

**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-JFD)

**DECLARATION OF ERIC
SCHACHTER IN SUPPORT OF
MOTION FOR PRELIMINARY
APPROVAL OF THE DIRECT
PURCHASER CLASS ACTION
SETTLEMENT WITH HORMEL
FOODS CORPORATION**

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 to act as the Notice and Settlement Administrator¹ to inform potential Class Members that a proposed Settlement has been reached with Defendant Hormel Foods Corporation (“Hormel Foods” or “Settling Defendant”). 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.

2. In consultation with Co-Lead Class Counsel, I have prepared a proposed notice plan for the Settlement. This Declaration will describe the proposed notice plan and how it will meet the requirements of Rule 23 of the Federal Rules of Civil Procedure and provide due process to the potential members of the Certified Class. This Declaration is based upon my personal knowledge and upon information provided to me by Co-Lead Class Counsel, my associates, and A.B. Data staff members.

3. I have implemented and coordinated some of the largest and most complex class action notice and administration plans in the country. The scope of my work includes notification, claims processing, and distribution plans in all types of class actions, including but not limited to consumer, antitrust, securities, ERISA, insurance, and government agency settlements.

4. A.B. Data has also been appointed as notice, claims, and/or settlement administrator in hundreds of high-volume consumer, antitrust, civil rights, insurance,

¹ Unless otherwise noted, all capitalized terms shall have the same meaning as in the Settlement Agreement between Direct Purchaser Plaintiffs and Hormel Foods.

ERISA, securities, and wage and hour class action cases. An updated profile of A.B. Data's background and capabilities, including representative case and client lists, is included as **Exhibit A**.

5. In connection with the previous settlements in this litigation with JBS USA Food Company Holdings ("JBS"), Smithfield Foods, Inc. ("Smithfield"), and Seaboard Foods, LLC ("Seaboard"), I submitted the *Declaration of Eric Schachter in Support of Motion for Preliminary Approval of the Class Action Settlement Between Direct Purchaser Plaintiffs and JBS* (on December 1, 2020) (ECF No. 547), *Declaration of Eric Schachter in Support of Motion for Preliminary Approval of the Class Action Settlement Between Direct Purchaser Plaintiffs and Smithfield* (on July 13, 2021) (ECF No. 832), and *Declaration of Eric Schachter in Support of Motion for Preliminary Approval of the Direct Purchaser Class Action Settlement with Seaboard Foods LLC and Motion for Approval of Class Notice* (on June 22, 2023) (ECF No. 1937). The notice plans for the settlement with JBS was approved by the Court on January 13, 2021, Smithfield on August 5, 2021 (ECF No. 870), and Seaboard on August 25, 2023 (ECF No. 2014). A.B. Data subsequently implemented the approved notice plans.

6. The objective of the proposed notice plan is to provide the best practicable notice under the circumstances to potential Class Members. The Certified Class is defined as follows:

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.

Excluded from this 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 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, any juror assigned to this action, and any Co-Conspirator identified in this action.

NOTICE PLAN

7. The proposed notice plan (which is substantially similar to the previous notice disseminated in this case) includes direct notice by mail and/or email to approximately 55,000 addresses associated with potential Class Members identified through the previous notice plans related to this litigation. To supplement this direct notice and reach the potential Class Members who may not receive direct notice, A.B. Data will implement a print and digital media campaign as discussed below.

8. Direct notice will be provided via a Long-Form Notice, attached as **Exhibit B**, that will be mailed to approximately 55,000 addresses associated with potential Class Members with a known mailing address and posted on the case-specific website, www.PorkAntitrustLitigation.com. A Short-Form Notice, attached as **Exhibit C**, will be formatted as an email and sent to the approximately 3,000 addresses associated with potential Class Members with a known email address.

9. The Long-Form Notice and Short-Form Notice sent directly to potential Class Members will include summary information concerning the Certified Class and the Settlement with Hormel Foods, including: that this is a class action; the Certified Class

definition in plain and engaging language (“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); that the Action alleges antitrust violations and price-fixing claims; that a Class Member may appear through an attorney if the member wants; that Class Member can object to the Settlement and/or the request for payment of litigation expenses; the time and manner to submit an objection; and the binding effect of a judgment on the Certified Class. The Short-Form Notice will also include a hyperlink to www.PorkAntitrustLitigation.com, so Class Members can access the more detailed Long-Form Notice and additional important documents and information.

10. For emailed notice, A.B. Data implements certain best practices to increase deliverability and bypass SPAM and junk filters, and we will verify how many emails were successfully delivered. For mailed notice, A.B. Data will track any mail returned as undeliverable by the United States Postal Service (“USPS”), and using third-party information providers to which we subscribe, attempt to ascertain an updated address and resend the Long-Form Notice accordingly.

11. To supplement the direct notice efforts, A.B. Data will publish the Short-Form Notice one time in *Supermarket News* and *Nation’s Restaurant News*. *Supermarket News* is a trade journal targeting retail grocer executives and wholesale buyers. *Nation’s Restaurant News* is a trade journal targeting management in large multi-unit national chain restaurants and onsite food service facilities like hotels, clubs, and healthcare. A.B. Data will also implement a digital media banner ad campaign that will run for four weeks on the websites for each of these trade journals (www.supermarketnews.com and www.nrn.com).

Sample banner ads are attached as **Exhibit D**. Comparable alternatives will be considered if any of these proposed platforms will not accept legal notices or if inventory is not available at the time of placement.

