

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

IN RE TURKEY ANTITRUST LITIGATION

This Document Relates To:

Commercial and Institutional Indirect Purchaser
Plaintiff Action

Civil Action No. 19-cv-08318

Hon. Sunil R. Harjani

Hon. Keri L Holleb Hotaling

DECLARATION OF MATTHEW D. PROVANCE

I, Matthew D. Provance, hereby declare as follows:

1. I am a partner at Mayer Brown LLP, counsel for Cargill, Incorporated, and Cargill Meat Solutions Corporation (collectively, “Cargill”) in the above-captioned matter. I am a member in good standing of the Illinois State Bar and am admitted to practice before the United States District Courts in the Northern, Central, and Southern Districts of Illinois. I make this declaration on my own personal knowledge and, if called upon as a witness to do so, I could and would competently testify as to the matters set forth herein.

2. This declaration relates to the proposed class settlement between Commercial and Institutional Indirect Purchaser Plaintiffs (“CIIPPs”) and Cargill (ECF No. 1361-1).

3. On August 7, 2025, Mayer Brown LLP sent notices and accompanying materials required by the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715, to appropriate federal and state officials, including the Attorney General of the United States, the United States Department of Agriculture, and the Attorneys General of each of the following jurisdictions: Arizona, Arkansas, California, the District of Columbia, Florida, Illinois, Iowa, Kansas, Maine, Michigan, Minnesota, Missouri, Mississippi, North Carolina, North Dakota, Nebraska, New Hampshire, New

Mexico, Nevada, New York, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Wisconsin, and West Virginia.

4. Attached hereto as **Exhibit 1** is a true and correct copy of the cover letter sent to each federal and state official designated to receive CAFA notices and the Service List used to mail or deliver notice to each recipient.

5. The cover letter enclosed a flash drive, which included copies of the following materials required by 28 U.S.C. § 1715(b): CIIPPs' Class Action Complaint (Case No. 20-cv-2295, ECF No. 1); CIIPPs' Amended Class Action Complaint (Case No. 20-cv-2295, ECF No. 91); CIIPPs' Second Amended Class Action Complaint (Case No. 20-cv-2295, ECF No. 133); CIIPPs' Third Amended Class Action Complaint (Public Redacted Version) (ECF No. 417); CIIPPs' Fourth Amended Class Action Complaint (Public Redacted Version) (ECF No. 714); CIIPPs' Uncontested Motion for Preliminary Approval of Commercial and Institutional Indirect Purchaser Plaintiffs' Settlement with Cargill, Incorporated and Cargill Meat Solutions Corporation ("Preliminary Approval Motion") and supporting Memorandum of Law and Declaration of Michael J. Flannery (ECF No. 1359, 1360, 1361); and the Court's July 31, 2025 Order setting a hearing date for the Preliminary Approval Motion (ECF No. 1363).

6. The cover letter and accompanying flash drive were mailed to each appropriate federal and state official by first class mail through the U.S. Postal Service, with the exception of the Attorney General of the State of Nevada, which has directed that CAFA notices be provided electronically to the email address NVAGCAFAnotices@ag.nv.gov.

7. To the best of my knowledge and belief, I certify that the steps outlined above have satisfied Cargill's obligations arising under CAFA.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this
7th day of August, in Chicago, Illinois

/s/ Matthew D. Provance
Matthew D. Provance

EXHIBIT 1



August 7, 2025

VIA USPS

Hon. Pamela Bondi
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20531

The State Attorneys General and other “appropriate State officials” as defined by 28 U.S.C. § 1715(a)(2)
(See attached Distribution List)

**Re: Notice of Proposed Class Action Settlement Pursuant to 28 U.S.C. § 1715
*In re Turkey Antitrust Litigation, No. 1:19-cv-08318 (N.D. Ill.)***

Dear Sir or Madam:

I write on behalf of Cargill, Incorporated, and Cargill Meat Solutions (collectively, “Cargill”) in relation to the above-referenced action currently pending in the United States District Court for the Northern District of Illinois before the Honorable Judge Sunil R. Harjani. Pursuant to the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715, please find enclosed information to advise you of a proposed class action settlement between Cargill and Plaintiffs Sandee's Bakery d/b/a Sandee's Catering Bakery & Deli, Gnemi, LLC d/b/a Logan Farms, Maquoketa Care Center, Bernie's LLC, Liberty Holding Company d/b/a Liberty Tap Room and Grill, Martin's BBQ LLC, and Social Kitchen (collectively, “Plaintiffs”), on behalf of themselves and a Commercial and Institutional Indirect Purchaser (“CIIPP”) class, in the above-referenced action.

On July 30, 2025, Plaintiffs filed an Uncontested Motion for Preliminary Approval of Commercial and Institutional Indirect Purchaser Plaintiffs' Settlement with Cargill, Incorporated and Cargill Meat Solutions Corporation (“Preliminary Approval Motion”) in the above-referenced action. A hearing on the Preliminary Approval Motion is set for August 14, 2025.

