

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST
LITIGATION

Case No. 0:18-cv-01776-JRT-JFD

This Document Relates to:

Judge John R. Tunheim
Magistrate Judge John F. Docherty

*Commercial and Institutional Indirect
Purchaser Plaintiffs*

TYSON'S NOTICE OF COMPLIANCE WITH 28 U.S.C. § 1715

PLEASE TAKE NOTICE that on February 6, 2026, Defendants Tyson Foods, Inc., Tyson Fresh Meats, Inc., and Tyson Prepared Foods, Inc. (collectively, "Tyson") caused notice of its proposed class action settlement with the Commercial and Institutional Indirect Purchaser Plaintiffs ("CIIPPs") to be provided to each appropriate Federal and each appropriate State official via UPS and U.S. Postal Service Certified Mail, pursuant to 28 U.S.C. § 1715(b). The Declaration of Kyle S. Bingham on Implementation of CAFA Notice on behalf of Tyson is attached hereto as Exhibit A.

Dated: February 9, 2026

Respectfully submitted,

AXINN, VELTROP & HARKRIDER LLP

/s/ Tiffany Rider Rohrbaugh

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Counsel for Tyson Foods, Inc.; Tyson Fresh Meats, Inc.; and Tyson Prepared Foods, Inc.

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE PORK ANTITRUST LITIGATION

This Document Relates To:

All Commercial and Institutional Indirect
Purchaser Class Plaintiff Actions

Case No. 18-cv-1776 (JRT/JFD)

DECLARATION OF KYLE S. BINGHAM ON IMPLEMENTATION OF CAFA NOTICE

I, KYLE S. BINGHAM, hereby declare and state as follows:

1. My name is KYLE S. BINGHAM. I am over the age of 25 and I have personal knowledge of the matters set forth herein, and I believe them to be true and correct.

2. I am the Senior Director of Legal Noticing for Epiq Class Action & Claims Solutions, Inc. (“Epiq”), a firm that specializes in designing, developing, analyzing and implementing large-scale, un-biased, legal notification plans. I have overseen and handled Class Action Fairness Act (“CAFA”) notice mailings for more than 600 class action settlements.

3. Epiq is a firm with more than 25 years of experience in claims processing and settlement administration. Epiq’s class action case administration services include coordination of all notice requirements, design of direct-mail notices, establishment of fulfillment services, receipt and processing of opt-outs, coordination with the United States Postal Service (“USPS”), claims database management, claim adjudication, funds management and distribution services.

4. The facts in this Declaration are based on what I personally know, as well as information provided to me in the ordinary course of my business by my colleagues at Epiq.

CAFA NOTICE IMPLEMENTATION

5. At the direction of counsel for Defendants Tyson Foods, Inc., Tyson Fresh Meats, Inc., and Tyson Prepared Foods, Inc., 58 federal and state officials (the Attorney General of the United States and the Attorneys General of each of the 50 states, the District of Columbia, and

the United States Territories as well as the Office of the General Counsel for the U.S. Department of Agriculture) were identified to receive CAFA notice.

6. Epiq maintains a list of these federal and state officials with contact information for the purpose of providing CAFA notice. Prior to mailing, the names and addresses selected from Epiq's list were verified, then run through the Coding Accuracy Support System ("CASS") maintained by the United States Postal Service ("USPS").¹

7. On February 6, 2026, Epiq sent 58 CAFA Notice Packages ("Notice"). The Notice was mailed via USPS Priority Mail to 52 officials (the Attorneys General of 46 states, the District of Columbia, and the United States Territories). As per the direction of the Office of the Alaska, Nevada, New York, and Connecticut Attorneys General, the Notice was sent to the Alaska, Nevada, New York, and Connecticut Attorneys General electronically via email. The Notice was also sent via United Parcel Service ("UPS") to the Attorney General of the United States and the Office of the General Counsel for the U.S. Department of Agriculture. The CAFA Notice Service List (USPS Priority Mail, Email, and UPS) is included as **Attachment 1**.

8. The materials sent to the federal and state officials included a Cover Letter, which provided notice of the proposed Settlement of the above-captioned case. The Cover Letter is included as **Attachment 2**.