WEBSITE AND TELEPHONE

12. To assist potential Class Members understanding their rights about the litigation and the Settlement, the current case-specific toll-free telephone number and website from the previous settlements in this matter will continue to be maintained with updated information concerning the Settlement with Hormel Foods. A.B. Data will respond to any and all email inquiries regarding the Settlement as necessary. With regards to the toll-free telephone line, A.B. Data will receive calls and respond to any and all inquiries regarding the Settlement as necessary.

CONCLUSION

13. It is my opinion, based on my individual expertise and experience and that of my A.B. Data colleagues, that the proposed notice plan is designed to effectively reach potential Class Members, will deliver plain language notices that will capture the attention of the reader, and will provide relevant information in an informative and easy to understand manner that is necessary to effectively understand the rights and options associated with the Settlement. This proposed notice plan conforms to the standards employed by A.B. Data in notification plans designed to reach potential class members of settlement groups or classes that are national in scope and reach narrowly defined entities and demographic targets. For all these reasons, in my opinion, the proposed notice plan satisfies the requirements of Rule 23 and due process.

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

Executed this 5th day of April 2024 in Milwaukee, Wisconsin.



Eric Schachter

EXHIBIT A

**Class
Action
Administration**



Headquarters

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P: 866-217-4470
F: 414-961-3099

New York

One Battery Park Plaza
32nd Floor
New York, NY 10004
P: 646-290-9137

Washington DC

915 15th St., NW, Ste. 300
Washington, DC 20005
P: 202-618-2900
F: 202-462-2085

Florida

5080 PGA Boulevard, Ste. 209
Palm Beach Gardens, FL 33418
P: 561-336-1801
F: 561-252-7720


Israel

19 Weissburg Street
Tel Aviv 69358
Israel
P: +972 (3) 720-8782




CAPABILITIES

About A.B. Data


 Founded in 1981, **A.B. Data has earned a reputation** for expertly managing the complexities of class action administration in consumer, antitrust, securities, Securities and Exchange Commission (SEC) enforcement actions, and ERISA, Attorneys General, employment, civil rights, insurance, environmental, wage and hour, and other class action cases. **A.B. Data's work in all aspects of class action administration** has been perfected by decades of experience in hundreds of class action cases involving billions of dollars in total settlements. Dedicated professionals deliver **A.B. Data's all-inclusive services**, working in partnership with its clients to administer their class action cases effectively, efficiently, and affordably, regardless of size or scope.

A.B. Data offers unmatched resources and capacity and is capable of expertly administering any class action notice, settlement, and/or fund administration. Whether notifying millions of class members in the United States or throughout the world, processing millions of claims, distributing payments digitally via A.B. Data's Digital PayPortalSM, or printing and distributing millions of checks, **A.B. Data matches its talent and technology** to the specific needs of its clients, delivering unparalleled service on time and on budget without ever compromising quality.

Location, Ownership Structure

 **A.B. Data is an independently owned**, more than 40-year-old, Milwaukee, Wisconsin-based company that prides itself on its vast expertise and industry-leading innovations. We like to remind our clients and partners that we're not just a class action administration company, but a group of experienced, dedicated professionals who believe that relationships are just as important as the accurate and timely management of class action administrations. In other words, we are people who do business with people.

Services

 **Every A.B. Data client is deserving of the best job we can put forward.** A.B. Data makes class action administration easy for our clients with clarity, convenience, and efficiency. Our priority is to navigate the intricacies of our clients' matters and deliver successful results by using our solid expertise, advanced technology, and top-quality products and services. We pay attention to the details and get it right the first time.

We aim to provide our clients the full experience of a truly collaborative working relationship. It is why we believe much of our success originates from our philosophy of "people doing business with people."

Services

All Digital — From Notice to Distribution

A.B. Data is uniquely positioned to design, implement, and maintain notice and settlement administration programs using an innovative, "all-digital" approach that replaces the more traditional and less efficient methods of administration, such as newspaper ads, mailed notices, and paper checks. Many of our recent proposed notice plans and claim programs utilize the latest technologies such as microtargeted digital ads for notice, streamlined online claims, and distributing settlement funds electronically using a digital paywall. These methods provide significant cost savings, are consistent with the amendments to Rule 23 that are now in effect, and importantly provide much-needed alignment of class action notice and administration with current consumer behaviors.

Pre-Settlement Consultation

The pre-settlement consultation is a collaborative session designed to help A.B. Data clients prepare a stronger case. Our support teams simplify the task of sorting through a maze of documents during investigation and discovery, streamlining the process and preserving fund assets. From there, we assist with fully interactive media packages for court presentations and settlement negotiations. A.B. Data works closely with our clients, offering expert testimony on documents, processing, class and notice manageability, and proposed plans of allocation.

Media Services

A.B. Data continues to earn our reputation as the early innovator in integrating advanced micro-targeting techniques, including contextual targeting, behavioral targeting, and predictive modeling. Coupled with inventive digital media strategies to drive claims, case-specific banner ad development, class member research, and comScore analysis services, our multi-tiered media programs are designed to cost-effectively deliver notice to potential class members and increase claims rates.

Notice Administration

In A.B. Data, clients have a comprehensive resource with a depth of experience in direct notice. Our compliance and understanding of Rule 23 of the Federal Rules of Civil Procedure are crucial in meeting the "plain language" legal requirements for any campaign. From our sophisticated digital media capabilities and extensive global experience with class member research, our experts create notice documents that are easily understandable and cost-efficient to produce. We consult with our clients to deliver notice documents from multi-page, mailed, or emailed notice packets to concise postcards that establish the most influential and cost-effective means of communicating with potential claimants.

