

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

*IN RE BROILER CHICKEN ANTITRUST  
LITIGATION*

This Document Relates To:  
Direct Purchaser Actions

Case No. 1:16-cv-08637

Hon. Thomas A. Durkin

Magistrate Judge Jeffrey T. Gilbert

**STIPULATED PROPOSED ORDER CONTINUING THE HEARING ON THE MOTION  
FOR FINAL APPROVAL OF SETTLEMENTS BETWEEN DIRECT PURCHASER  
PLAINTIFFS AND DEFENDANTS PECO FOODS, INC., GEORGE’S, INC., GEORGE’S  
FARMS, INC., AND AMICK FARMS, LLC**

Whereas the Direct Purchaser Plaintiffs’ (“DPPs”) Motion for Final Approval of Settlements With Defendants Peco Foods, Inc., George’s, Inc., George’s Farms, Inc., and Amick Farms, LLC (collectively, “Settling Defendants”) is scheduled to be heard on September 14, 2020.

Whereas on August 31, 2020 the Settling Defendants filed a memorandum in response to the DPP’s Motion for Final Approval regarding the treatment of requests for exclusion from the Settlement Class for partially assigned claims (“Settling Defendants’ Brief”). (ECF No. 3795.) The Settling Defendants requested that, unless certain conditions were met, the Court hold that all partially assigned claims from a Class Member assignor to an opt-out assignee (including but not limited to those listed in Exhibit B to the proposed orders granting final approval of the settlements with Peco and George’s (ECF No. 3777-1) and Amick (ECF No. 3777-2)) are invalid and remain in the Settlement Class.

Whereas certain Direct Action Plaintiffs with partial assignments affected by the Settling Defendants' Brief ("DAPs") dispute, as legally unsupportable, Settling Defendants' position that the partially assigned claims should remain in the Settlement Class or are otherwise invalid, and further dispute any effort by Settling Defendants' or Class Plaintiffs to impose unclear and improper conditions on Class Members that were neither approved by the Court nor contained in the Class Notice.

Whereas the parties have agreed on a process to allow them to resolve and narrow any disputes and fully brief to the Court any remaining issues presented by the Settling Defendants' Brief.

Whereas the parties agree that a continuance of the final approval hearing is appropriate to allow the parties to engage in and complete this process, resolve any disputes, and if necessary brief any remaining disputes.

The parties stipulate and agree as follows:

1. If an entity with partial assignments (including those listed in Exhibit B to the proposed orders granting final approval of the settlements with Peco and George's (ECF No. 3777-1) and Amick (ECF No. 3777-2)) wants information about the calculation of the purchases associated with its partial assignment, it must send a request to the Settlement Administrator by September 14, 2020.
2. The Settlement Administrator will promptly forward all requests to Class Counsel who will provide that calculated value to the entity along with supporting documentation and any back-up and/or explanation as to how the entity's purchases were calculated by September 18, 2020.

3. As soon as practicable, but no later than October 9, 2020, any partial assignee who has requested this information will advise the Settlement Administrator whether it agrees with the calculation or provide an alternative calculation along with supporting documentation. The Settlement Administrator will promptly forward the alternative calculation along with supporting documentation to Class Counsel and Counsel for the Settling Defendants.

4. During this period up through October 9, 2020, the parties shall engage in discussions in an attempt to reach resolution of any disputes regarding partial assignments. The parties shall have until October 13, 2020 to reach resolution.

5. By October 14, 2020 any entities continuing to challenge the calculation or otherwise opposing the position articulated in Settling Defendants' Brief will file a consolidated brief providing their position on the treatment of partial assignments.

6. The DPPs and Settling Defendants may each respond to any consolidated brief by October 19, 2020.

7. The hearing on the Motion for Final Approval of Settlements With Defendants Peco Foods, Inc., George's, Inc., George's Farms, Inc., and Amick Farms, LLC , Inc. shall be continued from September 14, 2020 until October 26, 2020 or as soon thereafter as the matter may be heard by the Court.

Date: September 11, 2020

/s/ Bobby Pouya

Clifford H. Pearson  
Bobby Pouya  
Michael H. Pearson  
PEARSON SIMON & WARSHAW, LLP  
15165 Ventura Boulevard, Suite 400  
Sherman Oaks, CA 92403  
Telephone: (818) 788-8300  
Facsimile: (818) 788-8104  
cpearson@pswlaw.com

W. Joseph Bruckner  
Brian D. Clark  
Simeon A. Morbey  
LOCKRIDGE GRINDAL NAUEN P.L.L.P.  
100 Washington Avenue South, Suite 2200  
Minneapolis, MN 55401  
Telephone: (612) 339-6900  
Facsimile: (612) 339-0981  
wjbruckner@locklaw.com

bpouya@pswlaw.com  
mpearson@pswlaw.com

Bruce L. Simon  
PEARSON, SIMON & WARSHAW, LLP  
350 Sansome Street, Suite 680  
San Francisco, CA 94104  
Telephone: (415) 433-9000  
Facsimile: (415) 433-9008  
bsimon@pswlaw.com

