

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

IN RE BROILER CHICKEN ANTITRUST
LITIGATION,

Case No.: 1:16-cv-08637

The Honorable Thomas M. Durkin

This Document Relates To:

THE DIRECT PURCHASER PLAINTIFF
ACTION

**DIRECT PURCHASER PLAINTIFFS' NOTICE OF FILING AMENDED [PROPOSED]
ORDER GRANTING THEIR MOTION FOR INTERIM PAYMENT OF ATTORNEYS'
FEES, REIMBURSEMENT OF EXPENSES, AND CLASS REPRESENTATIVE
INCENTIVE AWARDS**

Following the administration of the Settlements with Pilgrim’s Pride Corp., and Tyson Foods, Inc., Tyson Chicken, Inc., Tyson Breeders, Inc., and Tyson Poultry, Inc. (collectively, “Tyson”) and the calculation of commerce by class members requesting exclusion from the Settlement Class, the Direct Purchaser Plaintiffs (“DPPs”) hereby amend their fee award request in light of the resulting minor reduction to the Tyson Settlement.

In their Motion for Interim Payment of Attorneys’ Fees, Reimbursement of Expenses, and Class Representative Incentive Awards (“Motion”), DPPs’ requested that the Court award Co-Lead Class Counsel 33 1/3% of the \$170,261,600 Settlement Fund (or \$56,753,866.00) as attorneys’ fees. (*See* ECF No. 4551 at 2.) At the time of the request, Co-Lead Counsel noted that the exact amount of fees requested may be subject to change if either Settlement amount was reduced based on opt-outs.¹ (*See* ECF No. 4551 at n.6.) As the Tyson Settlement was reduced by \$660,000—from \$80,000,000 to \$79,340,000—the fee request must be amended. (*See* DPPs’ concurrently-filed Motion for Final Approval, Section III.)

Therefore, DPPs hereby update the proposed order in support of the Motion to reflect that Co-Lead Class Counsel are requesting attorneys’ fees in the amount of 33 1/3% of the revised \$169,601,600 Settlement Fund, or \$56,533,866.00. The Amended [Proposed] Order Granting DPPs’ Motion is attached hereto as Exhibit A.

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¹ This opt-out reduction only changes the amount of requested attorneys’ fees, and not the requests for reimbursement of current litigation expenses or incentive awards.

Dated: June 15, 2021

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