Claims Processing

A.B. Data continues to bring game-changing technologies to improve the speed and precision in claims processing. Our robust system for online claims submissions allows us to meticulously verify data and documentation, preserve and authenticate claims, and calculate and verify settlement amounts. In addition, our data network infrastructure includes on-site data storage, backup, contingency plans, and security for electronic and hard copy claim filings. It is all part of a total commitment to be the most innovative and comprehensive resource in the industry. At A.B. Data, we take pride in having the in-house capacity to process millions of pages, as well as the organizational integrity to treat every claim as if it were the only one.

Contact Center

A.B. Data's Contact Center is comprised of a full staff that is trained on and equipped with online and telecommunication systems to monitor and connect with class members. Associates routinely monitor class member communication for all class action administrations, including antitrust, consumer, and securities.

Utilizing monitoring software, associates watch multiple social media channels simultaneously, allowing for instantaneous routing of inquiries and interaction with claimants. Detailed and concise analytical reports outlining Contact Center activities are always provided.

Our Contact Center and case websites are capable of handling millions of class member engagements, as recently displayed in a campaign which garnered over 1.2 million website visits in two months and had more than 72,500 Facebook engagements. Facebook comments and threads are monitored and claimants are guided to the website for more information. Google AdWords and display advertising have also brought hundreds of thousands of visitors to various case websites.

A.B. Data's Contact Center also has Spanish language associates in-house and we can accommodate any language, given proper lead time. Traditional call center facilities are also available, if needed.

Case Websites

We offer a state-of-the-art technology platform that supports every step of our class action administration process. Our expert marketing professionals design customized case-specific websites that provide potential class members easy access to case information, critical documents, important deadlines, as well as the capability to file claim forms and register for future mailings about the case. Claimants can use the website to elect to receive their settlement payments by mail or by one of several digital payment options, all accessible by mobile devices.

Settlement Fund Distribution

From complete escrow services to establishment of qualified settlement funds, check printing and mailing, electronic cash or stock distribution and tax services, A.B. Data has always provided a full-service solution to Settlement Fund Distribution. Our IT team has decades of experience in developing and implementing fast, secure databases and claims administration systems that ensure class members receive the correct amount in their settlement disbursement. Today's digital capabilities allow even greater convenience for class members. In certain instances, claimants can now elect to

instantaneously receive settlement payments through popular digital-payment options, such as PayPal, Amazon, and virtual debit cards.

A.B. Data's Leadership



A.B. Data's administration team is composed of the following key executives, who collectively have decades of experience settling and administering class actions:

Bruce A. Arbit, Co-Managing Director and one of the founders of the A.B. Data Group, serves as Chairman of the Board and oversees the day-to-day operations of the A.B. Data Group of companies, employing almost 400 people in the United States and Israel. Mr. Arbit is also Chairman of the Board of Integrated Mail Industries, Ltd. and has served as a member of the Board of Directors of University National Bank and State Financial Bank. He is the past Chairman of Asset Development Group, Inc., Home Source One, and American Deposit Management and is a member of the National Direct Marketing Association, the Direct Marketing Fundraising Association, and the American Association of Political Consultants. He was named 1996 Direct Marketer of the Year by the Wisconsin Direct Marketing Association.

A.B. Data's work in class action litigation support began with the Court selecting A.B. Data to oversee the restitution effort in the now-famous Swiss Banks Class Action Case, the International Commission on Holocaust Era Insurance Claims, and every other Holocaust Era Asset Restitution program, in which it was the company's job to identify, contact, and inform survivors of the Holocaust. A.B. Data delivered by reaching out to millions of people in 109 countries who spoke more than 30 languages. Since those days, Mr. Arbit has guided the class action division through phenomenal growth and success. Today, A.B. Data manages hundreds of administrations annually that distributes billions of dollars to class members.

Thomas R. Glenn, President, Mr. Glenn's management of A.B. Data's Class Action Administration Company includes designing and implementing notice plans and settlement administration programs for antitrust, securities, and Securities and Exchange Commission settlements and SEC disgorgement fund distributions, as well as consumer, employment, insurance, and civil rights class actions. Mr. Glenn previously served as Executive Vice President at Rust Consulting and has more than 30 years of executive leadership experience.

Eric Miller, Senior Vice President, as a key member of A.B. Data's Class Action Administration Leadership Team, oversees the Case Management Department and supervises the operations and procedures of all of A.B. Data's class action administration cases. Mr. Miller is recognized in the class action administration industry as an expert on securities, SEC, consumer, product recall, product liability, general antitrust, pharmaceutical antitrust, and futures contract settlements, to name a few settlement types. Prior to joining A.B. Data, Mr. Miller served as the Client Service Director for Rust Consulting, responsible there for its securities practice area. He has more than 20 years of operations, project management, quality assurance, and training experience in the class action administration industry. In addition, Mr. Miller manages A.B. Data's office in Palm Beach Gardens, Florida.

Eric Schachter, Senior Vice President, is a member of A.B. Data's Class Action Administration Leadership Team. He has over 15 years of experience in the legal settlement administration services industry. Mr. Schachter's responsibilities include ensuring successful implementation of claims administration services for A.B. Data's clients in accordance with settlement agreements, court orders, and service agreements. He also works closely with Project Managers to develop plans of administration to provide the highest level of effective and efficient delivery of work product. A frequent speaker on claims administration innovation and best practices at industry events nationwide, Mr. Schachter has a bachelor's degree in sociology from Syracuse University, earned his law degree at Hofstra University School of Law, and was previously an associate at Labaton Sucharow LLP in New York City.

