*. When search engine visitors searched on selected common keyword combinations related to the case, the sponsored search listing was generally displayed at the top of the page prior to the search results or in the upper right-hand

⁸ The third-party ad management platform, ClickCease was used to audit the digital Banner Notice ad placements. This type of platform tracks all Banner Notice ad clicks to provide real-time ad monitoring, fraud traffic analysis, blocks clicks from fraudulent sources, and quarantines dangerous IP addresses. This helps reduce wasted, fraudulent or otherwise invalid traffic (e.g., ads being seen by ‘bots’ or non-humans, ads not being viewable, etc.).

column. Representative search terms included word and phrase variations related to the Settlement. The sponsored search listings were displayed nationwide.

24. The sponsored listings ran from November 3, 2021, through January 4, 2022, and were displayed 24,924 times and resulted in 701 clicks that displayed the settlement website. A complete list of the sponsored search keyword combinations is included as **Attachment 4**. Examples of the sponsored search listing as displayed on each search engine are included as **Attachment 5**.

Informational Release

25. To build additional reach and extend exposures, on November 3, 2021, a party-neutral Informational Release was issued broadly over PR Newswire, to approximately 5,000 general media (print and broadcast) outlets, including local and national newspapers, magazines, national wire services, television and radio broadcast media across the United States as well as approximately 4,500 websites, online databases, internet networks and social networking media. The Informational Release was also distributed to more than 530 journalists that report specifically on restaurants and the food industry.

26. The Informational Release included the address of the settlement website and the toll-free telephone number. The Informational Release served a valuable role by providing additional notice exposures beyond that which was provided by the paid media. The Informational Release is included as **Attachment 6**.

Settlement Website, Toll-free Telephone Number, and Postal Mailing Address

27. On November 2, 2021, a settlement website was established with an easy to remember domain name (www.TurkeyCommercialCase.com). The settlement website allows members of the Settlement Class to obtain detailed information about the case and review key documents, including the Second Amended Complaint, Long Form Notice, Settlement Agreement, Motion for Preliminary Approval, Preliminary Approval Order, and Notice Order, as well as answers to frequently asked questions (“FAQs”). The website address was displayed

prominently on all Notice documents.

28. As of February 8, 2022, there have been 27,005 unique visitor sessions to the website and 31,536 website pages presented.

29. On November 2, 2021, a toll-free telephone number (1-800-403-3089) was also established to allow members of the Settlement Class to call for additional information and listen to answers to FAQs. The toll-free telephone number was prominently displayed in the Notice documents as well. The automated phone system is available 24 hours per day, 7 days per week.

30. As of February 8, 2022, the toll-free telephone number has handled 19 calls representing 62 minutes of use.

Postal Mailing and Email Addresses

31. A post office box and an email address (info@TurkeyCommercialCase.com) for correspondence about the case were also established and maintained, allowing members of the Settlement Class to contact the Settlement Administrator by mail with any specific requests or questions.

Requests for Exclusion and Objections

32. The deadline to request exclusion from the Settlement or to object to the Settlement was January 4, 2022. As of February 8, 2022, Epiq has received one request for exclusion from the Settlement.⁹ As of February 8, 2022, I am not aware of any objections to the Settlement. The Request for Exclusion Report is included as **Attachment 7**.

PLAIN LANGUAGE NOTICE DESIGN

33. The Notices were designed to be “noticed” and reviewed, and—by presenting the information in plain language—understood by members of the Settlement Class. The design of the Notices followed the principles embodied in the Federal Judicial Center’s illustrative “model” notices posted at www.fjc.gov. Many courts, and as previously cited, the FJC itself, have

⁹ The sole opt-out is a parent company which included in its request to be excluded from the Settlement Class 34 of its related affiliates and/or subsidiaries, which are identified in **Attachment 8**.

approved notices that we have written and designed in a similar fashion. The Notices contained substantial, albeit easy-to-read, summaries of all of the key information about Settlement Class members' rights and options. Consistent with our normal practice, all notice documents underwent a final edit for grammatical errors and accuracy.

34. The Notices were designed to increase noticeability and comprehension. Once people "notice" the Notices, it is critical that they can understand them. As such, the Notices, as written, were clearly worded with an emphasis on simple, plain language to encourage readership and comprehension.

35. The Notices featured a prominent headline in bold text. These design elements alerted recipients and readers that the Notice was an important document authorized by a court and that the content may affect them, thereby supplying reasons to read the Notice.

36. The Long Form Notice provided substantial information to the Settlement Class. It began with a summary page, which provided a concise overview of the important information and a table, which highlighted key options available to the Settlement Class. A table of contents, categorized into logical sections, helped to organize the information, while a question and answer format made it easy to find answers to common questions by breaking the information into simple headings.

CONCLUSION

37. In class action notice planning, execution, and analysis, we are guided by due process considerations under the United States Constitution, and by case law pertaining to the recognized notice standards under Rule 23. This framework directs that the notice plan be optimized to reach the class and, in a settlement notice situation such as this, that the notice or notice plan itself not limit knowledge of legal rights—nor the ability to exercise other options—to class members in any way. All of these requirements were met in this case.

38. The Notice Program included individual notice to potential identified members of the Settlement Class and supplemental media. The Notice Program (individual notice and

supplemental media - nationally distributed digital and social media) reached 73% of the Settlement Class. The reach was further enhanced by internet sponsored search listings, an informational release, and a settlement website. In 2010, the Federal Judicial Center issued a Judges' Class Action Notice and Claims Process Checklist and Plain Language Guide. This Guide states that, "the lynchpin in an objective determination of the adequacy of a proposed notice effort is whether all the notice efforts together will reach a high percentage of the class. It is reasonable to reach between 70–95%."¹⁰ Here, we developed a Notice Program that readily achieved a reach within that standard.

39. The Notice Program followed the guidance for how to satisfy due process obligations that a notice expert gleans from the United States Supreme Court's seminal decisions, which are: a) to endeavor to actually inform the class, and b) to demonstrate that notice is reasonably calculated to do so:

- A. "But when notice is a person's due, process which is a mere gesture is not due process. The means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it," *Mullane v. Central Hanover Trust*, 339 U.S. 306, 315 (1950).
- B. "[N]otice must be reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections," *Eisen v. Carlisle & Jacquelin*, 417 U.S. 156 (1974) (citing *Mullane*, 339 U.S. at 314).

40. The Notice Program described in this declaration provided for the best notice practicable under the circumstances of this case, conformed to all aspects of the Federal Rules of Civil Procedure, Rule 23, and comported with the guidance for effective notice set out in the Manual for Complex Litigation, Fourth.

41. The Notice Program schedule afforded sufficient time to provide full and proper notice to the Settlement Class before the exclusion request and objection deadlines.

¹⁰ FED. JUDICIAL CTR, JUDGES' CLASS ACTION NOTICE AND CLAIMS PROCESS CHECKLIST AND PLAIN LANGUAGE GUIDE 3 (2010), available at <https://www.fjc.gov/content/judges-class-action-notice-and-claims-process-checklist-and-plain-language-guide-0>.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed on February 8, 2022, at Beaverton, Oregon.

A handwritten signature in black ink, consisting of the initials 'C.A.' followed by a stylized flourish.

Cameron R. Azari

Attachment 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

SANDEE’S BAKERY d/b/a SANDEE’S
CATERING BAKERY & DELI AND GNEMI,
LLC d/b/a LOGAN FARMS,

Plaintiffs,

v.

AGRI STATS, INC., et al.

Defendants.

No. 1:20-cv-02295

Hon. Virginia M. Kendall

**DECLARATION OF STEPHANIE J. FIERECK, ESQ. ON IMPLEMENTATION OF
CAFA NOTICE**

I, STEPHANIE J. FIERECK, ESQ., hereby declare and state as follows:

1. My name is Stephanie J. Fiereck, Esq. I am over the age of 21 and I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.

2. I am the Legal Notice Manager for Epiq Class Action & Claims Solutions, Inc. (“Epiq”), a firm that specializes in designing, developing, analyzing and implementing large-scale, un-biased, legal notification plans.

3. Epiq is a firm with more than 20 years of experience in claims processing and settlement administration. Epiq’s class action case administration services include coordination of all notice requirements, design of direct-mail notices, establishment of fulfillment services, receipt and processing of opt-outs, coordination with the United States Postal Service, claims database management, claim adjudication, funds management and distribution services.

4. The facts in this Declaration are based on what I personally know, as well as information provided to me in the ordinary course of my business by my colleagues at Epiq.

