

PLEASE READ THIS NOTICE CAREFULLY
YOUR LEGAL RIGHTS MAY BE AFFECTED IF YOU ACT OR DON'T ACT.

In re: Packaged Seafood Products Antitrust Litigation, No. 15-2670

If you or your company purchased Foodservice-Size Packaged Tuna Products (40 oz. or greater) directly from DOT Foods, Sysco, US Foods, Sam's Club, Walmart, or Costco (collectively "Distributors") from June 1, 2011 through December 31, 2016, you could be affected by a Settlement in a Class Action Lawsuit.

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

Two motions for preliminary approval have been filed in connection with two settlements: (1) between Defendants StarKist Co. ("StarKist") and Dongwon Industries Co., Ltd. ("DWI") and the Commercial Food Preparer ("CFP") Plaintiffs (the "StarKist Settlement"); and (2) between Defendants Lion Capital (Americas), Inc., Lion Capital LLP, and Big Catch Cayman LP (collectively, the "Lion Defendants") and CFP Plaintiffs (the "Lion Settlement" and with the StarKist Settlement, the "Settlements"). These settlements will end the case for CFP Plaintiffs. CFP Plaintiffs represent a group of indirect purchasers of Foodservice-Size Packaged Tuna Products. The purpose of this notice is to:

Provide information regarding the StarKist and Lion Settlements; notify you of the actions you need to take in the claims process, if any, to receive payment in connection with the settlements; and detail the process and deadline for objecting or commenting on the StarKist and Lion Settlements along with attorney fees and expenses.

YOUR LEGAL RIGHTS AND OPTIONS IN THE PENDING CLASS ACTION LITIGATION		
DO NOTHING	<p>If you received a postcard showing your qualifying purchase value, then you will receive a pro rata share of the Net Settlement Funds of the StarKist and Lion Settlements based on your purchases. You do not need to resubmit your claim to receive your money.</p> <p>If you received a postcard but it does not show a qualifying purchase value, then you will receive no payment from the StarKist or Lion Settlements, unless you successfully file a claim, and will have no right to sue later for the claims released by the StarKist or Lion Settlements.</p>	
FILE A CLAIM OR DISPUTE	<p>If you received a postcard showing your qualifying purchase value but disagree with the listed value, you may file a dispute and provide documentation of additional claims by August 30, 2024.</p> <p>If you received a postcard showing that you do not have any qualifying purchase value and you wish to participate, then you must file a Claim by August 30, 2024.</p>	Postmarked by August 30, 2024
OBJECT	<p>Write to the Court about any aspect of either Settlement. If you object to any aspect of either Settlement, you must submit a written Objection by the Objection Deadline to the right.</p>	Postmarked by August 30, 2024
GO TO A HEARING	<p>Speak in Court about either Settlement. If you object to any aspect of either Settlement, you must submit a written Objection by the Objection Deadline of August 30, 2024.</p>	November 15, 2024

Your rights and options—and the deadlines to exercise them—are explained in this notice.

What this Notice Contains

1. Why did I receive this notice?	3
2. What is this lawsuit about?.....	3
3. Who is included in the CFP Class?.....	3
4. What Products are included in these Settlements?	4
5. What do these Settlements provide?.....	4
6. How do the Settlements benefit me?	4
7. What if I disagree with the Settlements?.....	4
8. How do I Object or Comment on the Settlements?	5
9. Who represents me and how will they be paid?	5
10. Should I get my own lawyer?.....	5
11. What happens if I do nothing?.....	5
12. When will the Court decide if the Settlements are Approved?	6
13. How do I get more information?	6

Important Dates

August 30, 2024	Claim Deadline
August 30, 2024	Objection Deadline
November 15, 2024	Fairness Hearing

1. Why did I receive this notice?

You or your company may have purchased Foodservice-Size Packaged Tuna Products indirectly from Bumble Bee Foods, LLC, Tri-Union Seafoods, LLC d/b/a Chicken of the Sea International, or StarKist (together with Thai Union Group PCL and certain related parent entities of Bumble Bee and StarKist mentioned above, the “Defendants”) and directly from DOT Foods, Sysco, US Foods, Sam’s Club, Walmart, or Costco from June 1, 2011 through December 31, 2016.