Cargill denies Plaintiffs' allegations and denies any liability whatsoever but has decided to settle the Plaintiffs' action in order to eliminate the burden, expense, and uncertainties of further litigation. In accordance with 28 U.S.C. § 1715(b), Cargill provides the enclosed documents identified below and states as follows:

Mayer Brown is a global services provider comprising an association of legal practices that are separate entities including Mayer Brown LLP (Illinois, USA), Mayer Brown International LLP (England & Wales), Mayer Brown Hong Kong LLP (a Hong Kong limited liability partnership which operates in temporary association with Hong Kong partnership Johnson Stokes & Master) and Tauil & Chequer Advogados (a Brazilian law partnership).

1751779119

Mayer Brown LLP
71 South Wacker Drive
Chicago, IL 60606
United States of America

T: +1 312 782 0600
F: +1 312 701 7711

mayerbrown.com

Matthew D. Provance
Partner
T: +1 312 701 8598
F: +1 312 706 9397
MProvance@mayerbrown.com

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1. 28 U.S.C. § 1715(b)(1) – Copy of the complaint, all materials filed with the complaint, and any amended complaints.

The enclosed flash drive contains publicly available copies of Plaintiffs' Class Action Complaint, Amended Class Action Complaint, Second Amended Class Action Complaint, Third Amended Class Action Complaint (Public Redacted Version), and Fourth Amended Class Action Complaint (Public Redacted Version). Cargill notes that sealed versions of the Third and Fourth Amended Class Action Complaints may be accessed only if you file a motion with the Court and are permitted to review those materials.

2. 28 U.S.C. § 1715(b)(2) – Notice of any scheduled judicial hearing.

The enclosed flash drive contains a minute order, ECF No. 1363, scheduling a hearing on Plaintiffs' Preliminary Approval Motion on August 14, 2025, at 10:00 a.m. As of the date of this correspondence, the Court has not yet set a hearing date for final approval of the settlement.

3. 28 U.S.C. § 1715(b)(3) – Any proposed or final notification to class members.

As of the date of this correspondence, Plaintiffs have not moved for approval of a notice plan and have not submitted a proposed notification to class members.

4. 28 U.S.C. § 1715(b)(4) – Any proposed or final class action settlement.

The enclosed flash drive includes a copy of the Long-Form Settlement Agreement Between Commercial and Institutional Indirect Purchaser Plaintiffs and Cargill, which was attached as Exhibit A to the declaration of Michael J. Flannery, ECF No. 1361, filed in support of Plaintiffs' Preliminary Approval Motion.

5. 28 U.S.C. § 1715(b)(5) – Any settlement or other agreement between class counsel and counsel for the defendants.

As of the date of this correspondence, no other settlement or other agreement has been contemporaneously made between the CIIPP class's counsel and counsel for Cargill, with the exception of a Confidential Side Letter referenced in the Long-Form Settlement Agreement and available to the Court for *in camera* inspection. This Confidential Side Letter defines the opt-out percentage threshold at which Cargill is entitled to terminate the settlement.

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6. 28 U.S.C. § 1715(b)(6) – Any final judgment or notice of dismissal.

Final judgment has not yet been entered as to the proposed settlement with respect to the CIIPP class.

7. 28 U.S.C. § 1715(b)(7) – Class members who reside in each State and the estimated proportionate share of the claims of such members to the entire settlement.

Cargill advises that it is not feasible at the present time to provide the names (or number) of class members of the CIIPP class who reside in each State or the estimated proportionate share of the claims of such members to the entire settlement. That information will not be known until after notice of the settlement is given and eligible class members submit claim forms. Pursuant to the terms of the settlement agreement, monetary relief will be available to eligible class members who properly submit claims and supporting documentation. And the amount of each class member's recovery will be determined by a plan of allocation that has not yet been submitted to the Court for approval. As a result, Cargill is unable at this time, and absent completion of the contemplated claims processes, to provide a reasonable estimate of the number of settlement class members residing in each State or the estimated proportionate share of the claims of such members. Upon the conclusion of the claims processes, the names (or number) of the class members per State and the estimated proportionate share of their claims will be available, if requested by you, from the claims administrator.

8. 28 U.S.C. § 1715(b)(8) – Any written judicial opinion relating to the materials described in item numbers 3–6.

There are no written judicial opinions relating to the materials described in item numbers 3-6.

Cargill submits this notice in a good faith effort to comply with any obligations it may have pursuant to 28 U.S.C. § 1715. In accordance with 28 U.S.C. § 1715(d), the Court will not finally approve the proposed class action settlements until at least 90 days after service of this notice.

If you have any questions about this notice, the lawsuit, or the enclosed materials, or if you did not receive any of the above-listed materials, please contact the counsel listed below.