CAFA NOTICE IMPLEMENTATION

5. At the direction of counsel for the Defendants Tyson Foods, Inc., Tyson Prepared Foods, Inc., Tyson Fresh Meats, Inc., and The Hillshire Brands Company (collectively, “Tyson”), 58 officials, which included the United States Department of Agriculture, the Attorney General of the United States, and the Attorneys General of each of the 50 states, the District of Columbia, and the United States Territories were identified to receive the CAFA notice.

6. Epiq maintains a list of these federal and state officials with contact information for the purpose of providing CAFA notice. Prior to mailing, the names and addresses selected from Epiq’s list were verified, then run through the Coding Accuracy Support System (“CASS”) maintained by the United States Postal Service (“USPS”).¹

7. On July 9, 2021, Epiq sent 58 CAFA Notice Packages (“Notice”). The Notice was mailed via USPS Certified Mail to 56 officials, including the Attorneys General of each of the 50 states, the District of Columbia, and the United States Territories. The Notice was also sent by United Parcel Service (“UPS”) to the United States Department of Agriculture and the Attorney General of the United States. The CAFA Notice Service List (USPS Certified Mail and UPS) is included as **Attachment 1**.

8. The materials sent to the federal and state officials included a cover letter, which provided notice of the proposed settlement of the above-captioned case. The cover letter is included as **Attachment 2**.

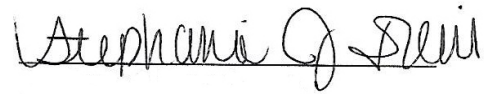
9. The cover letter was accompanied by a CD, which included the following:

- a. Class Action Complaint (ECF No. 1), Amended Class Action Complaint (ECF No. 91), and Second Amended Class Action Complaint (ECF No. 133);

¹ CASS improves the accuracy of carrier route, 5-digit ZIP®, ZIP + 4® and delivery point codes that appear on mail pieces. The USPS makes this system available to mailing firms who want to improve the accuracy of postal codes, i.e., 5-digit ZIP®, ZIP + 4®, delivery point (DPCs), and carrier route codes that appear on mail pieces.

- b. Motion for Preliminary Approval of Settlement (ECF No. 187), filed July 6, 2021;
- c. Supporting Memorandum, Declarations, and Exhibits (ECF Nos. 188-190), including:
 - Class Action Settlement Agreement (ECF No. 190-1, Exhibit A).

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 9, 2021.

A handwritten signature in black ink that reads "Stephanie J. Fiereck". The signature is written in a cursive style with a horizontal line underneath the name.

Stephanie J. Fiereck, Esq.

Attachment 1

**CAFA Notice Service List
USPS Certified Mail**

Company	FullName	Address1	Address2	City	State	Zip
Office of the Attorney General	Treg Taylor	PO Box 110300		Juneau	AK	99811
Office of the Attorney General	Steve Marshall	501 Washington Ave		Montgomery	AL	36130
Office of the Attorney General	Leslie Carol Rutledge	323 Center St	Suite 200	Little Rock	AR	72201
Office of the Attorney General	Mark Brnovich	2005 N Central Ave		Phoenix	AZ	85004
Office of the Attorney General	CAFA Coordinator	Consumer Law Section	455 Golden Gate Ave Ste 11000	San Francisco	CA	94102
Office of the Attorney General	Phil Weiser	Ralph L Carr Colorado Judicial Center	1300 Broadway 10th Fl	Denver	CO	80203
Office of the Attorney General	William Tong	165 Capitol Ave		Hartford	CT	06106
Office of the Attorney General	Karl A. Racine	400 6th St NW		Washington	DC	20001
Office of the Attorney General	Kathy Jennings	Carvel State Office Bldg	820 N French St	Wilmington	DE	19801
Office of the Attorney General	Ashley Moody	State of Florida	The Capitol PL-01	Tallahassee	FL	32399
Office of the Attorney General	Chris Carr	40 Capitol Square SW		Atlanta	GA	30334
Department of the Attorney General	Clare E. Connors	425 Queen St		Honolulu	HI	96813
Iowa Attorney General	Thomas J Miller	1305 E Walnut St		Des Moines	IA	50319
Office of the Attorney General	Lawrence G Wasden	700 W Jefferson St Ste 210	PO Box 83720	Boise	ID	83720
Office of the Attorney General	Kwame Raoul	100 W Randolph St		Chicago	IL	60601
Indiana Attorney General's Office	Todd Rokita	Indiana Government Center South	302 W Washington St 5th Fl	Indianapolis	IN	46204
Office of the Attorney General	Derek Schmidt	120 SW 10th Ave 2nd Fl		Topeka	KS	66612
Office of the Attorney General	Daniel Cameron	700 Capitol Avenue	Suite 118	Frankfort	KY	40601
Office of the Attorney General	Jeff Landry	PO Box 94005		Baton Rouge	LA	70804
Office of the Attorney General	Maura Healey	1 Ashburton Pl		Boston	MA	02108
Office of the Attorney General	Brian E. Frosh	200 St Paul Pl		Baltimore	MD	21202
Office of the Attorney General	Aaron Frey	6 State House Station		Augusta	ME	04333
Department of Attorney General	Dana Nessel	PO Box 30212		Lansing	MI	48909
Office of the Attorney General	Keith Ellison	445 Minnesota St	Suite 1400	St Paul	MN	55101
Missouri Attorney General's Office	Eric Schmitt	207 West High Street	PO Box 899	Jefferson City	MO	65102
MS Attorney General's Office	Lynn Fitch	Walter Sillers Bldg	550 High St Ste 1200	Jackson	MS	39201
Office of the Attorney General	Austin Knudsen	Department of Justice	PO Box 201401	Helena	MT	59620
Attorney General's Office	Josh Stein	9001 Mail Service Ctr		Raleigh	NC	27699
Office of the Attorney General	Wayne Stenehjem	State Capitol	600 E Boulevard Ave Dept 125	Bismarck	ND	58505
Nebraska Attorney General	Doug Peterson	2115 State Capitol	PO Box 98920	Lincoln	NE	68509
Office of the Attorney General	John Formella	NH Department of Justice	33 Capitol St	Concord	NH	03301
Office of the Attorney General	Gurbir S Grewal	25 Market Street	8th Fl West Wing	Trenton	NJ	08625
Office of the Attorney General	Hector Balderas	408 Galisteo St	Villagra Bldg	Santa Fe	NM	87501
Office of the Attorney General	Aaron Ford	100 N Carson St		Carson City	NV	89701
Office of the Attorney General	Letitia James	The Capitol		Albany	NY	12224
Office of the Attorney General	Dave Yost	30 East Broad Street	14th Floor	Columbus	OH	43215
Office of the Attorney General	Oklahoma Attorney General	313 NE 21st St		Oklahoma City	OK	73105
Office of the Attorney General	Ellen F Rosenblum	Oregon Department of Justice	1162 Court St NE	Salem	OR	97301
Office of the Attorney General	Josh Shapiro	16th Fl Strawberry Square		Harrisburg	PA	17120
Office of the Attorney General	Peter F Neronha	150 S Main St		Providence	RI	02903
Office of the Attorney General	Alan Wilson	PO Box 11549		Columbia	SC	29211
Office of the Attorney General	Jason Ravnsborg	1302 E Hwy 14 Ste 1		Pierre	SD	57501
Office of the Attorney General	Herbert H. Slatery III	PO Box 20207		Nashville	TN	37202
Office of the Attorney General	Ken Paxton	300 W 15th St		Austin	TX	78701
Office of the Attorney General	Sean D. Reyes	PO Box 142320		Salt Lake City	UT	84114
Office of the Attorney General	Mark R. Herring	202 North Ninth Street		Richmond	VA	23219
Office of the Attorney General	TJ Donovan	109 State St		Montpelier	VT	05609
Office of the Attorney General	Bob Ferguson	800 Fifth Avenue	Suite 2000	Seattle	WA	98104
Office of the Attorney General	Josh Kaul	PO Box 7857		Madison	WI	53707
Office of the Attorney General	Patrick Morrisey	State Capitol Complex	Bldg 1 Room E 26	Charleston	WV	25305
Office of the Attorney General	Bridget Hill	2320 Capitol Avenue		Cheyenne	WY	82002
Department of Legal Affairs	Fainu'ulei Falefatu Ala'ilima-Utu	Executive Office Building 3rd Floor	PO Box 7	Utulei	AS	96799
Attorney General Office of Guam	Leevin T Camacho	Administration Division	590 S Marine Corps Dr Ste 901	Tamuning	GU	96913
Office of the Attorney General	Edward Manibusan	Administration Bldg	PO Box 10007	Saipan	MP	96950
PR Department of Justice	Domingo Emanuelli Hernández	PO Box 9020192		San Juan	PR	00902
Department of Justice	Denise N. George	34-38 Kronprindsens Gade	GERS Bldg 2nd Fl	St Thomas	VI	00802