Two proposed Settlements have been reached: (1) between StarKist, DWI and the CFP Plaintiffs and (2) between Lion Defendants and the CFP Plaintiffs. You may have received a similar notice a few years ago. The CFP Plaintiffs previously reached a settlement with Tri-Union Seafoods, LLC d/b/a Chicken of the Sea International and Thai Union Group PCL (collectively, the “COSI Defendants”). The proposed Settlements will end the litigation for the CFP Plaintiffs. You may be eligible to receive benefits from these proposed Settlements. This notice is to provide you with information so that you can act.

2. What is this lawsuit about?

The CFP lawsuit alleges that StarKist, DWI, and the Lion Defendants, along with the previously settled COSI Defendants, conspired to fix, raise, and maintain the prices of Foodservice-Size Packaged Tuna Products and that this resulted in purchasers paying more for these products than they otherwise would have. As a CFP Class Member, you have been identified as potentially eligible for both Settlements. Additionally, while denying liability, StarKist and Lion Defendants have agreed to their respective Settlements to avoid the time and expense of legal proceedings. You may be eligible for funds from the Settlements.

3. Who is included in the CFP Class?

The StarKist and Lion Settlements have the same CFP Class definition:

All persons and entities in 27 named states and D.C.,¹ that indirectly purchased packaged tuna products produced in packages of 40 ounces or more that were manufactured by any Defendant (or any current or former subsidiary or any affiliate thereof) and that were purchased directly from DOT Foods, Sysco, US Foods, Sam’s Club, Walmart, or Costco (other than inter-company purchases among these distributors) from June, 2011 through December, 2016 (the “Class Period”).

Only purchases made during the Class Period in the following 27 states and D.C. apply to these Settlements: the District of Columbia, Arizona, Arkansas, California, Florida, 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.

¹ The 27 states included in the class are: Arizona, Arkansas, California, Florida, 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.

4. What Products are included in these Settlements?

The products at issue are Foodservice-Size Packaged Tuna Products, which are packaged tuna products 40 ounces and larger. Definitionally, the CFP Class consists of entities that purchased these Foodservice-Size Packaged Tuna Products from six large distributors—Sysco, US Foods, Walmart, Sam’s Club, Costco, and DOT Foods (together, the “Distributors”). Only purchases made in the 27 states and D.C. detailed in Question 3 apply to these Settlements. This lawsuit does not allege that these Distributors did anything wrong.

5. What do these Settlements provide?

CFP Plaintiffs and their counsel believe that the terms and conditions of these Settlements are fair, reasonable, adequate, and equitable, and that the Settlements are in the best interests of the CFP Class Members. StarKist has agreed to provide a Settlement Fund of \$3,600,000. The Lion Defendants have agreed to provide a Settlement Fund of \$275,000. Both Settlement Funds will provide payments to CFP Class Members whose transactional purchase histories are found in the Distributors’ records and to CFP Class Members who file valid claims, and it will be used to pay for notice and Settlement Administration costs and expenses, CFP Class Counsel fees and expenses, and CFP Class Representative Service Awards. If there are unclaimed or unused Settlement Funds a second distribution may occur based upon further Court approval and the amount of funds remaining. A feasibility analysis will be presented to the Court determining the amount of funds that can be distributed and the cost of that distribution process. Should that analysis determine that a de minimis amount would only be distributed, then funds may be awarded to a Court approved *cy pres* recipient in the alternative, which would typically be a charity approved by the Court.

6. How do the Settlements benefit me?

You have been identified as someone who may be eligible for recovery as a CFP Class Member who participated in the prior settlement and claim process with the COSI Defendants (“COSI Settlement Claim Process”).

If you filed a valid claim or a Distributors’ records provided sufficient purchase information for you in the COSI Settlement Claim Process, you will be eligible to receive a pro rata payment issued from the StarKist and Lion Settlements’ Net Settlement Funds. If you are part of this group, you will receive a postcard notice showing your claim value. The claim value listed on your postcard notice is your pro rata share for all Defendants.