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Sincerely,



Matthew D. Provance
MAYER BROWN LLP
71 South Wacker Drive
Chicago, Illinois 60606
Tel: (312) 701-8598
Fax: (312) 706-9397

Counsel for Cargill

Enclosures

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SERVICE LIST

<p>Arizona Attorney General Kris Mayes Office of the Attorney General 2005 N. Central Avenue Phoenix, AZ 85004 (602) 542-5025</p>	<p>Arkansas Attorney General Tim Griffin Office of the Attorney General 323 Center St., Suite 200 Little Rock, AR 72201-2610 (800) 482-8982</p>
<p>CAFA Coordinator Office of the Attorney General Consumer Protection Section 455 Golden Gate Ave., Suite 11000 San Francisco, CA 94102 (415) 510-4400</p>	<p>Attorney General Brian Schwalb Attorney General District of Columbia 400 6th Street, N.W. Washington, DC 20001 (202) 727-3400</p>
<p>Florida Attorney General James Uthmeier Office of the Attorney General The Capitol, PL-01 Tallahassee, FL 32399-1050 (850) 414-3300</p>	<p>Illinois Attorney General Kwame Raoul Office of the Attorney General 115 S. LaSalle St. Chicago, IL 60603 (312) 814-3000</p>
<p>Iowa Attorney General Brenna Bird Office of the Attorney General Hoover State Office Building 1305 E. Walnut Street Des Moines, IA 50319 (515) 281-5164</p>	<p>Kansas Attorney General Kris Kobach Office of the Attorney General 120 SW 10th Avenue, 2nd Floor Topeka, KS 66612-1597 785-296-2215</p>
<p>Maine Attorney General Aaron Frey Office of the Attorney General 6 State House Station Augusta, ME 04333 (207) 626-8800</p>	<p>Michigan Attorney General Dana Nessel Attorney General State of Michigan G. Mennen Williams Building 525 W. Ottawa Street P.O. Box 30212 Lansing, MI 48909 (517) 335-7622</p>
<p>Minnesota Attorney General Keith Ellison Office of the Attorney General 445 Minnesota Street, Suite 600 St. Paul, MN 55101 (651) 296-3353</p>	<p>Mississippi Attorney General Lynn Fitch Office of the Attorney General Department of Justice P.O. Box 220 Jackson, MS 39205 (601) 359-3680</p>
<p>Missouri Attorney General Andrew Bailey Office of the Attorney General Supreme Court Building 207 W. High St. P.O. Box 899 Jefferson City, MO 65102 (573) 751-3321</p>	<p>Nebraska Attorney General Mike Hilgers Office of the Attorney General 2115 State Capitol P.O. Box 98920 Lincoln, NE 68509 (402) 471-2683</p>

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<p>New Hampshire Attorney General John Formella Office of the Attorney General 1 Granite Place South Concord, NH 03301-6397 (603) 271-3658</p>	<p>New Mexico Attorney General Raul Torrez Office of the Attorney General 408 Galisteo Street Santa Fe, NM 87501 (505) 490-4060</p>
<p>CAFA Coordinator Office of the New York State Attorney General 28 Liberty Street, 15th Floor New York NY 10005</p>	<p>North Carolina Attorney General Jeff Jackson Office of the Attorney General Department of Justice 9001 Mail Service Center Raleigh, NC 27699 (919) 716-6400</p>
<p>North Dakota Attorney General Drew Wrigley Attorney General State of North Dakota State Capitol 600 E. Boulevard Ave., Dept. 125 Bismarck, ND 58505 (701) 328-2210</p>	<p>Oregon Attorney General Dan Rayfield Office of the Attorney General Oregon Department of Justice 1162 Court Street NE Salem, OR 97301-4096 (503) 378-4400</p>
<p>Rhode Island Attorney General Peter F. Neronha Office of the Attorney General 150 S. Main Street Providence, RI 02903 (401) 274-4400</p>	<p>South Carolina Attorney General Office of the Attorney General P.O. Box 11549 Columbia, SC 29211 (803) 734-3970</p>
<p>South Dakota Attorney General Marty Jackley Office of the Attorney General 1302 E. Hwy 14, Ste. 1 Pierre, SD 57501 (605) 773-3215</p>	<p>Tennessee Attorney General Jonathan Skrmetti Office of the Attorney General 425 5th Avenue North Nashville, TN 37243 (615) 741-3491</p>
<p>Utah Attorney Derek Brown Office of the Attorney General Utah State Capitol Complex 350 North State Street, Suite 230 Salt Lake City, UT 84114-2320 (801) 538-9600</p>	<p>Vermont Attorney General Charity R. Clark Office of the Attorney General 109 State Street Montpelier, VT 05609 (802) 828-3171</p>
<p>West Virginia Attorney General John B. McCuskey Office of the Attorney General State Capitol Complex, Bldg. 1, Rm E-26 1900 Kanawha Blvd. E Charleston, WV 25305 (304) 558-2021</p>	<p>Wisconsin Attorney General Josh Kaul Office of the Attorney General P.O. Box 7857 Madison, WI 53707-7857 (608) 266-1221</p>

Mayer Brown LLP

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Office of the Nevada Attorney General Aaron D. Ford CAFA Coordinator NVAGCAFAnotices@ag.nv.gov	
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