CAFA Notice Service List

UPS

Company	FullName	Address1	Address2	City	State	Zip
US Department of Justice	Merrick B. Garland	950 Pennsylvania Ave NW		Washington	DC	20530
US Department of Agriculture	Office of the General Counsel	Room 107W Whitten Building	1400 Independence Ave SW	Washington	DC	20250

Attachment 2

NOTICE ADMINISTRATOR
HILSOFT NOTIFICATIONS
10300 SW Allen Blvd
Beaverton, OR 97005
T. (503) 350-5800
DL-CAFA@epiqglobal.com

July 9, 2021

VIA UPS OR USPS CERTIFIED MAIL

All Addressees Listed in Attachment A

Class Action Fairness Act – Notice to Federal and State Officials

Dear Sir or Madam:

Pursuant to the “Class Action Fairness Act,” (“CAFA”), 28 U.S.C. §1715, please find enclosed information from Defendants Tyson Foods, Inc., Tyson Prepared Foods, Inc., Tyson Fresh Meats, Inc., and The Hillshire Brands Company (collectively, “Tyson”) relating to **two** proposed settlements of class action lawsuits between Tyson and 1) the Commercial and Institutional Indirect Purchaser Plaintiffs (CIIPPs); and 2) the Direct Purchaser Plaintiffs (“DPPs”) in two related class action lawsuits both pending before the Honorable Virginia M. Kendall.

With respect to both class action lawsuits, Tyson denies all allegations of wrong-and denies any liability whatsoever, but has decided to settle these actions in order to eliminate the burden, expense, and uncertainties of further litigation.

I. Tyson-CIIPP Settlement

- **Case:** *Sandee’s Bakery d/b/a Sandee’s Catering Bakery & Deli and Gnemi, LLC d/b/a Logan Farms v. Agri Stats, Inc., et al.*, Case No. 20-cv-02295
- **Court:** U.S. District Court for the Northern District of Illinois
- **Defendant(s):** Tyson Foods, Inc., Tyson Prepared Foods, Inc., Tyson Fresh Meats, Inc., and The Hillshire Brands Company (collectively, “Tyson”)
- **Judicial Hearing Scheduled:** A Preliminary Approval Hearing is scheduled to occur via teleconference on July 26, 2021 at 9:15 am C.T. At this time, a Final Approval Hearing has not been scheduled by the Court. At the time of the Final Approval Hearing, these matters may be continued without further notice.
- **Documents Enclosed:** Copies of the following documents are contained on the enclosed CD in the folder titled “Tyson-CIIPP Settlement”:

- Class Action Complaint (ECF No. 1), Amended Class Action Complaint (ECF No. 91), and Second Amended Class Action Complaint (ECF No. 133);
- Motion for Preliminary Approval of Settlement (ECF No. 187), filed July 6, 2021;
- Supporting Memorandum, Declarations, and Exhibits (ECF Nos. 188-190), including:
 - Class Action Settlement Agreement (ECF No. 190-1, Exhibit A).
- **Notification to Class Members:** At this time, the CIIPPs have requested that the Court defer formal notice to class members. The CIIPPs have proposed to the Court that they be allowed to propose a notice plan that will provide notice of this settlement to the class prior to any final approval proceedings.
- **Judicial Opinions Related to the Settlement:** As the proposed CIIPP settlement is still pending preliminary and final approval by the Court, there has been no written judicial opinion related to the settlement.
- **Any Settlement or Other Agreement Between CIIPP Class Counsel and Counsel for Tyson:** As of the date of this correspondence, no other settlement or agreement has been made between counsel for the CIIPPs and counsel for Tyson.
- **Final Judgment:** No final judgment has been entered as of the date of this correspondence, nor has any notice of dismissal been entered.
- **Geographic Distribution of Class Members and Proportionate Share of Claims:** Because the proposed settlement class includes all commercial and institutional purchasers in the United States who purchased Turkey other than directly from Defendants (whether from Tyson or from other defendants) from at least as early as January 1, 2010 until January 1, 2017, it is not feasible for Tyson to provide either “the names of class members who reside in each State and the estimated proportionate share of the claims of such members to the entire settlement” or “a reasonable estimate of the number of class members residing in each State and the estimated proportionate share of the claims of such members to the entire settlement.” Tyson’s best estimate is that class members could potentially reside in every state, the District of Columbia, and the U.S. territories, and that there are likely hundreds of class members.

II. Tyson-DPP Settlement

- **Case:** *Olean Wholesale Grocery Cooperative, Inc., et al. v. Agri Stats, Inc., et al.*, Case No. 19-cv-08318
- **Court:** U.S. District Court for the Northern District of Illinois
- **Defendants:** Tyson Foods, Inc., Tyson Prepared Foods, Inc., Tyson Fresh Meats, Inc., and The Hillshire Brands Company (collectively, “Tyson”)
- **Judicial Hearing Scheduled:** At this time, a Final Approval Hearing has not been scheduled by the Court. At the time of the hearing, these matters may be continued without further notice.

- **Documents Enclosed:** Copies of the following documents are contained on the enclosed CD in the folder titled “Tyson-DPP Settlement”:
 - Class Action Complaint (ECF No. 1) and Amended Class Action Complaint (ECF No. 238);
 - Motion for Preliminary Approval of Settlement (ECF No. 259), filed May 21, 2021;
 - Supporting Memorandum, Declarations, and Exhibits (ECF Nos. 260-264), including:
 - Class Action Settlement Agreement (ECF No. 262-1, Exhibit A);
 - Forms of Notice (ECF No. 264-1, Exhibits B-E); and
 - Preliminary Approval of Settlement (ECF No. 265).
- **Judicial Opinions Related to the Settlement:** Although the Court granted preliminary approval of the proposed settlement on May 25, 2021 (“Preliminary Approval Order”) (ECF No. 265), as of the date of this letter, notice to class members has not commenced, nor has the Court scheduled a hearing for final approval of the settlement. Per the Preliminary Approval Order, DPPs are not required to commence their notice plan until August 6, 2021 and the Final Approval Hearing, while not yet scheduled, is anticipated to occur in or after November 2021.
- **Any Settlement or Other Agreement Between DPP Class Counsel and Counsel for Tyson:** As of the date of this correspondence, no other settlement or agreement has been made between counsel for the DPPs and counsel for Tyson.
- **Final Judgment:** No final judgment has been entered as of the date of this correspondence, nor has any notice of dismissal been entered.
- **Geographic Distribution of Class Members and Proportionate Share of Claims:** Because the proposed settlement class includes all persons who purchased Turkey directly (whether from Tyson or from other defendants) for use or delivery in the United States from at least as early as January 1, 2010 until January 1, 2017, it is not feasible for Tyson to provide either “the names of class members who reside in each State and the estimated proportionate share of the claims of such members to the entire settlement” or “a reasonable estimate of the number of class members residing in each State and the estimated proportionate share of the claims of such members to the entire settlement.” Tyson’s best estimate is that class members could potentially reside in every state, the District of Columbia, and the U.S. territories, and that there are at least thousands of class members.

If you have questions about this notice, the settlement, or how to access and view the documents on the enclosed CD, please contact this office.

