

If you purchased any Turkey product directly from a Turkey producer for use or delivery in the United States from January 1, 2010 through January 1, 2017, a class action settlement may affect your rights.

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

- A Settlement Agreement (or “Settlement”) has been reached in a class action antitrust lawsuit filed on behalf of Direct Purchaser Plaintiffs with Defendants Tyson Foods, Inc., Tyson Fresh Meats, Inc., Tyson Prepared Foods, Inc. and the Hillshire Brands Company (“Tyson” or “Settling Defendant”). This Settlement only applies to Tyson and does not dismiss claims against other Defendants in the case entitled *Olean Wholesale Grocery Cooperative, Inc., et al., v. Agri Stats, Inc., et al.*, N.D. Ill. Case No. 1:19-cv-08318.
- If approved by the Court, the Settlement will resolve a lawsuit over whether Tyson combined and conspired in restraint of trade, the purpose and effect of which was to suppress competition and to allow Tyson and other Turkey producers to charge supra-competitive prices for Turkey products during the Settlement Class Period, in violation of federal law. If approved, the Settlement will avoid litigation costs and risks to Direct Purchaser Plaintiffs and Tyson, and will release Tyson from liability to members of the Settlement Class.
- The Settlement requires Tyson to pay \$4,625,000. In addition to this monetary payment, Tyson has agreed to provide specified cooperation in the Direct Purchaser Plaintiffs’ continued prosecution of the litigation.
- The Court has not decided whether Tyson did anything wrong, and Tyson denies any wrongdoing.
- Your legal rights are affected whether you act or do not act. Please read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
ASK TO BE EXCLUDED	This is the only option that allows you ever to be part of any <i>other</i> lawsuit against Tyson concerning the Released Claims (as defined in the Settlement Agreement). Requests for Exclusion must be postmarked or received by November 22, 2021.
OBJECT	Write to the Court about why you do not like the Settlement. Objections must be postmarked or received by November 22, 2021.
ATTEND THE FAIRNESS HEARING	Ask to speak in Court about the fairness of the Settlement.
DO NOTHING	You will remain part of the Settlement, and you may participate in any monetary distribution to qualified purchasers. The Settlement will resolve your claims against Tyson and you will give up your rights to sue Tyson about the Released Claims (as defined in the Settlement Agreement). You will be bound by the judgment.

- Your options are explained in this notice. To ask to be excluded, you must act before **November 22, 2021**.
- **Questions? Read on and visit www.TurkeyLitigation.com or call toll-free 1-877-777-9637.**

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BASIC INFORMATION

1. Why did I receive a notice?

Defendants, including Tyson, produce Turkey products. Defendants' records show that you may have purchased Turkey products directly from one or more of the Defendants for use and delivery in the United States between January 1, 2010 and January 1, 2017. The list of Defendants is in Section 2 below. The Court authorized this notice because you have a right to know about the Settlement of certain claims against Tyson in this class action lawsuit and about your options before the Court decides whether to approve the Settlement between Tyson and Direct Purchaser Plaintiffs. If the Court approves it, and after objections and appeals are resolved, you will be bound by the judgment and terms of the Settlement. This notice explains the lawsuit, the Settlement, and your legal rights.

2. What is this lawsuit about?

This class action is called *Olean Wholesale Grocery Cooperative, Inc., et al., v. Agri Stats, Inc., et al.*, N.D. Ill. Case No. 1:19-cv-08318 and is pending in the United States District Court for the Northern District of Illinois. U.S. District Court Judge Virginia M. Kendall 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 Turkey products, beginning at least as early as January 1, 2010, with the intent and expected result of increasing prices of Turkey products in the United States, in violation of federal antitrust laws. For purposes of this case, the terms "Turkey" and "Turkey Products" mean turkey meat, which may be sold in a variety of forms, including fresh or frozen, ground or parts, and raw or cooked. "Turkey" and "Turkey Products" include, but are not limited to: breasts, wings, drums, legs, thighs, tenderloins, necks, tails, gizzards, feet, trim, tenders, mechanically separated turkey ("MST"), ground turkey, and further processed and value added turkey products. Turkey includes, but is not limited to, products containing turkey such as lunch meat, deli meat, sausage, franks, bacon, and corn dogs.

The Defendants and co-conspirators named in Direct Purchaser Plaintiffs' Amended Class Action Complaint are producers of Turkey products in the United States, as well as Agri Stats, Inc. For the purpose of the Settlement, "Defendants" refers to Tyson, Butterball, LLC, Cargill, Inc., Cargill Meat Solutions Corporation, Cooper Farms, Inc., Farbest Foods, Inc., Foster Farms LLC, Foster Poultry Farms, Hormel Foods Corporation, House of Raeford Farms, Inc., Perdue Farms, Inc., and Perdue Foods LLC, and Agri Stats, Inc.

Direct Purchaser Plaintiffs have reached the Settlement with one Defendant, Tyson, but the Direct Purchasers' case is proceeding against other Defendants. Those other Defendants may be subject to separate settlements, judgments, or class certification orders. If applicable, you will receive a separate notice regarding the progress of the litigation and any resolution of claims against other Defendants.