9. The cover letter was accompanied by a CD, which included the following:

a. **Per 28 U.S.C. § 1715(b)(1) – Complaint and Any Amended Complaints:**

- Class Action Complaint (filed July 6, 2018);
- Commercial Food Preparers' First Amended and Consolidated Class Action Complaint (filed August 17, 2018);

¹ CASS improves the accuracy of carrier route, 5-digit ZIP®, ZIP + 4® and delivery point codes that appear on mail pieces. The USPS makes this system available to mailing firms who want to improve the accuracy of postal codes, i.e., 5-digit ZIP®, ZIP + 4®, delivery point (DPCs), and carrier route codes that appear on mail pieces.

- Commercial and Institutional Indirect Purchaser Plaintiffs’ Second Amended and Consolidated Class Action Complaint (filed November 6, 2019);
 - Commercial and Institutional Indirect Purchaser Plaintiffs’ Third Amended and Consolidated Class Action Complaint (filed January 15, 2020); and
 - Commercial and Institutional Indirect Purchaser Plaintiffs’ Fourth Amended and Consolidated Class Action Complaint (filed June 15, 2021).
- b. **Per 28 U.S.C. § 1715(b)(3) – Notification to Class Members:**
- Email Notice (*Attachment 2 to the Azari Declaration*);
 - Long Form Notice (*Attachment 3 to the Azari Declaration*); and
 - Banner Advertisement (*Attachment 4 to the Azari Declaration*).
- c. **Per 28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:** The following documents were included:
- Motion for Preliminary Approval of Class Action Settlement Between Commercial and Institutional Indirect Purchaser Plaintiffs and Tyson and for Leave to Disseminate Notice;
 - Notice of Hearing on Motion for Preliminary Approval of Class Action Settlement Between Commercial and Institutional Indirect Purchaser Plaintiffs and Tyson and for Leave to Disseminate Notice;
 - Meet and Confer Statement of Motion for Preliminary Approval of Class Action Settlement Between Commercial and Institutional Indirect Purchaser Plaintiffs and Tyson and for Leave to Disseminate Notice;

- Memorandum in Support of Motion for Preliminary Approval of Class Action Settlement Between Commercial and Institutional Indirect Purchaser Plaintiffs and Tyson Defendants and for Leave to Disseminate Notice;
 - Local Rule 7.1(c) Word Count Compliance Certificate (*Attachment 1 to the Memorandum*);
- Declaration of Shawn M. Raiter in Support of Motion for Preliminary Approval of Class Action Settlement Between Commercial and Institutional Indirect Purchaser Plaintiffs and Tyson and for Leave to Disseminate Notice;
 - Long-Form Settlement Agreement Between Commercial and Institutional Indirect Purchaser Class Plaintiffs and Tyson Foods, Inc., Tyson Fresh Meats, Inc., and Tyson Prepared Foods, Inc. (*Exhibit A to the Raiter Declaration*);
- Declaration of Cameron R. Azari, Esq. Regarding Notice Program;
 - Epiq Legal Noticing Firm Resume (*Attachment 1 to the Azari's Declaration*); and
- [Proposed] Order Granting Preliminary Approval of Class Action Settlement Between Commercial and Institutional Indirect Purchaser Plaintiffs and Tyson Defendants and Leave to Disseminate Notice.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 6, 2026.