Sincerely,

Notice Administrator

Enclosures

Attachment A

Company	FullName	Address1	Address2	City	State	Zip
US Department of Justice	Merrick B. Garland	950 Pennsylvania Ave NW		Washington	DC	20530
US Department of Agriculture	Office of the General Counsel	Room 107W Whitten Building	1400 Independence Ave SW	Washington	DC	20250
Office of the Attorney General	Treg Taylor	PO Box 110300		Juneau	AK	99811
Office of the Attorney General	Steve Marshall	501 Washington Ave		Montgomery	AL	36130
Office of the Attorney General	Leslie Carol Rutledge	323 Center St	Suite 200	Little Rock	AR	72201
Office of the Attorney General	Mark Brnovich	2005 N Central Ave		Phoenix	AZ	85004
Office of the Attorney General	CAFA Coordinator	Consumer Law Section	455 Golden Gate Ave Ste 11000	San Francisco	CA	94102
Office of the Attorney General	Phil Weiser	Ralph L Carr Colorado Judicial Center	1300 Broadway 10th Fl	Denver	CO	80203
Office of the Attorney General	William Tong	165 Capitol Ave		Hartford	CT	06106
Office of the Attorney General	Karl A. Racine	400 6th St NW		Washington	DC	20001
Office of the Attorney General	Kathy Jennings	Carvel State Office Bldg	820 N French St	Wilmington	DE	19801
Office of the Attorney General	Ashley Moody	State of Florida	The Capitol PL-01	Tallahassee	FL	32399
Office of the Attorney General	Chris Carr	40 Capitol Square SW		Atlanta	GA	30334
Department of the Attorney General	Clare E. Connors	425 Queen St		Honolulu	HI	96813
Iowa Attorney General	Thomas J Miller	1305 E Walnut St		Des Moines	IA	50319
Office of the Attorney General	Lawrence G Wasden	700 W Jefferson St Ste 210	PO Box 83720	Boise	ID	83720
Office of the Attorney General	Kwame Raoul	100 W Randolph St		Chicago	IL	60601
Indiana Attorney General's Office	Todd Rokita	Indiana Government Center South	302 W Washington St 5th Fl	Indianapolis	IN	46204
Office of the Attorney General	Derek Schmidt	120 SW 10th Ave 2nd Fl		Topeka	KS	66612
Office of the Attorney General	Daniel Cameron	700 Capitol Avenue	Suite 118	Frankfort	KY	40601
Office of the Attorney General	Jeff Landry	PO Box 94005		Baton Rouge	LA	70804
Office of the Attorney General	Maura Healey	1 Ashburton Pl		Boston	MA	02108
Office of the Attorney General	Brian E. Frosh	200 St Paul Pl		Baltimore	MD	21202
Office of the Attorney General	Aaron Frey	6 State House Station		Augusta	ME	04333
Department of Attorney General	Dana Nessel	PO Box 30212		Lansing	MI	48909
Office of the Attorney General	Keith Ellison	445 Minnesota St	Suite 1400	St Paul	MN	55101
Missouri Attorney General's Office	Eric Schmitt	207 West High Street	PO Box 899	Jefferson City	MO	65102
MS Attorney General's Office	Lynn Fitch	Walter Sillers Bldg	550 High St Ste 1200	Jackson	MS	39201
Office of the Attorney General	Austin Knudsen	Department of Justice	PO Box 201401	Helena	MT	59620
Attorney General's Office	Josh Stein	9001 Mail Service Ctr		Raleigh	NC	27699
Office of the Attorney General	Wayne Stenehjem	State Capitol	600 E Boulevard Ave Dept 125	Bismarck	ND	58505
Nebraska Attorney General	Doug Peterson	2115 State Capitol	PO Box 98920	Lincoln	NE	68509
Office of the Attorney General	John Formella	NH Department of Justice	33 Capitol St	Concord	NH	03301
Office of the Attorney General	Gurbir S Grewal	25 Market Street	8th Fl West Wing	Trenton	NJ	08625
Office of the Attorney General	Hector Balderas	408 Galisteo St	Villagra Bldg	Santa Fe	NM	87501
Office of the Attorney General	Aaron Ford	100 N Carson St		Carson City	NV	89701
Office of the Attorney General	Letitia James	The Capitol		Albany	NY	12224
Office of the Attorney General	Dave Yost	30 East Broad Street	14th Floor	Columbus	OH	43215
Office of the Attorney General	Oklahoma Attorney General	313 NE 21st St		Oklahoma City	OK	73105
Office of the Attorney General	Ellen F Rosenblum	Oregon Department of Justice	1162 Court St NE	Salem	OR	97301
Office of the Attorney General	Josh Shapiro	16th Fl Strawberry Square		Harrisburg	PA	17120
Office of the Attorney General	Peter F Neronha	150 S Main St		Providence	RI	02903
Office of the Attorney General	Alan Wilson	PO Box 11549		Columbia	SC	29211
Office of the Attorney General	Jason Ravnsborg	1302 E Hwy 14 Ste 1		Pierre	SD	57501
Office of the Attorney General	Herbert H. Slatery III	PO Box 20207		Nashville	TN	37202
Office of the Attorney General	Ken Paxton	300 W 15th St		Austin	TX	78701
Office of the Attorney General	Sean D. Reyes	PO Box 142320		Salt Lake City	UT	84114
Office of the Attorney General	Mark R. Herring	202 North Ninth Street		Richmond	VA	23219
Office of the Attorney General	TJ Donovan	109 State St		Montpelier	VT	05609
Office of the Attorney General	Bob Ferguson	800 Fifth Avenue	Suite 2000	Seattle	WA	98104
Office of the Attorney General	Josh Kaul	PO Box 7857		Madison	WI	53707
Office of the Attorney General	Patrick Morrissey	State Capitol Complex	Bldg 1 Room E 26	Charleston	WV	25305
Office of the Attorney General	Bridget Hill	2320 Capitol Avenue		Cheyenne	WY	82002
Department of Legal Affairs	Fainu'ulei Falefatu Ala'ilima-Utu	Executive Office Building 3rd Floor	PO Box 7	Utulei	AS	96799
Attorney General Office of Guam	Leevin T Camacho	Administration Division	590 S Marine Corps Dr Ste 901	Tamuning	GU	96913
Office of the Attorney General	Edward Manibusan	Administration Bldg	PO Box 10007	Saipan	MP	96950
PR Department of Justice	Domingo Emanuelli Hernández	PO Box 9020192		San Juan	PR	00902
Department of Justice	Denise N. George	34-38 Kronprindsens Gade	GERS Bldg 2nd Fl	St Thomas	VI	00802

Attachment 2

From: No-Reply_turkeycommercialcas
Sent: Friday, October 29, 2021 10:43 AM
To: [REDACTED]
Subject: Notice of Class Action Settlement

Court Approved Legal Notice

If you purchased any Turkey product in the United States and its territories from January 1, 2010, to January 1, 2017, for commercial or institutional use, a class action settlement may affect your rights.

A settlement has been reached in a class action antitrust lawsuit filed on behalf of Commercial and Institutional Indirect Purchaser Plaintiffs with Defendants Tyson Foods, Inc., Tyson Fresh Meats, Inc., Tyson Prepared Foods, Inc., and the Hillshire Brands Company (“Tyson” or “Settling Defendants”). The Settlement requires Tyson to pay \$1,750,000. There will be no payments to the Settlement Class at this time. You will be notified later of an opportunity to file a claim. Before any money is paid, the Court will hold a hearing to decide whether to approve the Settlement.

The United States District Court for the Northern District of Illinois authorized this notice. This Court ordered notice may affect your rights. Please read this notice carefully.

WHO IS INCLUDED?

For settlement purposes, members of the Settlement Class are defined as all commercial and institutional purchasers in the United States and its territories that purchased turkey, once or more, other than directly from Defendants, entities owned or controlled by Defendants, or other producers of turkey, from January 1, 2010, to January 1, 2017, products in the United States and its territories. Excluded from the Class are the Court and its personnel, and any Defendants and their parent or subsidiary companies.

For purposes of the Settlement, “Turkey” means turkey meat, which may be sold in a variety of forms, including fresh or frozen, ground or parts, and raw or cooked. “Turkey” includes, but is not limited to, the following products: breasts, wings, drums, legs, thighs, tenderloins, necks, tails, gizzards, feet, trim, tenders, mechanically separated turkey (“MST”), ground turkey, and further processed and value-added turkey products such as lunch meat, deli meat, sausage, franks, bacon, and corn dogs.

If you are not sure you are included, you can get more information, including a detailed notice, at the Settlement Website www.TurkeyCommercialCase.com or by calling toll-free 1-800-403-3089.

WHAT IS THIS LAWSUIT ABOUT?

Commercial and Institutional Indirect Purchaser Plaintiffs allege that Defendants and their co-conspirators conspired and combined to fix, raise, maintain, and stabilize the price of Turkey, from January 1, 2010, to January 1, 2017, in the United States and its territories with the intent and expected result of increasing prices of Turkey in the United States, in violation of federal antitrust laws and various state antitrust, consumer protection, and unjust enrichment laws. Tyson denies it did anything wrong. The Court did not decide which side was right, but both sides agreed to the Settlement to resolve the case and get benefits to the Settlement Class. The case is still proceeding on behalf of the Commercial

and Institutional Indirect Purchaser Plaintiffs against other Defendants who may be subject to separate settlements, judgments, or class certification orders.

