

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE BROILER CHICKEN ANTITRUST
LITIGATION

This Document Relates To:

THE DIRECT PURCHASER PLAINTIFF
ACTION

Case No.: 1:16-cv-08637

The Honorable Thomas M. Durkin

Magistrate Judge Jeffrey T. Gilbert

**DECLARATION OF MICHAEL H. PEARSON IN SUPPORT OF
DIRECT PURCHASER PLAINTIFFS' MOTION FOR
APPROVAL OF SECOND DISTRIBUTION OF NET SETTLEMENT PROCEEDS**

I, Michael H. Pearson, declare and state as follows:

1. I am a Partner of the law firm of Pearson Warshaw, LLP. This Court has appointed my firm, together with Lockridge Grindal Nauen PLLP, as Co-Lead Counsel for the Direct Purchaser Plaintiff Class (“DPPs”) in this litigation.

2. I am an attorney responsible for the handling of this matter. I am personally familiar with the facts set forth in this declaration. If called as a witness I could and would competently testify to the matters stated herein.

3. I submit this Declaration in support of Plaintiffs’ Motion for Approval of Second Distribution of Net Settlement Proceeds, filed simultaneously herewith.

4. The Settled Defendants - Fieldale, Peco, George’s, Amick, Pilgrim’s, Tyson, Mar Jac, Harrison Poultry, Simmons, Mountaire, O.K. Foods, HRF, and Koch - have paid a total of \$284,651,750.00.

5. Following final approval of the settlements with Defendants Fieldale, Peco, George’s, Amick, Pilgrim’s, and Tyson, in 2022 the Court approved the DPPs’ proposed plan of distribution. *See* ECF No. 5434. The first distribution was carried out successfully. *See* ECF No. 5791. Certain of the funds from the first distribution were earmarked for redistribution. *Id.* Those funds have been invested and earning interest, and now total \$5,426,994.84 (the “Redistribution Amount”).¹

6. Settlement proceeds paid by Mar Jac, Harrison Poultry, Simmons, Mountaire, O.K. Foods, HRF, and Koch, \$115,050,150.00 total, has been earning interest since deposited. I have personally reviewed invoices and statements, and confirmed the amounts that make up the Net

¹ Interest will continue to accrue until the proceeds are distributed and taxes will be owed on the income. Co-Lead Class Counsel will provide a final accounting of the Redistribution Amount in its next status report.

Distribution Fund as set forth in Section II.D. of the memorandum of law in support of DPPs' Motion filed concurrently herewith. The Net Distribution Fund is accounted for as follows:

Description	Amount
Funding by Mar Jac	+ \$7,975,000.00
Funding by Harrison Poultry	+ \$3,300,000.00
Funding by Simmons	+ \$8,018,991.00
Funding by Mountaire	+ \$15,899,826.00
Funding by O.K. Foods	+ \$4,856,333.00
Funding by House of Raeford	+ \$27,500,000.00
Funding by Koch	+ \$47,500,000.00
Settlement Fund	= \$115,050,150.00
Earned Interest (through December 31, 2025) ²	+ \$12,255,048.25
Litigation Expenses (Requested)	- \$9,976,873.76
<i>Second Expense Reimbursement (ECF No. 7086)</i>	<i>\$4,469,346.65</i>
<i>Pending Expense Reimbursement (ECF No. 7232)</i>	<i>\$1,029,448.72</i>
<i>Claims/Notice Admin. (through January 31, 2026)³</i>	<i>\$629,351.09</i>
<i>Escrow Agent Fees (through February 28, 2026)</i>	<i>\$45,300.00</i>
<i>Taxes (through December 31, 2025)</i>	<i>\$3,803,427.30</i>
Future Litigation Expense Fund (Requested)	- \$100,000.00
Attorneys' Fees (Requested)	- \$39,051,108.16
Class Representative Service Awards (Requested)	- \$75,000.00
Claims Administration Costs (Anticipated) ⁴	- \$54,000.00
Additional Escrow Agent Fees (Anticipated) ⁵	- \$21,000.00
Taxes (Anticipated) ⁶	- \$172,351.67
Net Distribution Fund	= \$77,854,864.66

7. If a Class member did not previously submit a claim, the deadline to submit a new claim (or to supplement a prior claim) was June 1, 2024. With respect to the payment of late claims,

² Mar Jac \$1,131,770.18; Harrison Poultry \$478,473.56; Simmons \$948,847.76; Mountaire \$1,568,749.07; O.K. Foods \$492,117.28; HRF \$2,761,088.50; Koch \$4,874,001.90.

³ Mar Jac \$198,873.53; Harrison Poultry \$82,292.49; Simmons \$75,571.11; Mountaire \$149,840.23; O.K. Foods \$45,767.79; HRF \$28,237.89; Koch \$48,768.05.

⁴ If the actual amount is less than this anticipated amount, the difference will be distributed *pro rata*.

⁵ \$3,000.00 reserve for each of the seven Settlements for additional bank fees through the end of the distribution, for a total of \$21,000.00. If the actual amount is less than this anticipated amount, the difference will be distributed *pro rata*.

⁶ This amount is based on the amount paid in December 2025. If the actual amount is less than this anticipated amount, the difference will be distributed *pro rata*.

Co-Lead Class Counsel's position is that all late claims should be paid. Payment of these late claims will have a *de minimus* effect on the payment to qualified claimants who filed timely claims.

8. Co-Lead Class Counsel agrees with A.B. Data's determinations, and proposes that the Court approve A.B. Data's determinations concerning the denial of ineligible claims and the payment of eligible claims.

9. A.B. Data has provided to Co-Lead Class Counsel invoices detailing the fees and expenses it has incurred to administer the notice and claims of the direct purchaser Class members. Co-Lead Class Counsel have already paid and incurred \$629,351.09 from the Settlement Funds to A.B. Data after review and approval of their bills. A.B. Data's anticipated cost of completing this initial distribution are \$54,000.00.

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

Executed on this 3rd day of March, 2026 at Sherman Oaks, California.

/s/ Michael H. Pearson

Michael H. Pearson