If you did not file a valid claim and Distributors’ records did not provide sufficient purchase information for you in the COSI Settlement Claim Process, you still may be eligible to receive a pro rata payment issued from the StarKist and Lion Settlements’ Net Settlement Funds. In order to receive payment, you need to file a Claim. Information on how to file a Claim will be mailed to you and is also available on the Settlement website, www.PackagedSeafoodAntitrustCFPClass.com.

7. What if I disagree with the Settlements?

If you, as a CFP Class Member, disagree with or are dissatisfied with any part of either Settlement, you may object or comment on the Settlement. Even if you object to either Settlement, if you file a valid claim, you will still be eligible to receive benefits from the Settlement.

8. How do I Object or Comment on the Settlements?

If you do not agree with any part of either Settlement or wish to provide comments, you may write to the Court. If you object to or comment on either Settlement, you may also still file a Claim. An objection must be written and include: (1) your full legal name, the name of the company you represent, your position at that company, your authorization to act on behalf of the company, your contact address, and contact telephone number; (2) the words “Notice of Objection”; (3) the case name and number, which are In re: Packaged Seafood Products Antitrust Litigation, No. 15-2670; (4) a list of the Foodservice-size Packaged Tuna Products that you or your company purchased from the Distributors from June 1, 2011 through December 31, 2016; (5) your objections to or comments on either Settlement; and (6) your signature as an authorized representative of the company. The Objection must be sent to the Settlement Administrator at the below address and must be postmarked by August 30, 2024:

Packaged Seafood Antitrust - CFP Class – OBJECTION REQUEST
c/o Kroll Settlement Administration
P.O. BOX 5324
New York, NY 10150-5324

9. Who represents me and how will they be paid?

The Court appointed the law firm of Cuneo Gilbert & LaDuca, LLP to represent the CFP Class as Class Counsel. You are not personally responsible for payment of attorneys’ fees or expenses for CFP Class Counsel.

If the Settlements are preliminarily approved, CFP Class Counsel may ask the Court for an award not to exceed one-third of the Settlement Fund to cover Counsel’s fees and expenses only related to these Settlements, along with Representative Service Awards of up to \$5,000 per settlement class representative, and notice and settlement administration expenses from the Settlement Funds. If the Court grants CFP Class Counsel’s request, the attorneys’ fees and expenses, notice and settlement and administration costs, and Representative Service Awards would be deducted from any money obtained for the CFP Class. A motion for these fees and expenses will be posted on the Settlement website after they are filed on August 30, 2024.

10. Should I get my own lawyer?

As a member of the CFP Class, you have a lawyer working on your behalf. However, if you want to be represented by your own lawyer, you may hire one at your own expense and cost.

11. What happens if I do nothing?

It depends whether you submitted a valid claim during the COSI Settlement Claim Process and on whether a qualifying purchase value was found in a Distributors’ records such that you received a postcard showing your qualifying purchase value.

If you received a postcard showing your qualifying purchase value, then you will receive a pro rata share of the Net Settlement Funds based on your qualifying purchases. You do not need to resubmit your claim. You will receive payment without doing anything else.

If you received a postcard but it does not show a qualifying purchase value, then you will receive no payment from the StarKist or Lion Settlements, unless you successfully file a claim, and will have no right to sue later for the claims released by the StarKist or Lion Settlements.

12. When will the Court decide if the Settlements are Approved?

The Court will hold a hearing on November 15, 2024, to consider whether to finally approve the Settlements. The hearing will be held in the United States District Court for the Southern District of California, before the Honorable Dana Sabraw, in the James M. Carter and Judith N. Keep United States Courthouse, 333 West Broadway, San Diego, CA 92101 in Courtroom 13A at 1:30 p.m. or such other judge assigned by the Court. You do not have to appear at this hearing, but you may if you want to. This hearing date may change without further written notice to you. Consult the Settlement Website below or the Court docket in this case available through Public Access to Court Electronic Records PACER (<http://www.pacer.gov>), for updated information on the hearing date and time. The Settlement Website will be updated as new or changing information is received.

13. How do I get more information?

Visit www.PackagedSeafoodAntitrustCFPClass.com for more detailed information. You can also contact the claims administrator:

Packaged Seafood Antitrust - CFP Class
c/o Kroll Settlement Administration
P.O. Box 5324
New York, NY 10150-5324
or
1-833-927-0821