WHAT DOES THE SETTLEMENT PROVIDE?

The Settlement Agreement provides that Tyson will pay \$1,750,000 to resolve all Settlement Class members' claims against Tyson for the Released Claims (as defined in the Settlement Agreement). In addition to this monetary benefit, Tyson has also agreed to provide specified cooperation in the Commercial and Institutional Indirect Purchaser Plaintiffs' continued prosecution of the litigation. No money will be distributed at this time. Settlement Class Counsel will continue to pursue the lawsuit against the other Defendants. Settlement Class Counsel may request that the Court award attorneys' fees, permit the reimbursement of certain litigation costs and expenses, set aside funds for future expenses, and grant the class representatives service awards. If such a request is made, it will be filed at least fourteen days before the objection deadline and posted on the Settlement Website www.TurkeyCommercialCase.com. Settlement Class Counsel intend to ask the Court at a later date for attorneys' fees in relation to possible future settlements based on their services in this litigation, but Settlement Class Counsel do not intend to request an award of attorneys' fees in relation to this Settlement. In relation to this Settlement, Settlement Class Counsel will request a future expense set-aside not to exceed 50% of the Settlement Fund and may ask to be reimbursed for existing costs not to exceed \$200,000. All Settlement funds that remain after payment of the Court ordered attorneys' fees, costs, expenses, and service awards will be distributed at the conclusion of the lawsuit or as ordered by the Court. You will be notified later if and when there is an opportunity to make a claim to receive a payment.

WHAT ARE YOUR RIGHTS AND OPTIONS?

You do not need to take any action to remain a member of the Settlement Class and be bound by the Settlement Agreement. As a Settlement Class member, you may be able to participate in (or exclude yourself from) any future settlements or judgments obtained by Commercial and Institutional Indirect Purchaser Plaintiffs against other Defendants in the case.

If you do not want to be legally bound by the Settlement Agreement, you must exclude yourself. Your exclusion request must be **postmarked** by **January 4, 2022**, or you will not be able to sue or continue to sue Settling Defendants for the Released Claims (as defined in the Settlement Agreement). If you exclude yourself, you cannot get money from the Settlement. If you do not exclude yourself from the Settlement Class, you may object to the Settlement. Your objection must be **postmarked** by **January 4, 2022**. The detailed notice explains how to exclude yourself or object. Details may also be found on the FAQs page of the Settlement Website www.TurkeyCommercialCase.com.

While this Settlement is only with Settling Defendants at this time, the Settlement Class includes all commercial and institutional purchasers of Turkey products (as defined in the Settlement Agreement) who purchased the products other than directly from Defendants, entities owned or controlled by Defendants, or other producers of Turkey products. If you are a member of the Settlement Class and do not exclude yourself, you may be eligible to participate in (or exclude yourself from) any additional settlements which may arise with any other Defendants in the case.

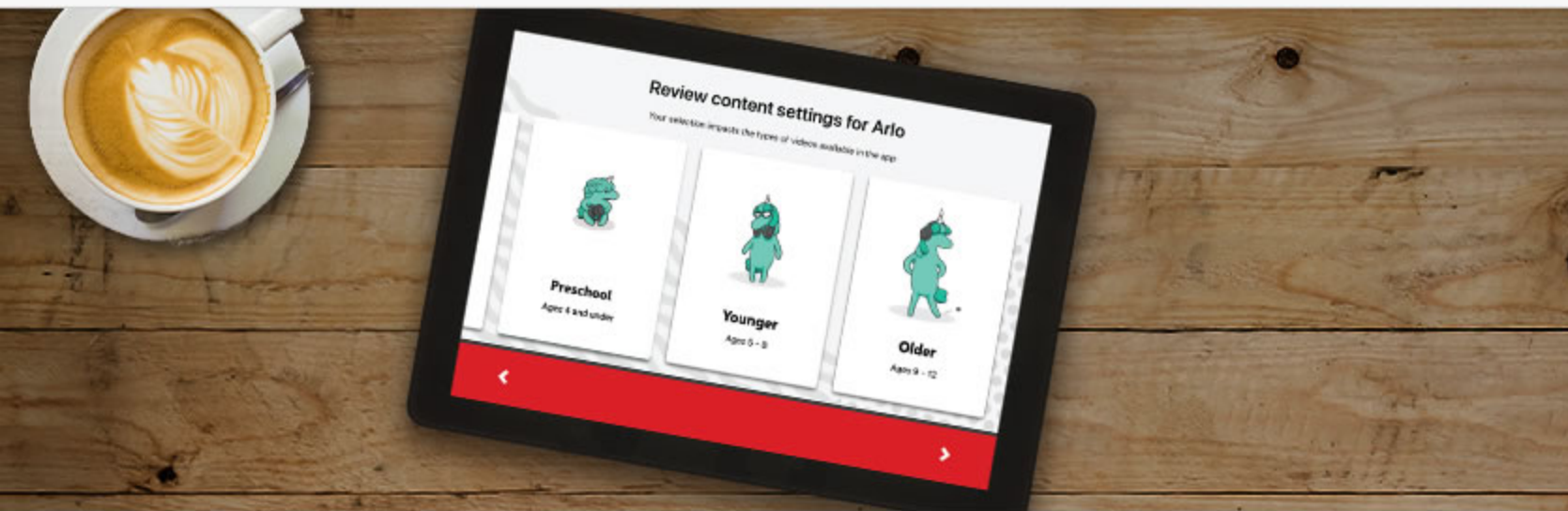
The Court will hold a hearing in this case *Sandee's Catering, et al. v. Agri Stats, Inc. et al.*, (Commercial and Institutional Indirect Purchaser Actions), Case No. 1:20-cv-02295 (N.D. Ill.) on **February 22, 2022**, at **10:00 a.m.**, via video conference to consider whether to approve the Settlement Agreement. You may ask to speak at the hearing, but you do not have to.

This notice is a summary only. You can find more details about the Settlement at www.TurkeyCommercialCase.com or by calling toll-free 1-800-403-3089. Please do not contact the Court.

AE894_v02

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Attachment 3



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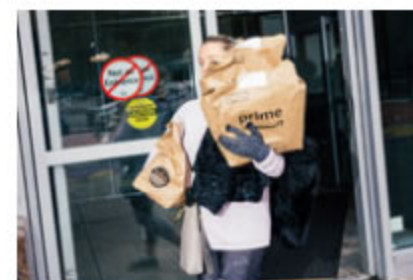
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By JEANNA SMIALEK



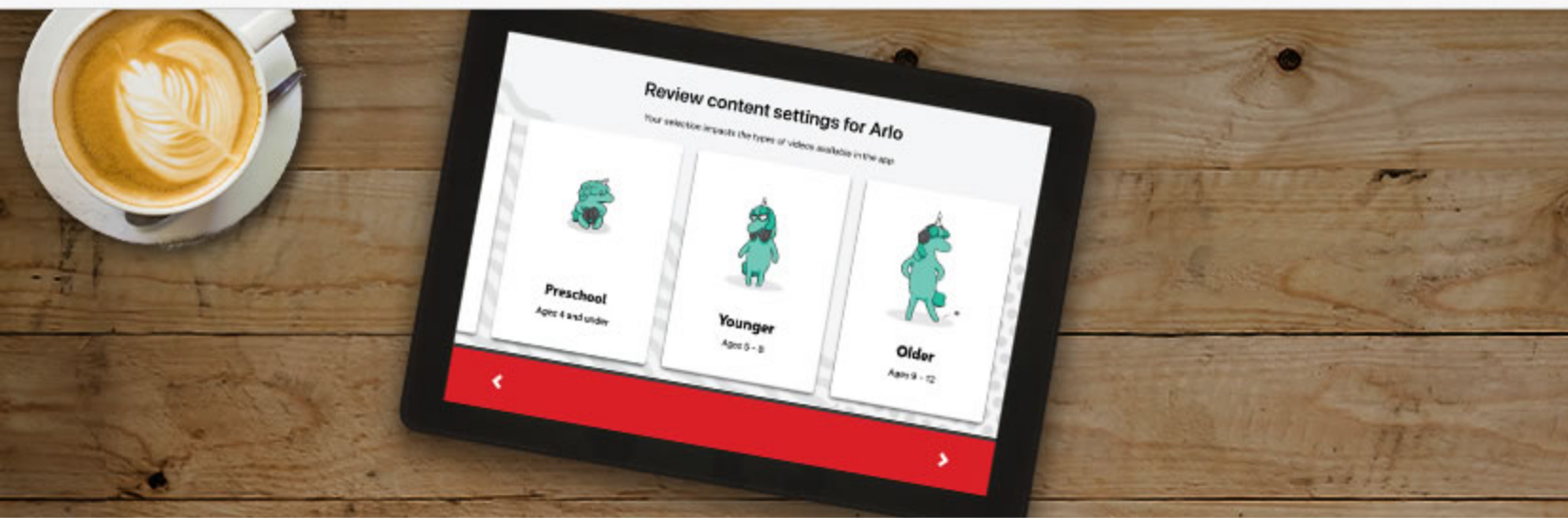
Nov. 1, 2021

How the Pandemic Has Added to Labor Unrest

While big companies wield considerable power, Covid's economic disruption has given workers new leverage, contributing to a recent upturn in strikes.