KYLE S. BINGHAM

Attachment 1

CAFA Notice Service List

USPS Priority Mail

Appropriate Official	FullName	Address1	Address2	City	State	Zip
Office of the Attorney General	Steve Marshall	501 Washington Ave		Montgomery	AL	36104
Office of the Attorney General	Tim Griffin	323 Center St	Suite 200	Little Rock	AR	72201
Office of the Attorney General	Kris Mayes	2005 N Central Ave		Phoenix	AZ	85004
Office of the Attorney General	CAFA Coordinator	Consumer Protection Section	455 Golden Gate Ave Suite 11000	San Francisco	CA	94102
Office of the Attorney General	Phil Weiser	Ralph L Carr Colorado Judicial Center	1300 Broadway Fl 10	Denver	CO	80203
Office of the Attorney General	Brian Schwalb	400 6th St NW		Washington	DC	20001
Office of the Attorney General	Kathy Jennings	Carvel State Bldg	820 N French St	Wilmington	DE	19801
Office of the Attorney General	James Uthmeier	State of Florida	The Capitol PL-01	Tallahassee	FL	32399
Office of the Attorney General	Chris Carr	40 Capitol Square SW		Atlanta	GA	30334
Department of the Attorney General	Anne E Lopez	425 Queen St		Honolulu	HI	96813
Iowa Attorney General	Brenna Bird	Hoover State Office Building	1305 E Walnut St	Des Moines	IA	50319
Office of the Attorney General	Raul Labrador	700 W Jefferson St Ste 210	PO Box 83720	Boise	ID	83720
Office of the Attorney General	Kwame Raoul	500 South Second Street		Springfield	IL	62701
Office of the Indiana Attorney General	Todd Rokita	Indiana Government Center South	302 W Washington St Rm 5	Indianapolis	IN	46204
Office of the Attorney General	Kris Kobach	120 SW 10th Ave 2nd Fl		Topeka	KS	66612
Office of the Attorney General	Russell Coleman	700 Capitol Ave Suite 118		Frankfort	KY	40601
Office of the Attorney General	Liz Murrill	PO Box 94005		Baton Rouge	LA	70804
Office of the Attorney General	Andrea Campbell	1 Ashburton Pl 20th Fl		Boston	MA	02108
Office of the Attorney General	Anthony G Brown	200 St Paul Pl		Baltimore	MD	21202
Office of the Attorney General	Aaron Frey	6 State House Station		Augusta	ME	04333
Department of Attorney General	Dana Nessel	PO BOX 30212	525 W. Ottawa St.	Lansing	MI	48909
Office of the Attorney General	Keith Ellison	445 Minnesota St Ste 1400		St Paul	MN	55101
Missouri Attorney General's Office	Catherine Hanaway	207 West High Street	PO Box 899	Jefferson City	MO	65102
Mississippi Attorney General	Lynn Fitch	PO Box 220		Jackson	MS	39205
Office of the Attorney General	Austin Knudsen	215 N Sanders 3rd Fl	PO Box 201401	Helena	MT	59620
Attorney General's Office	Jeff Jackson	9001 Mail Service Ctr		Raleigh	NC	27699
Office of the Attorney General	Drew H Wrigley	600 E Boulevard Ave Dept 125		Bismarck	ND	58505
Nebraska Attorney General	Mike Hilgers	2115 State Capitol	PO Box 98920	Lincoln	NE	68509
Office of the Attorney General	John Formella	NH Department of Justice	33 Capitol St	Concord	NH	03301
Office of the Attorney General	Jennifer Davenport	25 Market Street	PO Box 080	Trenton	NJ	08625
Office of the Attorney General	Raul Torrez	408 Galisteo St	Villagra Bldg	Santa Fe	NM	87501
Office of the Attorney General	Dave Yost	30 E Broad St Fl 14		Columbus	OH	43215
Office of the Attorney General	Gentner Drummond	313 NE 21st St		Oklahoma City	OK	73105
Office of the Attorney General	Dan Rayfield	Oregon Department of Justice	1162 Court St NE	Salem	OR	97301
Office of the Attorney General	Dave Sunday	16th Fl Strawberry Square		Harrisburg	PA	17120
Office of the Attorney General	Peter F Neronha	150 S Main St		Providence	RI	02903
Office of the Attorney General	Alan Wilson	PO Box 11549		Columbia	SC	29211
Office of the Attorney General	Marty Jackley	1302 E Hwy 14 Ste 1		Pierre	SD	57501
Office of the Attorney General	Jonathan Skrmetti	PO Box 20207		Nashville	TN	37202
Office of the Attorney General	Ken Paxton	PO Box 12548		Austin	TX	78711
Office of the Attorney General	Derek Brown	Utah State Capitol Complex	350 North State Street Ste 230	Salt Lake City	UT	84114
Office of the Attorney General	Jay Jones	202 N 9th St		Richmond	VA	23219
Office of the Attorney General	Charity R Clark	109 State St		Montpelier	VT	05609
Office of the Attorney General	Nick Brown	800 5th Ave Ste 2000		Seattle	WA	98104
Office of the Attorney General	Josh Kaul	PO Box 7857		Madison	WI	53707
Office of the Attorney General	John B McCuskey	State Capitol Complex Bldg 1 Room E 26	1900 Kanawha Blvd E	Charleston	WV	25305
Office of the Attorney General	Keith Kautz	109 State Capital		Cheyenne	WY	82002
Department of Legal Affairs	Gwen Tauiliili-Langkilde	American Samoa Gov't Exec Ofc Bldg Utulei	Territory of American Samoa	Pago Pago	AS	96799
Attorney General Office of Guam	Douglas Moylan	ITC Bldg.	590 S Marine Corps Dr Ste 901	Tamuning	GU	96913
Office of the Attorney General	Edward Manibusan	PO Box 10007		Saipan	MP	96950
PR Department of Justice	Lourdes L. Gomez Torres	PO Box 9020192		San Juan	PR	00902
Department of Justice	Gordon C. Rhea	3438 Kronprindsens Gade Ste 2	GERS BLDG	St Thomas	VI	00802

