

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

*IN RE TURKEY ANTITRUST LITIGATION*

Civil Action No. 19-cv-08318

This Document Relates To:

Hon. Sunil R. Harjani  
Hon. Keri L. Holleb Hotaling

*Direct Purchaser Plaintiffs Actions and Direct  
Purchaser Actions*

**DECLARATION OF BRIAN D. CLARK IN SUPPORT OF REPLY MEMORANDUM OF LAW  
IN SUPPORT OF DIRECT PURCHASER PLAINTIFFS' MOTION FOR A  
COMMON BENEFIT SET-ASIDE ORDER**

I, Brian D. Clark, declare under oath, as follows:

1. I am a Partner at the law firm of Lockridge Grindal Nauen PLLP. This Court appointed my firm, together with the firm of Hagens Berman Sobol Shapiro LLP, as Co-Lead Counsel for Direct Purchaser Plaintiffs ("DPPs") in this litigation. (*See* ECF No. 1107).

2. I submit this declaration in support of Direct Purchaser Plaintiffs' Reply Memorandum of Law in Support of Motion for a Common Benefit Set-Aside Order. I have personal knowledge of the facts in this declaration and could competently testify to them if called as a witness.

3. The classes in *In re Broiler Antitrust Litigation* have collectively obtained \$633,141,750 in settlements to date. The classes in *In re Pork Antitrust Litigation* have collectively obtained \$288,074,300 in settlements to date. Collectively, those settlements total \$921,216,050, nearly a billion dollars.

4. On March 27, 2025, counsel for Carina requested that DPPs provide it with 1.3 million pages of third party document productions from over three dozen third parties, which DPPs

obtained during the fact discovery period. DPPs are in the process of doing so, reserving all rights as described in this Motion. DPPs are not aware why Certain DAPs did not already have a copy of these materials and could not provide it to Carina's counsel.

5. On March 12 and March 13, 2025, I met and conferred with counsel for Tyson regarding this Motion. I inquired whether in light of Tyson's concerns about DPPs' settlement agreement with Tyson, if it would make a difference to their position if DPPs' requested that any escrow account relating to a common benefit fund as it relates to a Tyson settlement was set up by the applicable DAP. Tyson's counsel did not believe this made a difference.

6. In *In re Pork Antitrust Litigation*, 18-cv-01776 (D. Minn.), fact discovery closed on October 31, 2022. ECF No. 1525. Before this deadline, at least 24 DAP cases were filed and consolidated into the main action. The last of those 24 DAP cases was filed on January 24, 2022, close to ten months before the close of fact discovery.<sup>1</sup> DAPs attended all fact discovery depositions and asked questions at many of the depositions.

7. In *In re Cattle and Beef Antitrust Litigation*, :22-md-03031 (D. Minn.), fact discovery largely closed on January 7, 2025 (ECF No. 547) and will fully close on April 4, 2025 (ECF No. 1026). Before the January 7, 2025 deadline, at least 32 DAP cases were filed and consolidated into the main action with the last action being consolidated/transferred on October 16, 2024. A DAP consolidated complaint was filed on January 30, 2023 (ECF No. 132) and DAP Liaison counsel was established early in the case on December 1, 2022 (ECF No. 91). DAPs attended all fact discovery depositions and asked questions at many of the depositions.

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<sup>1</sup> Given the large number of ECF orders and filings from other cases cite din this Motion, DPPs are not attaching these documents to avoid submitting a voluminous exhibits to this reply brief. However, DPPs will do so immediately upon request by the Court.

8. In *In re Broiler Antitrust Litigation*, No. 1:16-cv-08637 (N.D. Ill.), fact discovery closed on July 30, 2021. Before that deadline, 80 DAP Cases were individually filed and consolidated/transferred into the main action. A DAP Liaison counsel was appointed years before the fact discovery deadline on March 12, 2018 (ECF No. 796) and a DAP consolidated and amended complaints were filed by DAPs between April 15 and April 22, 2019. *See, e.g.*, ECF Nos. 2034, 2050, 2090, 2094, 2104, 2107, 2108, 2111, 2114, 2129 and 2140. DAPs attended all fact discovery depositions and asked questions at many of the depositions.

9. In *In re Packaged Seafood Antitrust Litigation*, No. 15-MD-2670 (S.D. Cal.), fact discovery closed on May 18, 2018. ECF No. 161. DAP Liaison counsel had previously been appointed on March 24, 2016 (ECF No. 119) and multiple DAPs filed amended complaints on May 23, 2016. *See, e.g.*, ECF Nos. 151-153. DAPs attended most if not all fact discovery depositions and asked questions at many of the depositions.

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

Executed on April 1, 2025, at Minneapolis, Minnesota.

s/ Brian D. Clark  
Brian D. Clark