Tyson has denied all allegations of wrongdoing in this lawsuit and would allege numerous defenses to Plaintiffs' claims if the case against it were to proceed.

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 Tyson. Direct Purchaser Plaintiffs believe they may have won at trial and possibly obtained a greater recovery. Tyson believes the Direct Purchaser Plaintiffs may not have succeeded at class certification or won at a trial. But litigation involves risks to both sides, and therefore Direct Purchaser Plaintiffs and Tyson have agreed to the Settlement. The Settlement requires Tyson to pay money, as well as provide specified cooperation in the Direct Purchaser Plaintiffs' continued prosecution of the litigation. Direct Purchaser Plaintiffs and their attorneys believe the Settlement is in the best interests of all Class Members.

5. What if I received previous communications regarding this lawsuit?

You may have received other communications regarding this lawsuit, including solicitations by other attorneys seeking to represent you as a plaintiff in an individual (or “direct action”) lawsuit against Defendants. These communications were not approved by the Court and did not come from Court-appointed Co-Lead Counsel. You should carefully review this notice and your rights as a potential member of the Settlement Class before deciding whether to opt out or stay in the Settlement Class. If you have questions about this litigation and your rights as a potential member of the Settlement Class, please contact Co-Lead Counsel whose contact information is listed in Question 15 below.

WHO IS IN THE CLASS?

6. Am I part of the Class?

The Court decided that, for settlement purposes, members of the Settlement Class are defined as:

All persons who purchased Turkey directly from any of the Defendants or any co-conspirator, or their respective subsidiaries or affiliates for use or delivery in the United States from at least as early as January 1, 2010 until January 1, 2017.

If you satisfy these criteria, then you are a member of the Settlement Class, subject to the exception listed in Question 7 below.

While this Settlement is only with Tyson, the Settlement Class includes persons who purchased Turkey products (as defined in the Settlement Agreement) from *any* of the Defendants or their co-conspirators. If you are a member of the Settlement Class and do not exclude yourself, you may be eligible to participate in (or exclude yourself from) any additional settlements which may arise with any other Defendants in the case.

7. Are there exceptions to being included?

Yes. Specifically excluded from the Settlement 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 the Settlement 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.

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

8. I’m still not sure if I’m included.

If you are still not sure if you are included, please review the detailed information contained in the Settlement Agreement, available for download at www.TurkeyLitigation.com. You may also call the Settlement Administrator at 1-877-777-9637 or call or write to Co-Lead Counsel at the phone numbers or addresses listed in Question 15 below.

THE BENEFITS OF THE SETTLEMENT AGREEMENT WITH TYSON

9. What does the Settlement with Tyson provide?

If the Settlement is approved, Tyson will pay \$4,625,000 to resolve all Settlement Class members’ claims against Tyson for the Released Claims (as defined in the Settlement Agreement). In addition to this monetary benefit, Tyson has also agreed provide specified cooperation in the Direct Purchaser Plaintiffs’ continued prosecution of the litigation.

10. 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 Settlement Class by the Settlement Administrator. Except as provided below regarding a motion related to expenses, the remainder of the Settlement proceeds will remain available for any future notice, distribution to members of the Settlement 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 are not seeking any attorneys' fees or incentive awards from the Settlement proceeds. However, they may do so in the future, subject to additional notice to you and approval by the Court. At least 14 days before the deadline to file an Exclusion Request regarding this Settlement, Plaintiffs and Co-Lead Counsel will file a motion seeking no more than \$1 million in current and ongoing litigation expenses. A copy of that motion for litigation expenses will be available on the Settlement Website.

Co-Lead Counsel do not intend to distribute any proceeds from the Settlement to qualifying members of the Settlement Class at this time, but instead intend to combine any distribution of the Settlement proceeds with proceeds from future settlements or other recoveries in the litigation. You will be provided further notice of any such future settlements or recoveries.

11. What am I giving up by staying in the Settlement Class?

Unless you exclude yourself, you are staying in the Settlement Class, which means that you can't sue, continue to sue, or be part of any other lawsuit against Tyson that pertains to the Released Claims (as defined in the Settlement Agreement). It also means that all of the Court's orders will apply to you and legally bind you. The Released Claims are detailed in the Settlement Agreement, available at www.TurkeyLitigation.com.

You are not releasing your claims against any Defendant other than Tyson by staying in the Settlement Class.

12. What happens if I do nothing at all?

If you do nothing, you will remain a member of the Settlement Class, and participate in this Settlement. You will also have the opportunity to participate in (or exclude yourself from) any future settlements or judgments obtained by Direct Purchaser Plaintiffs.

EXCLUDING YOURSELF FROM THE SETTLEMENT

13. How do I exclude myself from the Settlement with Tyson?

If you do not want the benefits offered by the Settlement and you do not want to be legally bound by the terms of the Settlement, or if you wish to pursue your own separate lawsuit against Tyson, you must exclude yourself by submitting a written request to the Settlement Administrator stating your intent to exclude yourself from the Settlement Class (an "Exclusion Request").