Elaine Pang, Vice President, Media, oversees the Media Department and is responsible for the direction, development, and implementation of media notice plans for A.B. Data's clients. Ms. Pang brings more than 15 years of experience in developing and implementing multifaceted digital and traditional media for high profile complex legal notice programs. She uses her experience in class actions and advertising to provide the best practicable notice plans for large scale campaigns across domestic and international regions, and she leverages her expertise to better understand the evolving media landscape and utilize cutting-edge technology and measurement tools. Prior to entering the class action industry, Ms. Pang worked with many leading reputable brands, including General Mills, Air Wick, Jet-Dry, Comedy Central, Madison Square Garden, Radio City Music Hall, and Geox. She earned her MBA from Strayer University and holds a BS in Marketing from Pennsylvania State University. Ms. Pang's credentials include Hootsuite Social Marketing Certification, Google Adwords and Analytics Certification, and IAB Digital Media Buying and Planning Certification.

Paul Sauberer, Vice President of Quality, is responsible for overseeing quality assurance and process management, working diligently to mitigate risk, ensure exceptional quality control, and develop seamless calculation programming. Mr. Sauberer brings more than 20 years of experience as a quality assurance specialist with a leading claims-processing company where he developed extensive knowledge in securities class action administration. He is recognized as the class action administration industry's leading expert on claims and settlement administrations of futures contracts class actions.

Justin Parks, Vice President, is a member of A.B. Data's Class Action Administration Leadership Team. Mr. Parks brings extensive experience in client relations to A.B. Data's business development team. Mr. Parks has over 15 years of experience in the legal settlement administration services industry and has successfully managed and consulted on notice plans and other administrative aspects in hundreds of cases. Mr. Parks is uniquely experienced in Data Privacy matters, having consulted with clients on numerous matters stemming from data breaches as well as violations of the Illinois Biometric Information Privacy Act (BIPA), including some of the first ever Biometric Privacy related settlements in history. Mr. Parks' knowledge and understanding of the class action industry, as well as his client relationship skills, expand A.B. Data's capacity to achieve its business development and marketing goals effectively.

Steve Straub, Senior Director of Operations, started with A.B. Data in 2012 as a Claims Administrator. He moved through the ranks within the company where he spent the past five years as Senior Project Manager managing many of the complex commodities cases such as *In re LIBOR-Based Financial Instruments Antitrust Litigation*, *In re London Silver Fixing, Ltd. Antitrust Litigation*, and *Laydon v. Mizuho Bank, Ltd., et al.* Mr. Straub's performance in these roles over the past ten years, along with his comprehensive knowledge of company and industry practices and first-person experience leading the project management team, has proven him an invaluable member of the A.B. Data team.

In his role as Claimant Operations Director, his responsibilities include developing efficiencies within the operations center, which includes mailroom, call center, and claims processing areas. His areas of expertise include business process development, strategic/tactical operations planning and implementation, risk analysis, budgeting, business expansion, growth planning and implementation, cost reduction, and profit, change, and project management. Mr. Straub is well-versed in the administration of securities, consumer, and antitrust class action settlements. He earned his Juris Doctor degree from Seton Hall University School of Law in Newark, New Jersey.

Jack Ewashko, Director of Client Services, brings twenty years of industry and brokerage experience to his role with A.B. Data. He is an accomplished client manager adept at facilitating proactive communications between internal and outside parties to ensure accurate and timely deliverables. Mr. Ewashko previously held positions at two claim administration firms where he oversaw the securities administration teams and actively managed numerous high-profile matters, including the \$2.3 billion foreign exchange litigation. He notably served as Vice President, FX and Futures Operations at Millennium Management, a prominent global alternative investment management firm. As he progressed through trading, analytic, management, and consultancy roles at major banks and brokerage firms, Mr. Ewashko gained hands-on experience with vanilla and exotic securities products, including FX, commodities, mutual funds, derivatives, OTC, futures, options, credit, debt, and equities products. In the financial sector, he also worked closely with compliance and legal teams to ensure accuracy and conformity with all relevant rules and regulations regarding the marketing and sale of products, as well as the execution and processing of trades. He has held Series 4, Series 6, Series 7, and Series 63 licenses, and has been a member of the Futures Industry Association (FIA) and Financial Industry Regulatory Authority (FINRA). Mr. Ewashko earned his Bachelor of Business Administration from Long Island University, Brooklyn, New York.

Brian Devery, Director of Client Services, brings more than a decade of experience in class action administration and project management, as well as over two decades of experience as an attorney (ret.). Mr. Devery currently focuses on consumer, antitrust, employment, and other non-securities based administrations. In addition to driving project administration, he is focused on the implementation of process improvement, streamlining, and automation. Mr. Devery is admitted to practice law in State and Federal Courts of New York with his Juris Doctorate earned from the Maurice A. Deane School of Law at Hofstra University, Hempstead, New York.

Adam Walter, PMP, Director of Client Services, has nearly fifteen years of experience managing the administration of securities class action settlements and SEC disgorgements totaling more than \$4 billion. He has managed settlement programs in engagements involving some of the largest securities class action settlements and is a key contributor to the development of administration strategies that meet the evolving needs of our clients. His responsibilities include developing case administration strategies to ensure that all client and court requirements and objectives are met, overseeing daily operations of case administrations, ensuring execution of client deliverables, providing case-related legal and administration support to class counsel, overseeing notice dissemination programs, implementing complex claims-processing and allocation methodologies, establishing quality assurance and quality control procedures, and managing distribution of settlement funds. Mr. Walter holds a bachelor's degree in business administration from Florida Atlantic University, Boca Raton, Florida. He also has been an active member of the Project Management Institute since 2010 and is PMP®-certified.