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By JEANNA SMIALEK



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By NOAM SCHEIBER



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Oreo cookies, Ritz crackers and Sour Patch Kids will cost more next year, Mondelez CEO says

Sarah Whitten TUE, NOV 2ND 2021



'It's difficult to feed our families': Volatile cocoa prices are pushing West...

Chloe Taylor TUE, NOV 2ND 2021

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Coca-Cola buys full control of Bodyarmor for \$5.6 billion in its largest-ever brand acquisition

Amelia Lucas MON, NOV 1ST 2021



Coca-Cola CEO expects to see sporadic product shortages through 2022

Amelia Lucas WED, OCT 27TH 2021



Coca-Cola earnings top estimates as consumers drink more beverages away from home

Lauren Thomas WED, OCT 27TH 2021



RETAIL
SNAP shoppers get squeezed: Food companies could lose \$3 billion in monthly sales

WED, OCT 27TH 2021



TECH
Uber launches 15-minute grocery delivery service in Paris

TUE, OCT 26TH 2021



Paid Post For Workday
Are you prioritizing these key business initiatives?

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Beyond Most plummeted 60% since...

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Doritos Reopened millions of

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Innovating for the future of c-stores

Trends 11.03.2021 By Donna Berry

C-store channel adapting to shifting needs of customers.



Nutriati, Tate & Lyle partner to distribute chickpea ingredients

Suppliers

11.03.2021 By Jeff Gelski



Oat prices skyrocket as supply wanes due to drought, demand

Ingredient Markets

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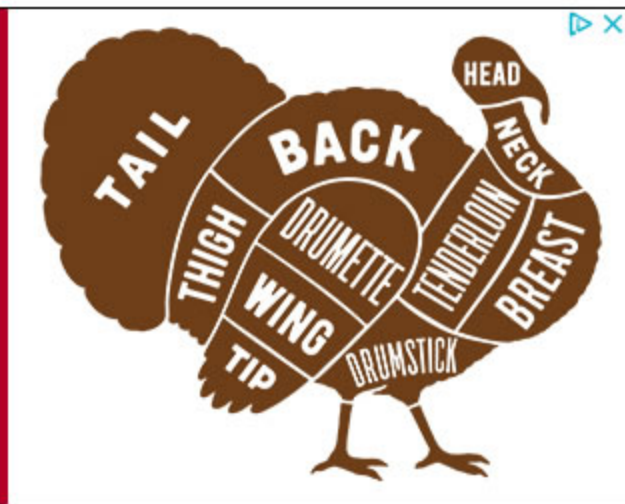
An advertisement for FFP (Food & Beverage Products) with the headline "FROM FORMULA TO FINAL SIP". It features the FFP logo and the slogan "BECAUSE REAL WORKS™". A "LEARN MORE" button is located in the bottom right corner. A small 'x' icon is in the top right corner.

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Aaron Rodgers not vaccinated, tests positive for COVID-19

The highly anticipated first matchup between Aaron Rodgers and Patrick Mahomes will not take place, as Rodgers has tested positive for COVID-19.

GREEN BAY PACKERS 1:40 p.m. ET Nov. 3



Election results updates: McAuliffe concedes; ballots still to count in NJ

Democrats on Capitol Hill start weighing in on crushing loss in Virginia, tight race in New Jersey. 'Dems blew the timing,' Sen. Tim Kaine says.

POLITICS 12:44 p.m. ET Nov. 3

- Education's role in Va.; historic day for candidates of color



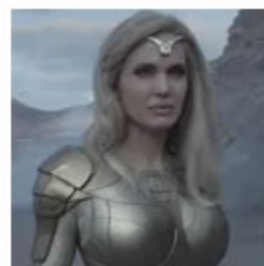
Live bullet in 'Rust' shooting could have been 'sabotage,' lawyers say

CELEBRITIES 12:36 p.m. ET Nov. 3



Youngkin beats McAuliffe for Virginia governor, dealing blow to Democrats

POLITICS 7:29 a.m. ET Nov. 3



'Eternals' brings sex, mental health struggles to Marvel movies

'Eternals' has big stars and bigger stakes but Oscar-winning director Chloé Zhao breaks the Marvel mold with a focus on sexuality and representation.

MOVIES 10:34 a.m. ET Nov. 3



These products have killed kids. But they're still for sale on Facebook Marketplace.

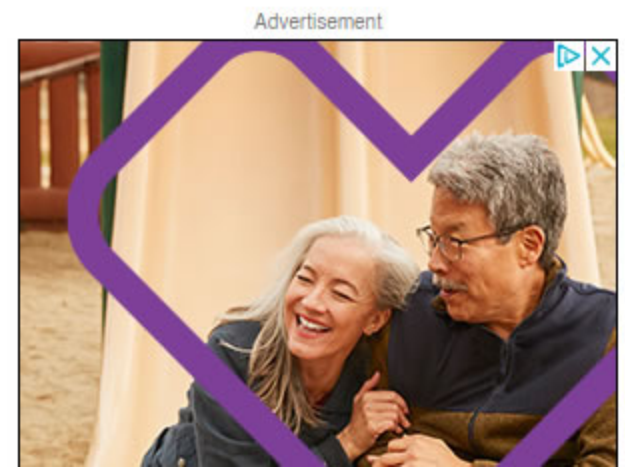
The Boppy Lounger was recalled after eight infants died. But USA TODAY found it and other dangerous recalled items still for sale on Facebook.

INVESTIGATIONS 10:30 a.m. ET Nov. 3

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- Push to disband Minneapolis police fails. What's next for reform?
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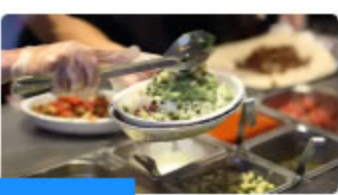
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Twitter wonders, why did Elon Musk post that?



Maddow blasts Fox News over Virginia governor race

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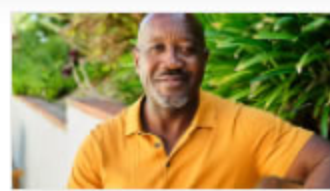
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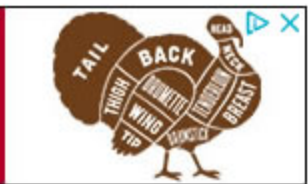
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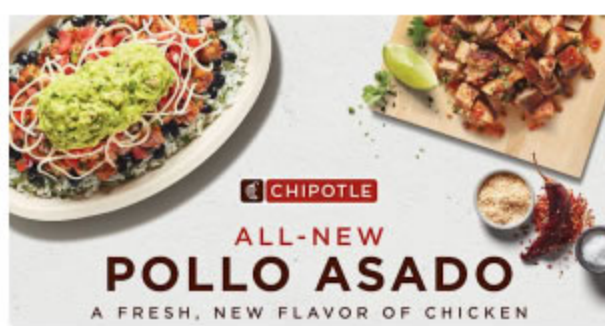