By: /s/ William L. Greene  
STINSON LLP

William L. Greene (admitted *pro hac vice*)  
Peter J. Schwinger (admitted *pro hac vice*)  
Kevin P. Kitchen (admitted *pro hac vice*)  
50 South Sixth Street, Ste 2600  
Minneapolis, MN 55402  
Telephone: (612) 335-1500  
william.greene@stinson.com  
peter.schwinger@stinson.com  
kevin.kitchen@stinson.com

J. Nicci Warr  
7700 Forsyth Blvd., Suite 1100  
St. Louis, MO 63105  
Telephone: (314) 259-4570  
nicci.warr@stinson.com

THE LAW GROUP OF NORTHWEST  
ARKANSAS LLP  
Gary V. Weeks (admitted *pro hac vice*)  
K.C. Dupps Tucker (admitted *pro hac vice*)  
Kristy E. Boehler (admitted *pro hac vice*)

bdclark@locklaw.com  
samorbey@locklaw.com

*Direct Purchaser Plaintiffs Interim Co-Lead  
Class Counsel*

Steven A. Hart (#6211008)  
Brian Eldridge (#6281336)  
John Marrese (#6306516)  
Kyle Pozan (#6306761)  
HART MCLAUGHLIN & ELDRIDGE, LLC  
22 West Washington Street, Suite 1600  
Chicago, IL 60602  
Telephone: (312) 955-0545  
Facsimile: (312) 971-9243  
[shart@hmelegal.com](mailto:shart@hmelegal.com)  
[beldridge@hmelegal.com](mailto:beldridge@hmelegal.com)  
[jmarrese@hmelegal.com](mailto:jmarrese@hmelegal.com)  
[kpozan@hmelegal.com](mailto:kpozan@hmelegal.com)

*Direct Purchaser Plaintiffs Liaison Counsel*

By: /s/ Boris Bershteyn  
SKADDEN, ARPS, SLATE,  
MEAGHER & FLOM LLP

Patrick Fitzgerald (#6307561)  
Gail Lee  
Peter Cheun  
155 N. Wacker Drive  
Chicago, IL 60606  
Telephone: (312) 407-0700  
Facsimile: (312) 407-0411  
[patrick.fitzgerald@skadden.com](mailto:patrick.fitzgerald@skadden.com)  
[gail.lee@skadden.com](mailto:gail.lee@skadden.com)  
[peter.cheun@skadden.com](mailto:peter.cheun@skadden.com)

Boris Bershteyn (admitted *pro hac vice*)  
Lara Flath (#6289481)  
One Manhattan West  
New York, NY 10001  
Telephone: (212) 735-3000  
Facsimile: (212) 735-2000  
[boris.bershteyn@skadden.com](mailto:boris.bershteyn@skadden.com)  
[lara.flath@skadden.com](mailto:lara.flath@skadden.com)

1830 Shelby Lane  
Fayetteville, AR 72704  
Telephone: (479) 316-3760  
gary.weeks@lawgroupnwa.com  
kc.tucker@lawgroupnwa.com  
kristy.boehler@lawgroupnwa.com  
*Attorneys for Defendants George's, Inc.  
and George's Farms, Inc.*

*Attorneys for Defendant Peco Foods, Inc.*

/s/Julie B. Porter  
Julie B. Porter (#6243787)  
SALVATORE PRESCOTT PORTER &  
PORTER LLP  
1010 Davis Street  
Evanston, IL 60201  
Telephone: (312) 283-5711  
porter@sppplaw.com

Scott E. Gant  
BOIES SCHILLER FLEXNER LLP  
1401 New York Avenue, NW  
Washington, DC 20005  
Telephone: (202) 237-2727  
sgant@bsflfp.com

*Co-Liaison Counsel for Direct Action  
Plaintiffs*

DYKEMA GOSSET PLLC

By: /s/ Howard B. Iwrey  
Howard B. Iwrey  
39577 Woodward Ave, Ste. 300  
Bloomfield Hills, MI 48304  
Telephone: 248-203-0526  
Facsimile: 248-203-0763  
hiwrey@dykema.com

Steven H. Gistenson  
10 South Wacker Drive, Ste. 2300  
Chicago, IL 60606  
Telephone: 312-627-2267  
Facsimile: 312-876-1155  
sgistenson@dykema.com

Cody D. Rockey  
2723 South State Street, Ste. 400  
Ann Arbor, MI 48104  
Telephone: 734-214-7655  
Facsimile: 734-214-7696  
crokey@dykema.com

Dante A. Stella  
400 Renaissance Center  
Detroit, MI 48243  
Telephone: 313-568-6693  
Facsimile: 313-568-6893  
dstella@dykema.com

*Attorneys for Defendant Amick Farms, LLC*

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

DATED:

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HON. THOMAS A. DURKIN  
UNITED STATES DISTRICT JUDGE