Email

Appropriate Official	Contact Format	State
Office of the Attorney General for Alaska	All documents sent to AK AG at their dedicated CAFA email inbox.	AK
Office of the Attorney General for Connecticut	All documents sent to CT AG at their dedicated CAFA email inbox.	CT
Office of the Attorney General for Nevada	All documents sent to NV AG at their dedicated CAFA email inbox.	NV
Office of the Attorney General for New York	All documents sent to NY AG at their dedicated CAFA email inbox.	NY

UPS

Appropriate Official	FullName	Address1	Address2	City	State
US Department of Justice	Pamela Bondi	950 Pennsylvania Ave NW		Washington	DC
US Department of Agriculture	Office of the General Counsel	Room 107W Whitten Building	1400 Independence Ave SW	Washington	DC

Attachment 2

CAFA NOTICE ADMINISTRATOR

10300 SW Allen Blvd
Beaverton, OR 97005
P 503-350-5800
DL-CAFA@epiqglobal.com

February 6, 2026

VIA UPS OR USPS PRIORITY MAIL

Class Action Fairness Act – Notice to Federal and State Officials

Dear Federal and State Officials:

Pursuant to the Class Action Fairness Act of 2005 (“CAFA”), codified at 28 U.S.C. § 1715, please find enclosed information from Defendants Tyson Foods, Inc., Tyson Fresh Meats, Inc., and Tyson Prepared Foods, Inc. (collectively “Tyson” or “Defendants”) relating to the proposed settlement of a class action lawsuit between Tyson and Commercial and Institutional Indirect Purchaser Plaintiffs (“CIIPPs” or “Plaintiffs”). While Tyson denies all allegations of wrongdoing and denies any liability whatsoever, Tyson has decided to settle this action in order to eliminate the burden, expense, and uncertainty of further litigation.

- **Case:** *In Re Pork Antitrust Litigation*, Case No. 18-cv-1776 (JRT/JFD).
- **Court:** United States District Court for the District of Minnesota.
- **Defendants:** Tyson Foods, Inc., Tyson Fresh Meats, Inc., and Tyson Prepared Foods, Inc.
- **Documents Enclosed:** In accordance with the requirements of 28 U.S.C. § 1715, please find copies of the following documents associated with this action on the enclosed CD:

1. Per 28 U.S.C. § 1715(b)(1) – Complaint and Any Amended Complaints:

- Class Action Complaint (filed July 6, 2018);
- Commercial Food Preparers’ First Amended and Consolidated Class Action Complaint (filed August 17, 2018);
- Commercial and Institutional Indirect Purchaser Plaintiffs’ Second Amended and Consolidated Class Action Complaint (filed November 6, 2019);
- Commercial and Institutional Indirect Purchaser Plaintiffs’ Third Amended and Consolidated Class Action Complaint (filed January 15, 2020); and
- Commercial and Institutional Indirect Purchaser Plaintiffs’ Fourth Amended and Consolidated Class Action Complaint (filed June 15, 2021).

