

COURT-APPROVED LEGAL NOTICE

If you purchased any Pork product directly from a Pork producer for use or delivery in the United States from June 29, 2014, through June 30, 2018, a class action may affect your rights.

*Para una notificación en español, llame gratis al 1-866-797-0864
o visite nuestro website www.PorkAntitrustLitigation.com.*

The purpose of this notice is to inform you that new settlements (the “Settlements”) have been reached in a class action lawsuit on behalf of Direct Purchaser Plaintiffs with Defendants Clemens Food Group, LLC and The Clemens Family Corporation (“Clemens”); Triumph Foods, LLC (“Triumph”); and Tyson Foods, Inc., Tyson Prepared Foods, Inc., and Tyson Fresh Meats, Inc. (“Tyson”). (“Settling Defendants”). The lawsuit is called *In re Pork Antitrust Litigation*, D. Minn. Case No. 0:18-cv-01776. **A more detailed notice is available at www.PorkAntitrustLitigation.com.**

WHAT IS THIS LAWSUIT ABOUT?

Direct Purchaser Plaintiffs allege that Defendants and their co-conspirators conspired and combined to fix, raise, maintain, and stabilize the price of pork products, beginning at least as early as June 29, 2014, with the intent and expected result of increasing prices of pork products in the United States, in violation of federal antitrust laws. Direct Purchaser Plaintiffs previously reached settlements with Defendants JBS, Smithfield, Seaboard, and Hormel Foods. The Court granted final approval to the JBS settlement on July 27, 2021, the Smithfield settlement on January 31, 2022, the Seaboard settlement on March 5, 2024, and the Hormel Foods settlement on October 2, 2024.

Direct Purchaser Plaintiffs have now reached new proposed Settlements with Defendants Tyson, Clemens, and Triumph. If the Court approves the proposed Settlements, the lawsuit will be resolved between the Direct Purchaser Plaintiffs and these Settling Defendants. The Court has not decided whether Settling Defendants did anything wrong, and they deny any wrongdoing.

The lawsuit is proceeding against the non-settling Defendant, Agri Stats, Inc. (“Agri Stats”). Agri Stats may be subject to a separate settlement or judgment.

WHO IS INCLUDED?

On March 29, 2023, Judge John R. Tunheim issued an Order certifying a class of direct purchasers defined as: “All persons and entities who directly purchased one or more of the following types of pork, or products derived from the following types of pork, from Defendants, or their respective subsidiaries or affiliates, for use or delivery in the United States from June 29, 2014 through June 30, 2018: fresh or frozen loins, shoulders, ribs, bellies, bacon, or hams. For this lawsuit, pork excludes any product that is marketed as organic or as no antibiotics ever (NAE); any product that is fully cooked or breaded; any product other than bacon that is marinated, flavored, cured, or smoked; and ready-to-eat bacon.” (the “Certified Class”). The Court dismissed Indiana Packers Corporation from this lawsuit with prejudice, but if you purchased Pork directly from Indiana Packers between June 29, 2014, and June 30, 2018, your purchases may be included in the claims process.

Specifically excluded from the Certified Class are the Defendants; the officers, directors, or employees of any Defendant; any entity in which any Defendant has a controlling interest; and any affiliate, legal representative, heir, or assign of any Defendant. Also excluded from the Certified Class are any federal, state, or local governmental entities, any judicial officer presiding over this action and the members of his/her immediate family and judicial staff, and any juror assigned to this action. Anyone who previously excluded themselves from the Certified Class is also not included. The deadline to exclude yourself from the Certified Class was January 8, 2024.

If you are not sure if you are included, you can get more information, including a detailed notice, at www.PorkAntitrustLitigation.com or by calling toll-free 1-866-797-0864.

WHAT DO THE SETTLEMENTS PROVIDE?

If the Settlements are approved, Tyson will pay \$50,000,000, Clemens will pay \$10,000,000, and Triumph will pay \$4,000,000 to resolve all Certified Class Members’ claims against them for the released claims (as defined in the Settlement Agreements). Tyson will also separately pay up to \$2,000,000 for notice and administration costs. Also, the Settling Defendants will assist the Direct Purchaser Plaintiffs in their ability to prove their claims at trial as the case proceeds against Agri Stats.

The combined settlement proceeds from these Settlements and the Hormel Foods and Seaboard settlements, totaling \$78,606,000 (plus interest), will pay eligible claimants and any Court-approved attorneys’ fees, excess notice and administration costs (other than the \$2 million to be paid separately by Tyson), and service awards.

HOW CAN I GET A PAYMENT?

If you filed a claim and/or received a payment from the previous distribution, you do not need to submit another claim. You will be automatically eligible to get a payment from the settlement proceeds. You may submit additional information about your eligible purchases by June 11, 2025 to supplement your prior claim, but it is not required. If you did not file a claim in this lawsuit previously, and if you did not exclude yourself from the Seaboard settlement or Certified Class, you must complete and submit a claim form online at www.PorkAntitrustLitigation.com or by mail by June 11, 2025 to be eligible to get a payment from the settlement proceeds. Payment amounts will depend on the number of valid claims and the proportional (or *pro rata*) amount of approved pork purchases you made during the Certified Class period from June 29, 2014, through June 30, 2018. You can review your eligible purchase amounts during the Certified Class Period from June 29, 2014, to June 30, 2018 on the settlement website: www.PorkAntitrustLitigation.com

WHAT ARE YOUR RIGHTS AND OPTIONS?

As a Certified Class Member, will be bound by the Settlements (even if you do nothing), and you will be able to participate in any future settlement or judgment obtained by Direct Purchaser Plaintiffs against Agri Stats in this lawsuit.

If you did not exclude yourself from the Certified Class, you may object to the Settlements by June 11, 2025. The detailed notice available at www.PorkAntitrustLitigation.com explains how to object. The Court will hold a hearing on August 13, 2025, to consider whether to approve the Settlements and the request for attorneys' fees up to 33⅓% of the Seaboard, Hormel Foods, Tyson, Clemens, and Triumph settlement proceeds, plus interest, and up to \$25,000 in service awards for each of the three Class Representative Plaintiffs. You (or your attorney) may appear and ask to speak at the hearing (at your own expense), but you do not have to.

This notice is only a summary. You can find more details about the litigation or the Settlements at www.PorkAntitrustLitigation.com or by calling toll-free 1-866-797-0864. Please do not contact the Court.