

**UNITED STATES DISTRICT COURT
DISTRICT COURT OF MINNESOTA**

IN RE PORK ANTITRUST
LITIGATION

This Document Relates To:

THE DIRECT PURCHASER
PLAINTIFF CLASS ACTION

Case No. 0:18-cv-01776 (JRT)

**DECLARATION OF ERIC
SCHACHTER REGARDING: (A)
MAILING OF THE NOTICE
PACKET AND (B)
PUBLICATION OF THE
SUMMARY NOTICE
REGARDING THE HORMEL
FOODS CORPORATION
SETTLEMENT**

I, Eric Schachter, declare and state as follows:

1. I am a Senior Vice President with A.B. Data, Ltd. (“A.B. Data”). A.B. Data was selected by Direct Purchaser Plaintiffs (“DPPs”) and appointed by the Court to act as the Notice and Settlement Administrator and recently completed the Court-approved notice plan to inform potential Class Members that a proposed Settlement was reached with Defendant Hormel Foods Corporation and Hormel Foods, LLC (“Hormel Foods”). I am fully familiar with the facts contained herein based upon my personal knowledge, and if called as a witness, could and would testify competently thereto.

CAFA NOTICE

2. On April 15, 2024, on behalf of Hormel Foods and in compliance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715, A.B. Data compiled a CD-ROM containing the following documents: Notice of Motion for Preliminary Approval of the Direct Purchaser Class Action Settlement with Hormel Foods Corporation (ECF No. 2177); Direct Purchaser Plaintiffs’ Third Amended and Consolidated Class Action Complaint (ECF No. 431); the proposed Long-Form Notice (ECF No. 2180-2); the proposed Short-Form Notice (ECF No. 2180-3); the proposed banner ads (ECF No. 2180-4); Long-Form Settlement Agreement Between Direct Purchaser Class Plaintiffs and Hormel Foods Corporation and Hormel Foods, LLC (ECF No. 2179-1); Proposed Order Granting Motion for Preliminary Approval of the Direct Purchaser Class Action Settlement with Hormel Foods Corporation (ECF No. 2181); an estimated list of potential class members by State; and an accompanying cover letter (collectively, the “CAFA Notice Packet”).

3. A.B. Data caused the CAFA notice and accompanying CD-ROM to be mailed via USPS Priority Mail or United Parcel Service to the Attorneys General of all U.S. States, the District of Columbia, and U.S. Territories as well as the U.S. Department of Agriculture.

4. As of the date of this Declaration, A.B. Data has not been contacted by any of the Officials to whom a CAFA Notice Packet was sent requesting any additional information.

5. A.B. Data has not been notified of any CAFA Notice Packet being returned as undeliverable.

DIRECT NOTICE

6. Pursuant to the Order Granting Motion for Preliminary Approval of the Direct Purchaser Class Action Settlement with Hormel Foods Corporation (ECF No. 2218) and as discussed below, A.B. Data mailed and/or emailed the Notice to potential Class Members (known direct purchasers) identified during the previous notice plans in this litigation.

7. On June 3, 2024, using the 70,104 potential Class Member names and contact information used for notice in the previous settlements in this Action, A.B. Data mailed the Notice via the United States Postal Service (“USPS”) to all 70,104 known direct purchasers.

8. As of the date of this Declaration, 15,969 mailed notices were returned as undeliverable as addressed. Of these, 3,748 Long-Form Notices were remailed to updated

addresses obtained through the USPS, an authorized representative of the intended recipient, or third-party information services to which we subscribe.

9. On June 3, 2024, A.B. Data caused the Email Notice to be sent by email to 4,330 email addresses associated with known potential Class Members. To maximize deliverability, A.B. Data used certain best practices to increase deliverability and bypass SPAM and junk filters. Of the 4,330 emails sent, 3,046 were successfully delivered.

10. The Long-Form and Short-Form Notices were written in plain and engaging language that clearly and concisely described, among other things: the Certified Class definition; Class Members' rights, such as that a Class Member may appear through an attorney, object to the Settlement and/or the request for payment of litigation expenses; the time and manner to submit and objection; the proposed Settlement benefits; Co-Lead Counsel's contact information; and that additional information and pleadings were available online at www.PorkAntitrustLitigation.com.

ADDITIONAL NOTICE

11. To supplement the direct notice efforts, the Short-Form Notice, in the form of a Publication Notice, appeared one time in *Supermarket News*, published on June 4, 2024, and *Nation's Restaurant News*, published on June 11, 2024.

12. Between June 3, 2024, and July 3, 2024, digital banner ads also appeared on www.supermarketnews.com and www.nrn.com.

WEBSITE

13. On March 29, 2021, A.B. Data established and continues to maintain the case-specific website, www.PorkAntitrustLitigation.com. Prior to distributing the notices

as discussed above, the website was updated to include information regarding the proposed Settlement with Hormel Foods. The website provides general information in English and Spanish regarding the litigation and its current status and includes downloadable copies of the Long-Form Notice, Short-Form Notice, and other important documents. Documents associated with the prior settlements are also accessible. The website is accessible 24 hours a day, 7 days a week.

TELEPHONE

14. On March 29, 2021, A.B. Data established and continues to maintain the case-specific toll-free phone number, 1-866-797-0864. The dedicated toll-free phone number has an automated interactive voice response system available in both English and Spanish. It presents callers with a series of choices to hear prerecorded answers. Prior to distributing the notices, these prerecorded answers were updated to include information about the proposed Settlement with Hormel Foods and Class Members' rights and options. If callers need further help, they have the option to leave a voicemail and have an operator return their call during business hours.

REPORT ON OBJECTIONS

15. The deadline for Class Members to object to the Settlement with Hormel Foods, request to speak in person at the Fairness Hearing, and/or request for payment of litigation expenses was August 3, 2024. Objections must have been mailed to A.B. Data (the Settlement Administrator), Co-Lead Class Counsel, and Hormel Foods Counsel on or before that date. As of the date of this Declaration, A.B. Data has not received or been

made aware of any objections to the Settlement, requests to speak in person at the Fairness Hearing, and/or request for payment of litigation expenses.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 30th day of August 2024.

A handwritten signature in black ink, appearing to read 'Eric Schachter', written over a horizontal line.

Eric Schachter