- 2. Per 28 U.S.C. § 1715(b)(2) – Notice of Any Scheduled Judicial Hearing:** The Court has not scheduled a preliminary approval hearing or a final fairness hearing or any other judicial hearing concerning the settlement agreement at this time.

CAFA NOTICE ADMINISTRATOR

10300 SW Allen Blvd
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DL-CAFA@epiqglobal.com

3. **Per 28 U.S.C. § 1715(b)(3) – Notification to Class Members:**
 - Email Notice (*Attachment 2 to the Azari Declaration*);
 - Long Form Notice (*Attachment 3 to the Azari Declaration*); and
 - Banner Advertisement (*Attachment 4 to the Azari Declaration*).
4. **Per 28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:** The following documents are included:
 - Motion for Preliminary Approval of Class Action Settlement Between Commercial and Institutional Indirect Purchaser Plaintiffs and Tyson and for Leave to Disseminate Notice;
 - Notice of Hearing on Motion for Preliminary Approval of Class Action Settlement Between Commercial and Institutional Indirect Purchaser Plaintiffs and Tyson and for Leave to Disseminate Notice;
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5. **Per 28 U.S.C. § 1715(b)(5) – Any Settlement or Other Agreements:** There are no other Settlements or Agreements between the parties in this action.
6. **Per 28 U.S.C. § 1715(b)(6) – Final Judgment or Notice of Dismissal:** To date, the Court has not issued a final order, judgment or dismissal in this action.
7. **Per 28 U.S.C. § 1715(b)(7) – Estimate of Class Members:** The Certified Classes include the following:

Injunctive Class means all entities that indirectly purchased uncooked pork bacon, or one or more of the following types of raw pork, whether fresh or frozen: loins, shoulder, ribs, hams, or pork chops from defendants or co-conspirators for their own use in commercial food preparation in the United States from June 28, 2014 to June 30, 2018. For this lawsuit, pork excludes any product that is marketed as organic and/or no antibiotics and any product other than bacon that is marinated, seasoned, flavored, or breaded, but it includes uncooked and cooked ham water added products.

Damages Class means all entities that indirectly purchased uncooked pork bacon, or one or more of the following types of raw pork, whether fresh or frozen: bellies, loins, shoulder, ribs, hams, or pork chops from defendants or co-conspirators for their own use in commercial food preparation in the Repealer jurisdictions (i.e. Arkansas, Arizona, California, District of Columbia, Florida, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin) from June 28, 2014 to June 30, 2018 (the class period for Kansas, Massachusetts, Mississippi, South Carolina, and Tennessee class members begins on June 28, 2015). For this lawsuit, pork excludes any product that is marketed as organic, no-antibiotics and/or no antibiotics ever (NAE) and any product other than bacon that is marinated, seasoned, flavored, or breaded, but it includes uncooked and cooked ham water added products.

Excluded from the classes are natural persons who purchased pork for their personal use and not for commercial food preparation; purchases of pork directly from Defendants; purchases of pork for resale in unaltered form; purchases of pork from an intermediary who has further processed the pork; 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; any federal, state governmental entities, any judicial officer presiding over this action and the members of his/her immediate family and judicial staff, any juror assigned to this action; and any coconspirator identified in this action.

Because the classes include all persons and entities who indirectly purchased uncooked pork bacon or one or more of the types of raw pork described above, across 28 states and the District of Columbia and over multiple years, it is not feasible for Tyson to provide either the names of class members who reside in each State and the estimated proportionate share of the claims of such members to the entire settlement or a reasonable estimate of the number of class members residing in each State and the estimated proportionate share of the claims

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of such members to the entire settlement. Tyson's best estimate is that class members could potentially reside in each of the Repealer jurisdictions, and that there are likely hundreds or thousands of class members.

8. **Per 28 U.S.C. § 1715(b)(8) – Judicial Opinions Related to the Settlement:** To date, the Court has not issued a final order or judgment in the above-referenced action.

If you have questions or concerns about this notice or the enclosed materials, please contact this office.

Sincerely,

CAFA Notice Administrator

Enclosures