Your Exclusion Request must include the following: (a) your name, including the name of your business which purchased Turkey products, and address; (b) a statement that you want to be excluded from the Settlement Class in *Olean Wholesale Grocery Cooperative, Inc., et al., v. Agri Stats, Inc., et al.*; and (c) your signature. If you intend to exclude subsidiaries, affiliates, divisions, related or controlled entities, entities under common control, predecessors in interest, or any other related entity, such entities must be expressly identified by name and address in your request.

Additionally, if you intend to exclude claims that were assigned to you from another potential Settlement Class member, you must include the assignor's name; whether the assignor fully or partially assigned their Turkey claims; the annual value of Turkey purchases assigned, identified by Defendant or Co-Conspirator from whom the purchases were made; and a copy of the executed assignment agreement or a statement outlining the assignment signed by both the assignor and assignee. You must mail or email your Exclusion Request, postmarked or received by November 22, 2021, to: *Turkey Antitrust Litigation*, Attn: EXCLUSIONS, c/o A.B. Data, Ltd., P.O. Box 173001, Milwaukee, WI 53217; or info@TurkeyLitigation.com.

14. If I don't exclude myself, can I sue Tyson for the same thing later?

No. Unless you exclude yourself, you give up the right to sue Tyson for the same claims that the Settlement resolves. If you have a pending lawsuit against Tyson, speak to your lawyer in that lawsuit immediately to determine whether you must exclude yourself from this Settlement Class to continue your own lawsuit against Tyson.

By staying in the lawsuit, you are not releasing your claims in this case against any Defendant other than Tyson.

OBJECTING TO THE SETTLEMENT

15. How do I tell the Court that I don't like the Settlement?

If you are a member of the Settlement Class and have not excluded yourself from the Settlement, you can object to the Settlement if you don't like part or all of it. 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 Tyson in *Olean Wholesale Grocery Cooperative, Inc., et al., v. Agri Stats, Inc., et al.* and the reasons why you object to the Settlement. Be sure to include your full name, the name of your business which purchased Turkey, 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. Do not send your written objection to the Court or the judge. Instead, mail the objection to the Settlement Administrator, Interim Co-Lead Counsel, and counsel for Tyson at the addresses listed below. Your objection must be postmarked no later than November 22, 2021.

Settlement Administrator:

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

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16. What is the difference between excluding myself and objecting?

Objecting is telling the Court that you do not like something about the Settlement. You can object only if you do not exclude yourself from the Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no standing to object because the Settlement no longer affects you.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this case?

The Court has appointed Lockridge Grindal Nauen P.L.L.P. and Hagens Berman Sobol Shapiro LLP as Co-Lead Counsel for the Settlement Class. Their contact information is provided above in Question 15.

If you wish to remain a member of the Settlement Class, you do not need to hire your own lawyer because Co-Lead Counsel is working on your behalf.

If you wish to pursue your own case separate from this one, or if you exclude yourself from the Settlement Class, these lawyers will no longer represent you. You will need to hire your own lawyer if you wish to pursue your own lawsuit against Tyson.

18. How will the lawyers be paid?

At this time, Co-Lead Counsel are not asking the Court to award any attorneys' fees from the Settlement with Tyson at this time. At least 14 days before the deadline to file an Exclusion Request regarding this Settlement, Plaintiffs and Co-Lead Counsel will file a motion seeking no more than \$1 million in current and ongoing litigation expenses. A copy of that motion for litigation expenses will be available on the Settlement Website. At such time, and prior to any Court approval, members of the Settlement Class will have 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

19. 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 January 6, 2022, at 9:00 a.m., at the United States District Court for the Northern District of Illinois, Courtroom 2503, Dirksen U.S. Courthouse, 219 S. Dearborn Street, Chicago, IL 60604. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. 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. Pursuant to any applicable orders relating to the COVID-19 emergency or otherwise, 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 settlement website regarding any changes to the hearing date or conduct of the Fairness Hearing.

20. Do I have to come to the hearing?

No. Co-Lead Counsel will answer any questions the Court may have. However, you are welcome to come 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 mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary.

21. 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 *Olean Wholesale Grocery Cooperative, Inc., et al., v. Agri Stats, Inc.*" Be sure to include your name, including the name of your business which purchased Turkey, current mailing address, telephone number, and signature. Your Notice of Intention to Appear must be postmarked no later than November 22, 2021, and it must be sent to the Clerk of the Court, Co-Lead Counsel, and counsel for Tyson. The address for the Clerk of the Court is: Dirksen U.S. Courthouse, 219 S. Dearborn Street, Chicago, IL 60604. The addresses for Co-Lead Counsel and counsel for Tyson are provided in Question 15. You cannot ask to speak at the hearing if you excluded yourself from the Settlement Class.

GETTING MORE INFORMATION

22. 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.TurkeyLitigation.com. You may contact the Settlement Administrator at info@TurkeyLitigation.com or toll-free at 1-877-777-9637. You may also contact Co-Lead Counsel at the addresses, phone numbers, and email addresses provided in Question 15

PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.