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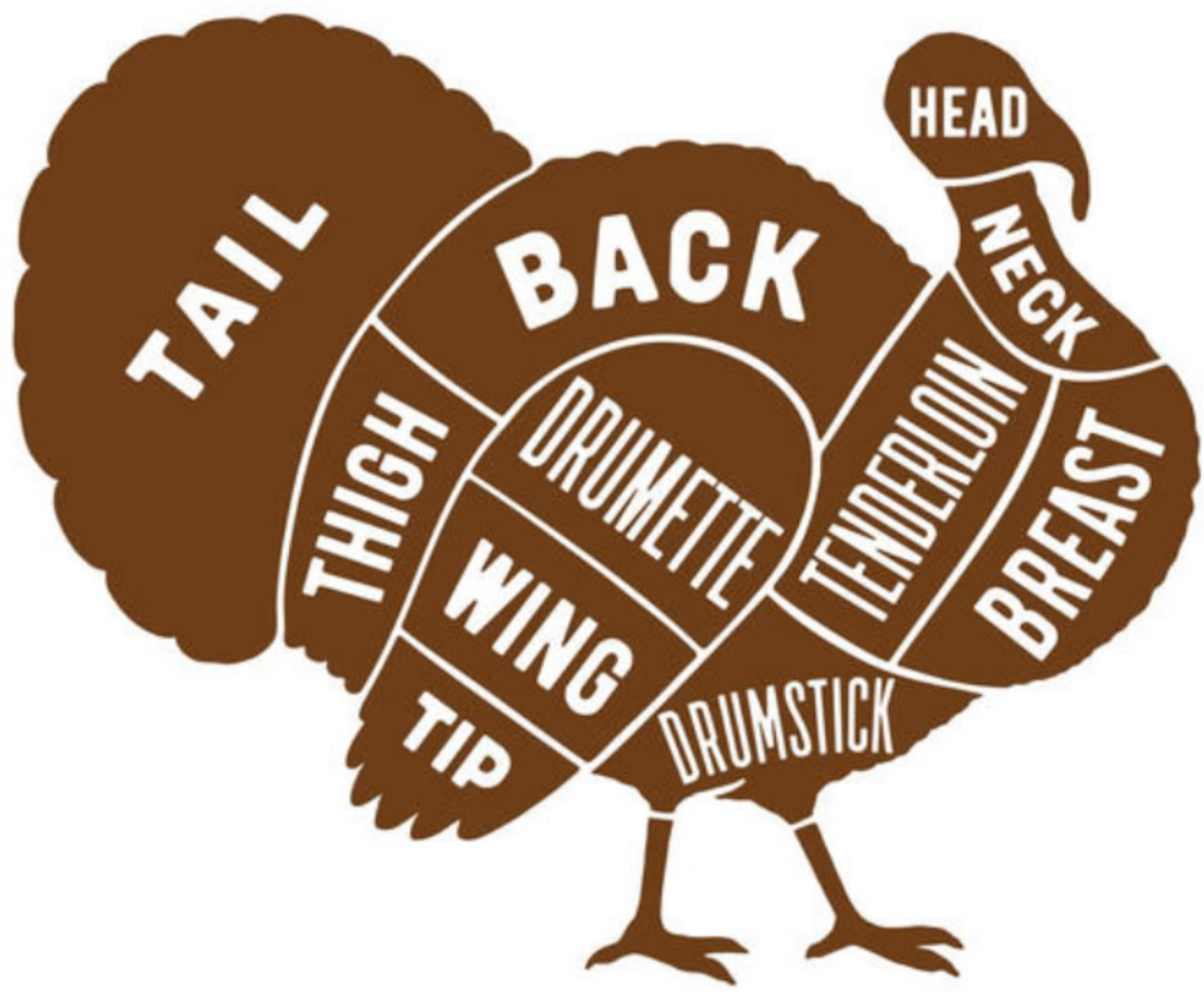
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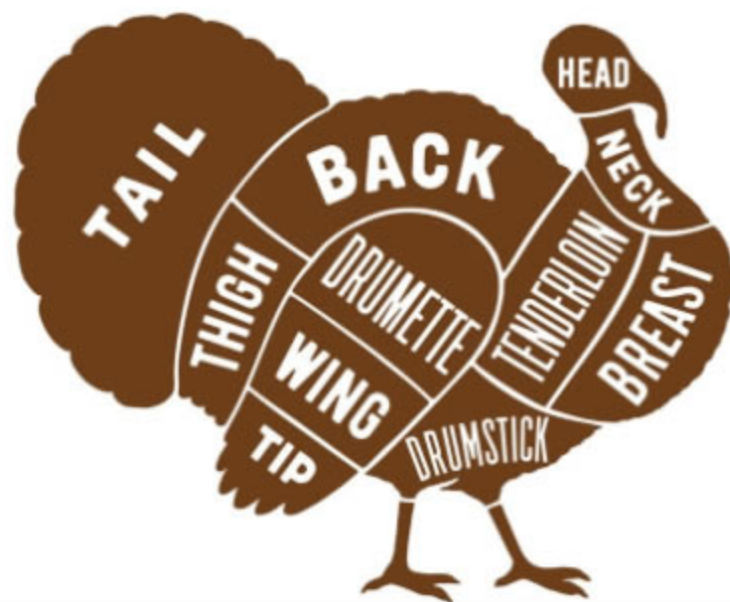
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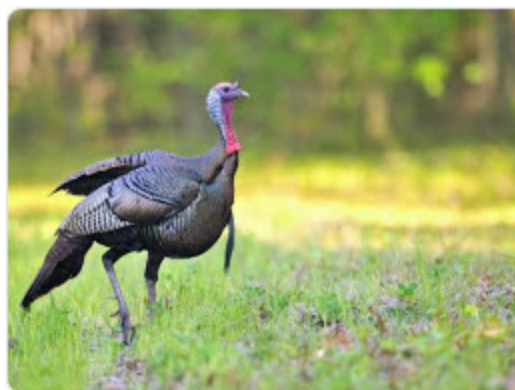
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The settlement will benefit customers who purchased turkey or turkey products from Tyson Foods, Tyson Fresh Meats, Tyson Prepared Foods, and/or the Hillshire Brands Co. in the United States between Jan. 1, 2010, and Jan. 1, 2017. You may be eligible for a potential award from the Turkey Price Fixing Class Action Lawsuit!

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United States District Court for the Northern District of Illinois →

Nov 03, 2021, 08:00 ET

CHICAGO, Nov. 3, 2021 /PRNewswire/ -- A settlement has been reached in a class action antitrust lawsuit filed on behalf of Commercial and Institutional Indirect Purchaser Plaintiffs with Defendants Tyson Foods, Inc., Tyson Fresh Meats, Inc., Tyson Prepared Foods, Inc., and the Hillshire Brands Company ("Tyson" or "Settling Defendants"). The Settlement requires Tyson to pay \$1,750,000. There will be no payments to the Settlement Class at this time. You will be notified later of an opportunity to file a claim. Before any money is paid, the Court will hold a hearing to decide whether to approve the Settlement.

The United States District Court for the Northern District of Illinois authorized this notice. This Court ordered notice may affect your rights. Please read this notice carefully.

WHO IS INCLUDED?

For settlement purposes, members of the Settlement Class are defined as all commercial and institutional purchasers in the United States and its territories that purchased turkey, once or more, other than directly from Defendants, entities owned or controlled by Defendants, or other producers of turkey, from January 1, 2010 to January 1, 2017, products in the United States and its territories. Excluded from the Class are the Court and its personnel, and any Defendants and their parent or subsidiary companies.

For purposes of the Settlement, "Turkey" means turkey meat, which may be sold in a variety of forms, including fresh or frozen, ground or parts, and raw or cooked. "Turkey" includes, but is not limited to, the following products: breasts, wings, drums, legs, thighs, tenderloins, necks, tails, gizzards, feet, trim, tenders,

mechanically separated turkey ("MST"), ground turkey, and further processed and value-added turkey products such as lunch meat, deli meat, sausage, franks, bacon, and corn dogs.

If you are not sure you are included, you can get more information, including a detailed notice, at www.TurkeyCommercialCase.com or by calling toll-free 1-800-403-3089.

WHAT IS THIS LAWSUIT ABOUT?

Commercial and Institutional Indirect Purchaser Plaintiffs allege that Defendants and their co-conspirators conspired and combined to fix, raise, maintain, and stabilize the price of Turkey, from January 1, 2010 to January 1, 2017, in the United States and its territories with the intent and expected result of increasing prices of Turkey in the United States, in violation of federal antitrust laws and various state antitrust, consumer protection, and unjust enrichment laws. Tyson denies it did anything wrong. The Court did not decide which side was right, but both sides agreed to the Settlement to resolve the case and get benefits to the Settlement Class. The case is still proceeding on behalf of the Commercial and Institutional Indirect Purchaser Plaintiffs against other Defendants who may be subject to separate settlements, judgments, or class certification orders.

WHAT DOES THE SETTLEMENT PROVIDE?