Eric Nordskog, Director of Client Services, started with A.B. Data in 2012 on the operations team, managing dozens of team leads and claims administrators in the administration of legal cases and actions. In 2017, Mr. Nordskog was promoted to Project Manager, due in part to his proven ability to add consistency and efficiency to the e-claim filing process with new streamlined processes and audit practices. Today, as Senior Project Manager, he directs many of A.B. Data's securities, insurance, and

consumer cases. He regularly oversees the administration of large insurance cases, such as two recent Cigna Insurance matters that involved complex calculations and over one million class members each. He is also the primary hiring and training manager for new project managers and coordinators. Mr. Nordskog earned his Juris Doctor degree from Marquette University Law School, Milwaukee, in 2001.

Eric Schultz, MCSE, Information Technology Manager and Security Team Chairperson, has been with A.B. Data for more than 19 years, and is currently responsible for overseeing all information technology areas for all A.B. Data divisions across the United States and abroad, including network infrastructure and architecture, IT operations, data security, disaster recovery, and all physical, logical, data, and information systems security reviews and audits required by our clients or otherwise. As a Microsoft Certified Systems Engineer (MCSE) with more than 25 years of experience in information technology systems and solutions, Mr. Schultz has developed specializations in network security, infrastructure, design/architecture, telephony, and high-availability network systems.

Secure Environment



A.B. Data's facilities provide the highest level of security and customization of security procedures, including:

- A Secure Sockets Layer server
- Video monitoring
- Limited physical access to production facilities
- Lockdown mode when checks are printed
- Background checks of key employees completed prior to hire
- Frequency of police patrol – every two hours, with response time of five or fewer minutes
- Disaster recovery plan available upon request

Data Security



A.B. Data is committed to protecting the confidentiality, integrity, and availability of personal identifying information and other information it collects from our clients, investors, and class members and requires that its employees, subcontractors, consultants, service providers, and other persons and entities it retains to assist in distributions do the same. A.B. Data has developed an Information Security Policy, a suite of policies and procedures intended to cover all information security issues and bases for A.B. Data, and all of its divisions, departments, employees, vendors, and clients. A.B. Data has also recently taken the necessary, affirmative steps toward compliance with the EU's General Data Protection Regulation and the California Consumer Privacy Act.

A.B. Data has a number of high-profile clients, including the Securities and Exchange Commission (SEC), the United States Department of Justice, the Attorneys General of nearly all 50 states, other agencies of the United States government, and the Government of Israel, as well as direct banking and payment services companies with some of the most recognized brands in United States financial services and some of the largest credit card issuers in the world.

We are therefore frequently subjected to physical, logical, data, and information systems security reviews and audits. We have been compliant with our clients' security standards and have also been determined to be compliant with ISO/IEC 27001/2 and Payment Card Industry (PCI) data-security standards, the Gramm-Leach-Bliley Act (GLB) of 1999, the National Association of Insurance Commissioners (NAIC) Regulations, the Health Insurance Portability and Accountability Act (HIPAA) of 1996, and the Health Information Technology for Economic and Clinical Health Act (HITECH).

The Government of Israel has determined that A.B. Data is compliant with its rigorous security standards in connection with its work on Project HEART (Holocaust Era Asset Restitution Taskforce).

A.B. Data's fund distribution team has been audited by EisnerAmper LLP and was found compliant with class action industry standards and within 99% accuracy. EisnerAmper LLP is a full-service advisory and accounting firm and is ranked the 15th-largest accounting firm in the United States.

In addition, as part of PCI compliance requirements, A.B. Data has multiple network scans and audits from third-party companies, such as SecurityMetrics and 403 Labs, and is determined to be compliant with each of them.

Fraud Prevention and Detection



A.B. Data is at the forefront of class action fraud prevention.

A.B. Data maintains and utilizes comprehensive proprietary databases and procedures to detect fraud and prevent payment of allegedly fraudulent claims.

We review and analyze various filing patterns across all existing cases and claims. Potential fraudulent filers are reported to our clients as well as to the appropriate governmental agencies where applicable.

Representative Class Action Engagements



A.B. Data and/or its team members have successfully administered hundreds of class actions, including many major cases. Listed below are just some of the most representative or recent engagements.

Consumer & Antitrust Cases

- *In re EpiPen Marketing, Sales Practices and Antitrust Litigation*
- *In re Broiler Chicken Antitrust Litigation - Commercial (Indirect)*
- *In re Broiler Chicken Antitrust Litigation - Indirect*
- *In re Broiler Chicken Antitrust Litigation - Direct*
- *In re Pork Antitrust Litigation - Directs*
- *In re Pork Antitrust Litigation - Indirects*

