

## **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](http://www.PorkAntitrustLitigation.com).*

The purpose of this notice is to inform you that a new settlement has been reached on behalf of Direct Purchaser Plaintiffs (the “Settlement”) with Defendant Hormel Foods Corporation (“Hormel Foods” or “Settling Defendant”). **A more detailed notice is available at [www.PorkAntitrustLitigation.com](http://www.PorkAntitrustLitigation.com).**

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 Settlement between the Direct Purchaser Plaintiffs and Hormel Foods is on behalf of the Certified Class, only applies to Hormel Foods, and does not dismiss claims against other Defendants in the case entitled *In re Pork Antitrust Litigation*, D. Minn. Case No. 0:18-cv-01776. The Settlement requires Hormel Foods to pay \$4,856,000. In addition to this monetary payment, the Settlement with Hormel Foods will assist the Direct Purchaser Plaintiffs in their ability to prove their claims at trial as the case proceeds against the remaining Defendants. The Court has not decided whether Hormel Foods did anything wrong, and Hormel Foods denies any wrongdoing.

### **WHO IS INCLUDED?**

The Certified Class is defined above. 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 this 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](http://www.PorkAntitrustLitigation.com) or by calling toll-free 1-866-797-0864.

### **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 USA Food Company Holdings (“JBS”), Smithfield Foods, Inc. (“Smithfield”), and Seaboard Foods, LLC (“Seaboard”). The Court granted final approval to the JBS settlement on July 27, 2021, the Smithfield settlement on January 31, 2022, and the Seaboard settlement on March 5, 2024. Direct Purchaser Plaintiffs have now reached a new proposed Settlement with Defendant Hormel Foods. Hormel Foods has denied all allegations of wrongdoing in this lawsuit and would allege numerous defenses to Direct Purchaser Plaintiffs’ claims if the case against it were to proceed.

The Direct Purchasers’ case on behalf of the Certified Class is proceeding against all other Defendants, known as the “Non-Settling Defendants.” The Non-Settling Defendants are Clemens Food Group, LLC; The Clemens Family Corporation; Triumph Foods, LLC; Tyson Foods, Inc.; Tyson Prepared Foods, Inc.; Tyson Fresh Meats, Inc.; and Agri Stats, Inc. (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, you are a member of the Certified Class.) The Non-Settling Defendants may be subject to separate settlements or judgments. If applicable, you will receive a separate notice regarding the progress of the litigation and any resolution of claims against the Non-Settling Defendants.

### **WHAT DOES THE SETTLEMENT PROVIDE?**

If the Settlement is approved, Hormel Foods will pay \$4,856,000 to resolve all Class Members’ claims against Hormel Foods for the Released Claims (as defined in the Settlement Agreement). Also, the Settlement with Hormel Foods will assist the Direct Purchaser Plaintiffs in their ability to prove their claims at trial as the case proceeds against the remaining Defendants.

In addition to seeking approval of the Hormel Foods Settlement, Co-Lead Class Counsel will seek an interim payment of up to \$1,460,600 for litigation expenses from the Hormel Foods and Seaboard settlements to be allocated *pro rata* based on the settlement amounts. They are

not currently seeking attorneys' fees or class representative service awards, but will do so in the future subject to a separate notice and Court approval. Distribution of the net settlement proceeds from the Hormel Foods Settlement (and the Seaboard settlement) to qualified claimants is not scheduled to take place at this time. All future requests for additional litigation expenses, attorneys' fees, incentive awards, and/or distribution to qualified claimants will be subject to further notice and Court approval when they occur.

#### **WHAT ARE YOUR RIGHTS AND OPTIONS?**

You do not need to take any action to participate in, and be bound by, the Settlement with Hormel Foods. As a Certified Class Member, you are able to participate in any future settlement or judgment obtained by Direct Purchaser Plaintiffs against other Defendants in the case.

If you did not exclude yourself from the Certified Class, you may object to the Settlement with Hormel Foods by **August 3, 2024**. The detailed notice available at [www.PorkAntitrustLitigation.com](http://www.PorkAntitrustLitigation.com) explains how to object. The Court will hold a hearing in this case (*In re Pork Antitrust Litigation*, Case No. 0:18-cv-01776) on **September 19, 2024**, at 10:00 a.m. Central Time, to consider whether to approve the Settlement and the request for an interim payment of litigation expenses. 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 Settlement with Hormel Foods at [www.PorkAntitrustLitigation.com](http://www.PorkAntitrustLitigation.com) or by calling toll-free 1-866-797-0864. Please do not contact the Court.**