The Settlement Agreement provides that Tyson will pay \$1,750,000 to resolve all Settlement Class members' claims against Tyson for the Released Claims (as defined in the Settlement Agreement). In addition to this monetary benefit, Tyson has also agreed to provide specified cooperation in the Commercial and Institutional Indirect Purchaser Plaintiffs' continued prosecution of the litigation. No money will be distributed at this time. Settlement Class Counsel will continue to pursue the lawsuit against the other Defendants. Settlement Class Counsel may request that the Court award attorneys' fees, permit the reimbursement of certain litigation costs and expenses, set aside funds for future expenses, and grant the class representatives service awards. If such a request is made, it will be filed at least fourteen days before the objection deadline and posted on the Settlement Website www.TurkeyCommercialCase.com. Settlement Class Counsel intend to ask the Court at a later date for attorneys' fees in relation to possible future settlements based on their services in this litigation, but Settlement Class Counsel do not intend to request an award of attorneys' fees in relation to this Settlement. In relation to this Settlement, Settlement Class Counsel will request a future expense set-aside not to exceed 50% of the Settlement Fund and may ask to be reimbursed for existing costs not to exceed \$200,000. All Settlement funds that remain after payment of the Court ordered attorneys' fees, costs, expenses, and service awards will be distributed at the conclusion of the lawsuit or as ordered by the Court. You will be notified later, if and when there is an opportunity to make a claim to receive a payment.

WHAT ARE YOUR RIGHTS AND OPTIONS?

You do not need to take any action to remain a member of the Settlement Class and be bound by the Settlement Agreement. As a Settlement Class member, you may be able to participate in (or exclude yourself from) any future settlements or judgments obtained by Commercial and Institutional Indirect Purchaser Plaintiffs against other Defendants in the case.

If you do not want to be legally bound by the Settlement Agreement, you must exclude yourself. Your exclusion request must be **postmarked** by **January 4, 2022**, or you will not be able to sue or continue to sue Settling Defendants for the Released Claims (as defined in the Settlement Agreement). If you exclude yourself, you cannot get money from the Settlement. If you do not exclude yourself from the Settlement Class, you may object to the Settlement. Your objection must be **postmarked** by **January 4, 2022**. The detailed notice explains how to exclude yourself or object. Details may also be found on the FAQs page of the Settlement Website www.TurkeyCommercialCase.com.

While this Settlement is only with Settling Defendants at this time, the Settlement Class includes all commercial and institutional purchasers of Turkey products (as defined in the Settlement Agreement) who purchased the products other than directly from Defendants, entities owned or controlled by Defendants, or other producers of Turkey products. If you are a member of the Settlement Class and do not exclude yourself, you may be eligible to participate in (or exclude yourself from) any additional settlements which may arise with any other Defendants in the case.

The Court will hold a hearing in this case *Sandee's Catering, et al. v. Agri Stats, Inc. et al.*, (Commercial and Institutional Indirect Purchaser Actions), Case No. 1:20-cv-02295 (N.D. Ill.) on **February 22, 2022**, at **10:00 a.m.**, via video conference to consider whether to approve the Settlement Agreement. You may ask to speak at the hearing, but you do not have to.

This notice is a summary only. You can find more details about the Settlement at www.TurkeyCommercialCase.com or by calling toll-free 1-800-403-3089. Please do not contact the Court.

SOURCE United States District Court for the Northern District of Illinois

Attachment 7

Turkey Antitrust Litigation (CIIPP)

Case No. 40051754

Requests for Exclusions

	Business Name	Representative	Opt Out #
1	Caesars Entertainment, Inc.	c/o Mark T. Ciani, Katten Muchin Rosenman	900000001

Attachment 8

	Name	Address	Notes
1	Caesars Entertainment, Inc.	Caesars Entertainment, Inc. c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Includes subsidiaries and affiliates
1-1	Caesars Enterprise Services, LLC	Caesars Enterprise Services, LLC c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-2	Parball Newco, LLC d/b/a Baily's Las Vegas	Baily's Las Vegas - BL V c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-3	Boardwalk Regency LLC d/b/a Caesars Atlantic City	Caesars Atlantic City- CAC c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-4	Desert Palace LLC d/b/a Caesars Palace	Caesars Palace Las Vegas - CLV c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-5	Flamingo Las Vegas Operating Company, LLC d/b/a Flamingo Las Vegas	Flamingo Las Vegas - FLY c/o Mark T. Ciani, Katten Much in Rosenman LLP 575 Madison A venue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-6	Harrah's	Harrah's c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-7	Harrah's Arizona Corporation d/b/a Harrah's Ak-Chin Hotel & Casino	Harrah's Ak-Chin -AKC c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-8	Harrah's Atlantic City Operating Company, LLC d/b/a Harrah's Resort Atlantic City	Harrah's Atlantic City - HAC c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-9	Harrah's NC Casino Company, LLC d/b/a Harrah's Cherokee	Harrah's Cherokee - HCH c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY I 0022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-10	Harveys Iowa Management Company, LLC d/b/a Harrah's Council Bluffs Casino and Hotel	Harrah's Council Bluffs - COU c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-11	Grand Casinos of Biloxi, LLC d/b/a Harrah's Gulf Coast	Harrah's Gulf Coast (Biloxi)- GBI c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment

1-12	Harrah's Illinois LLC d/b/a Harrah's Joliet Casino Hotel	Harrah's Joliet - HJO c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-13	Harrah's Las Vegas, LLC d/b/a Harrah's Casino Hotel, Las Vegas	Harrah's Las Vegas - LAS c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-14	Harrah's Laughlin, LLC d/b/a Harrah's Laughlin	Harrah's Laughlin - LAU c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-15	Harrah's Bossier City Investment Company, LLC d/b/a Harrah's Louisiana Downs	Harrah's Louisiana Downs - LAD c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-16	Southern 111.inois Riverboat/Casino Cruises LLC d/b/a Harrah's Metropolis Casino	Harrah's Metropolis - 1-IMT c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-17	Jazz Casino Company, L.L.C. d/b/a Harrah's New Orleans Casino	Harrah's New Orleans - HNO c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-18	Harrah's North Kansas City LLC d/b/a Harrah's Kansas City	Harrah's North Kansas City- NKC c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-19	Chester Downs and Marina, LLC d/b/a Harrah's Philadelphia Casino & Racetrack	Harrah's Philadelphia (Chester Downs)- HPH c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-20	HCAL, LLC d/b/a Harrah's Resort Southern California	Harrah's Rincon - HRC c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-21	Harveys Tahoe Management Company, LLC d/b/a Harveys Resort Hotel Casino	Harveys Lake Tahoe - HL T c/o Mark T. Ciani, Katten Much in Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-22	Hoosier Park, LLC d/b/a Harrah's Hoosier Park Racing & Casino	Hoosier Park Racing & Casino c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-23	Caesars Baltimore Management Company, LLC d/b/a Horseshoe Baltimore	Horseshoe Baltimore - UBA c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-24	Horseshoe Entertainment d/b/a Horseshoe Bossier City	Horseshoe Bossier City - UBC c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment

		New York, NY 10022-2585	
1-25	Harveys BR Management Company, Inc. d/b/a Horseshoe Council Bluffs	Horseshoe Council Bluffs - UBR c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY I 0022-25 85	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-26	Horseshoe Hammond, LLC d/b/a Horseshoe Casino Hammond	Horseshoe Hammond - UHA c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-27	Caesars Riverboat Casino, LLC d/b/a Horseshoe Southern Indiana	Horseshoe Southern Indiana - UEL c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-28	Robinson Property Group LLC d/b/a Horseshoe Tunica	Horseshoe Tunica - UTU c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison A venue New York. NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-29	Centaur Acquisition, LLC d/b/a Indiana Grand Racing & Casino	Indiana Grand Racing & Casino c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-30	Paris Las Vegas Operating Company, LLC d/b/a Paris Las Vegas	Paris Las Vegas - PLY c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-31	PHWLTV, LLC d/b/a Planet Hollywood Resort and Casino	Planet Hollywood - PHY c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-32	Rio Properties, LLC d/b/a Rio All Suite Hotel and Casino	Rio Suites Hotel & Casino - RLV c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-33	Corner Investment Company. LLC d/b/a The Cromwell	The Cromwell - DLV c/o Mark T. Ciani, Katten Muchin Rosenman LLP 575 Madison Avenue New York, NY 10022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment
1-34	3535 LY Newco, LLC d/b/a The LINQ Hotel & Casino	The Linq - LL V c/o Mark T. Ciani, Katten Much in Rosenman LLP 575 Madison Avenue New York, NY I 0022-2585	Affiliate, Subsidiary, or Assignor of Caesar's Entertainment