- *Peter Staley, et al. v. Gilead Sciences, Inc., et al.*
- *In re: Opana ER Antitrust Litigation*
- *In re Ranbaxy Generic Drug Application Antitrust Litigation*
- *In re Valeant Pharmaceuticals Int'l, Inc. Third-Party Payor Litigation*
- *Staley, et al., v. Gilead Sciences*
- *In Re: Generic Pharmaceuticals Pricing Antitrust Litigation – Direct Purchasers*
- *Beef Direct Purchaser Antitrust Litigation*
- *BCBSM, Inc. v. Vyera Pharmaceuticals, et al. (Daraprim)*
- *In re Automobile Antitrust Cases I and II*
- *Olean Wholesale Grocery Cooperative, Inc., et al. v. Agri Stats, Inc., et al. (Turkey)*
- *Integrated Orthopedics, Inc., et al. v. UnitedHealth Group, et al.*
- *In Re: Restasis (Cyclosporine Ophthalmic Emulsion) Antitrust Litigation*
- *Vista Healthplan, Inc., et al. v. Cephalon, Inc., et al. (Provigil)*
- *Jeffrey Koenig, et al. v. Vizio, Inc.*
- *Wit, et al. v. United Behavioral Health*
- *Weiss, et al. v. SunPower Corporation*
- *Smith, et al. v. FirstEnergy Corp., et al.*
- *Resendez, et al. v. Precision Castparts Corp. and PCC Structural, Inc.*
- *Julian, et al. v. TTE Technology, Inc., dba TCL North America*
- *Eugenio and Rosa Contreras v. Nationstar Mortgage LLC*
- *Phil Shin, et al. v. Plantronics, Inc.*
- *In re: Qualcomm Antitrust Litigation*
- *In re Resistors Antitrust Litigation*
- *The Hospital Authority of Metropolitan Government of Nashville and Davidson County, Tennessee v. Momenta Pharmaceuticals, Inc. and Sandoz Inc. ("Lovenox Antitrust Matter")*
- *William Kivett, et al. v. Flagstar Bank, FSB, and DOES 1-100, inclusive*
- *Adelphia, Inc. v. Heritage-Crystal Clean, Inc.*
- *LLE One, LLC, et al. v. Facebook, Inc.*
- *Bach Enterprises, Inc., et al. v. Advanced Disposal Services South, Inc., et al.*
- *JWG Inc., et al. v. Advanced Disposal Services Jacksonville, L.L.C., et al.*
- *State of Washington v. Motel 6 Operating L.P. and G6 Hospitality LLC*
- *In re GSE Bonds Antitrust Litigation*
- *Wave Lengths Hair Salons of Florida, Inc., et al. v. CBL & Associates Properties, Inc., et al.*
- *In re Loestrin 24 FE Antitrust Litigation*
- *Office of the Attorney General, Department of Legal Affairs, State of Florida v. Pultegroup, Inc. and Pulte Home Company, LLC*
- *In re Cigna-American Specialties Health Administration Fee Litigation*
- *In re: Intuniv Antitrust Litigation*
- *High Street, et al. v. Cigna Corporation, et al.*
- *Gordon Fair, et al. v. The Archdiocese of San Francisco, San Mateo, and Marin County*
- *Bizzarro, et al. v. Ocean County Department of Corrections, et al.*
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For More Information

For more detailed information regarding A.B. Data's experience, services, or personnel, please see our website at www.abdataclassaction.com.

EXHIBIT B

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

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.

A federal court authorized this notice. This is not a solicitation from a lawyer.

- The purpose of this notice is to inform you that a new settlement (the “Settlement”) has been reached on behalf of Direct Purchaser Plaintiffs with Defendant Hormel Foods Corporation (“Hormel Foods” or “Settling Defendant”).
- 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”).
- Defendants have not admitted any liability and continue to deny the legal claims alleged in this lawsuit. Hormel Foods strongly denies liability and believes it has meritorious defenses to the claims presented.
- 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.
- If approved by the Court, the Settlement will resolve a lawsuit over whether Hormel Foods combined and conspired in restraint of trade, the purpose and effect of which was to suppress competition and to allow Hormel Foods and other Pork producers to charge supra-competitive prices for Pork products during the Class Period, in violation of federal law. If approved, the Settlement will avoid litigation costs and risks to Direct Purchaser Plaintiffs and Hormel Foods and will release Hormel Foods from liability to members of the Certified Class.
- The Settlement requires Hormel Foods to pay \$4,856,000. In addition to this monetary payment, Hormel Foods will agree to authenticate certain business records and make its personnel available for trial to the same extent those witnesses are made available to the non-settling Defendants.
- The Court has not decided whether Hormel Foods did anything wrong, and Hormel Foods denies any wrongdoing. Your legal rights are affected whether you act or don’t act. Please read this notice carefully.
- 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.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

<p>DO NOTHING AND PARTICIPATE IN THE SETTLEMENT</p>	<p>The deadline to opt out of the Certified Class has passed. If you are a Class Member and did not exclude yourself in response to the prior class certification notice, you will be bound by and eligible to participate in the Hormel Foods Settlement, including any monetary distribution to qualified purchasers. The Settlement will resolve your claims against Hormel Foods by the Certified Class about the Released Claims (as defined in the Settlement Agreement). You are also bound by any future judgments or settlements with Non-Settling Defendants.</p>
<p>ATTEND THE FAIRNESS HEARING</p>	<p>Ask to speak in Court about the fairness of the Settlement with Hormel Foods.</p>
<p>OBJECT TO THE SETTLEMENT AND/OR THE REQUEST FOR PAYMENT OF LITIGATION EXPENSES</p>	<p>Write to the Court about why you don’t like the Settlement with Hormel Foods and/or the request for payment of litigation expenses. Objections must be postmarked by August 3, 2024.</p>

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1. Why did I receive a notice?

The Court has directed this notice to be sent to the Certified Class to provide details about the proposed Settlement with Hormel Foods.

Defendants, including Hormel Foods, produce Pork products. Defendants’ records show that you may have purchased Pork products directly from one or more of the Defendants for use or delivery in the United States between June 29, 2014, and June 30, 2018. The Defendants are detailed in Question 2 below. The Court authorized this notice because you have a right to know about the Settlement of certain claims against Hormel Foods in this class action lawsuit and your options before the Court decides whether to approve the Settlement between Hormel Foods and Direct Purchaser Plaintiffs. If the Court approves the Settlement, then after any objections and appeals are resolved, you will be bound by the judgment and terms of the Settlement.

You may have received notices and submitted claims with respect to prior settlements reached in this litigation. The prior notices and claims only relate to those settling Defendants. You are receiving this Notice because a Settlement has now been reached with Hormel Foods. Your rights and options are set forth in this notice.

2. What is this lawsuit about?

This class action is called *In re Pork Antitrust Litigation*, D. Minn. Case No. 0:18-cv-01776 and is pending in the United States District Court for the District of Minnesota. U.S. District Court Judge John R. Tunheim is in charge of this class action. 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.¹ Those 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.

3. What is a class action and who is involved?

In a class action lawsuit, one or more people or businesses, called class representatives, sue on behalf of others who have similar claims, all of whom together are a “class.” Individual class members do not have to file a lawsuit to participate in the class action settlement or be bound by the judgment in the class action. One court resolves the issues for everyone in the class, except for those who exclude themselves from the class.

4. Why is there a Settlement?

The Court did not decide in favor of Direct Purchaser Plaintiffs or Hormel Foods. Direct Purchaser Plaintiffs believe they may have won at trial and possibly obtained a greater recovery. Hormel Foods believes the Direct Purchaser Plaintiffs would not have succeeded at a trial. But litigation involves risks to both sides, and therefore, Direct Purchaser Plaintiffs and Hormel Foods have agreed to the Settlement. The Settlement requires Hormel Foods to pay money for the benefit of the Class, and 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. Direct Purchaser Plaintiffs and their attorneys believe the Settlement is in the best interests of all Class Members.

5. Am I part of the Certified Class?

The Certified Class is 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.

If you are a member of the Certified Class, you may also be eligible to participate in any additional settlements which may arise with the Non-Settling Defendants.

6. Are there exceptions to being included?

Yes. 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

¹ 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.

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 Court approved the list of those entities who excluded themselves from the Certified Class on January 24, 2024 (ECF No. 2086).

If you are in one of these categories described above, you are not a member of the Certified Class and not eligible to participate in the Settlement.

7. What do I do if I already filed a claim or received a payment in this litigation?

Any claims filed or payments received related to prior settlements reached in this litigation are unaffected by the Settlement with Hormel Foods.

No distribution of the Hormel Foods settlement proceeds is set or approved at this time. The lawyers will file a motion with the Court at a later time for approval of a plan of distribution for the Seaboard and Hormel Foods settlement proceeds and possibly other recoveries. You will be notified of any future distribution.

8. What does the Settlement with Hormel Foods 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). In addition to this monetary benefit, the settlement with Hormel Foods includes an agreement to authenticate certain business records and make personnel available to the same extent personnel are made available to the non-settling Defendants.

9. What are the Settlement benefits being used for?

A portion of the Settlement proceeds are being used for the administration of the notice of the Settlement to potential members of the Certified Class by the Settlement Administrator. The remainder of the Settlement proceeds will remain available for any future notice, distribution to members of the Certified Class, or attorneys' fees, litigation expenses, and incentive awards to Direct Purchaser Plaintiffs and their counsel. At this time, Direct Purchaser Plaintiffs and their counsel will seek an interim payment of litigation expenses of up to \$1,460,600 to be paid from the Seaboard and Hormel Foods settlement proceeds. They are not currently seeking attorneys' fees or class representative service awards at this time. However, they may ask for additional litigation expenses, attorneys' fees, and service awards in the future, subject to additional notice to you and approval by the Court.

Co-Lead Class Counsel do not intend to distribute any net proceeds from the Settlement to qualifying members of the Certified Class at this time but will do so in the future. You will be provided further notice of any such distribution.

As a member of the Certified Class, should additional settlements be reached, or a judgment be issued by the Court, regardless of whether it is in favor of the Plaintiffs or the Non-Settling Defendants, the Court's orders apply to you and legally bind you.

10. Can I still exclude myself from the Certified Class?

No. The option to exclude yourself from the Certified Class, this Settlement, or future Settlements has passed. If you did not exclude yourself from the Certified Class previously, you are a Class Member and cannot ask to be excluded from this Settlement or any future settlements or judgments obtained by Direct Purchaser Plaintiffs with other Non-Settling Defendants in the case.

11. If I didn't exclude myself from the Certified Class, can I sue Hormel Foods for the same thing later?

No. Unless you excluded yourself from the Certified Class, you gave up the right to sue Hormel Foods for the claims that are subject to the release in the Settlement Agreement with Hormel Foods. You can access the Settlement Agreement with Hormel Foods, including the release language, on the settlement website: www.PorkAntitrustLitigation.com.

OBJECTING TO THE SETTLEMENT**12. How do I tell the Court that I don't like the Settlement with Hormel Foods or the request for payment of litigation expenses?**

You can object to the Settlement if you don't like part or all of it. You can also object to the request for payment of litigation expenses. The Court will consider your views.

To object, you must send a letter or other written statement saying that you object to the Settlement with Hormel Foods and/or the request for payment of litigation expenses in *In re Pork Antitrust Litigation* and the reasons why you object. Be sure to include your full name, the name of your business which purchased Pork, current mailing address, and email address. Your objection must be signed. You may include or attach any documents that you would like the Court to consider. By submitting an objection, you agree to be bound by the jurisdiction of the district court presiding over the case for the purpose of your objection, including for the purpose of any appropriate discovery. Do not send your written objection to the Court or the judge. Instead, mail the objection to the Settlement Administrator, Co-Lead Class Counsel, and counsel for Hormel Foods at the addresses listed below. Your objection must be postmarked no later than **August 3, 2024**.

Settlement Administrator:

Pork Antitrust Litigation
ATTN: OBJECTIONS
c/o A.B. Data, Ltd.
P.O. Box 173001
Milwaukee, WI 53217

**Direct Purchaser Plaintiffs'
Co-Lead Class Counsel:**

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Brian D. Clark
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Emily E. Chow
Craig S. Coleman
FAEGRE DRINKER BIDDLE &
REATH LLP
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90 S. Seventh St.
Minneapolis, MN 55402

13. Can I object to the previous settlements?

No. The deadline to object to the previous settlements has passed.

THE LAWYERS REPRESENTING YOU**14. Do I have a lawyer in this case?**

The Court has appointed Lockridge Grindal Nauen P.L.L.P. and Pearson Warshaw, LLP as Co-Lead Class Counsel for the Certified Class. Their contact information is provided above in Question 12.

If you are a Class Member, you do not need to hire your own lawyer because Co-Lead Class Counsel is working on your behalf.

15. How will the lawyers be paid?

Co-Lead Class Counsel are asking the Court to approve an interim payment of litigation expenses of up to \$1,460,600 from the Hormel Foods and Seaboard settlements. The motion for interim payment of litigation expenses will be filed with the court by July 3, 2024, and a copy will be made available for review on the settlement website: www.PorkAntitrustLitigation.com. In the future, Co-Lead Class Counsel may ask the Court to award attorneys' fees, additional reimbursement of reasonable and necessary litigation expenses, and class representative service awards from

the Settlement or any other settlement or recovery in this litigation. At such time, and prior to any Court approval, Class Members will be provided with notice of the amount of fees or expenses sought by Co-Lead Class Counsel and the opportunity to be heard by the Court. You will not have to pay any fees or costs out-of-pocket.

THE COURT'S FAIRNESS HEARING

16. When and where will the Court decide whether to approve the Settlement?

The Court will hold a hearing to decide whether to approve the Settlement (the "Fairness Hearing"). You may attend and you may ask to speak, but you don't have to. The Court will hold a Fairness Hearing on [MONTH 00, 2024], at TIME X.m. Central Time, at the United States District Court for the District of Minnesota, Courtroom 15, 300 South Fourth Street, Minneapolis, MN 55415. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, as well as approval of Co-Lead Counsel's motion for interim payment of litigation expenses. If there are objections, the Court will consider them. The Court will listen to people who have asked to speak at the hearing. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take. The Fairness Hearing may take place remotely, including via telephone or video conference. The Court may also move the Fairness Hearing to a later date without providing additional notice to the Class. Updates will be posted to the litigation website regarding any changes to the hearing date or conduct of the Fairness Hearing.

17. Do I have to come to the hearing?

No. Co-Lead Class Counsel will answer any questions the Court may have. However, you are welcome to attend in person (or attend via telephone or video conference, if the Court holds a telephone or video hearing) at your own expense. If you send an objection, you do not have to come to court to talk about it. As long as you mail your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

18. May I speak at the hearing?

You may ask to speak at the Fairness Hearing. To do so, you must send a letter saying that it is your "Notice of Intention to Appear in *In re Pork Antitrust Litigation*." Be sure to include your name, including the name of your business which purchased Pork, current mailing address, telephone number, and signature. Your Notice of Intention to Appear must be postmarked no later than **August 3, 2024**, and it must be sent to the Clerk of the Court, Co-Lead Class Counsel, and counsel for Hormel Foods. The address for the Clerk of the Court is: 300 South Fourth Street, Courtroom 15, Minneapolis, MN 55415. The addresses for Class Counsel and counsel for Hormel Foods are provided in Question 12. You cannot ask to speak at the hearing if you excluded yourself from the Certified Class.

GETTING MORE INFORMATION

19. How do I get more information about the Settlement?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement. You can find a copy of the Settlement Agreement, other important documents, and information about the current status of the litigation by visiting www.PorkAntitrustLitigation.com. You may contact the Settlement Administrator at info@PorkAntitrustLitigation.com or toll-free at 1-866-797-0864. You may also contact Co-Lead Class Counsel at the addresses, phone numbers, and email addresses provided in Question 12.

PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.

EXHIBIT C

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 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.**

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.

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 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. They are not currently seeking attorneys’ fees or class representative service awards, and distribution of the net settlement proceeds from the Hormel Foods Settlement to the Class Members is not

scheduled to take place at this time. All future requests for additional litigation expenses, attorneys' fees, incentive awards, distribution to class members 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 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 **[Month 00, 2024]**, at **TIME X.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 or by calling toll-free 1-866-797-0864. Please do not contact the Court.

EXHIBIT D

If You Purchased Any Pork Products

**directly from a Pork producer
for use or delivery in the U.S.
from 6/29/14 through 6/30/18**

**A CLASS ACTION
SETTLEMENT MAY
AFFECT YOUR RIGHTS**

PorkAntitrustLitigation.com

**Learn
More Here**