

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

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

CARGILL MEAT SOLUTIONS  
CORPORATION, *et al.*,

*Defendants.*

Civil Action No.: 1:22-cv-01821

**STIPULATION AND ORDER**

It is hereby stipulated by and among the undersigned parties, subject to approval and entry of this Order by the Court, as follows.

**I. JURISDICTION AND VENUE**

The Court has jurisdiction over the subject matter of this action and over the parties to it. Venue for this action is proper in the United States District Court for the District of Maryland. Defendants Cargill Meat Solutions Corp., Cargill, Inc., Sanderson Farms, Inc., and Wayne Farms, LLC (collectively, “Settling Defendants”), waive service of summons of the Complaint.

**II. COMPLIANCE WITH AND ENTRY OF FINAL JUDGMENT**

A. The proposed Final Judgment filed with this Stipulation and Order, or any amended proposed Final Judgment agreed upon in writing by the United States and Settling Defendants, may be filed with and entered by the Court as the Final Judgment, upon the motion of the United States or upon the Court’s own motion, after compliance with the requirements of the Antitrust Procedures and Penalties Act (“APPA”), 15 U.S.C. § 16, and without further notice to any party or any other proceeding, as long as the United States has not withdrawn its consent.

The United States may withdraw its consent at any time before the entry of the Final Judgment by serving notice on Settling Defendants and by filing that notice with the Court.

B. From the date of the signing of this Stipulation and Order by Settling Defendants until the Final Judgment is entered by the Court, or until expiration of time for all appeals of any ruling declining entry of the proposed Final Judgment, Settling Defendants will comply with all of the terms and provisions of the proposed Final Judgment.

C. From the date on which the Court enters this Stipulation and Order, the United States will have the full rights and enforcement powers set forth in the proposed Final Judgment as if the proposed Final Judgment were in full force and effect as a final order of the Court, and Section XIII of the proposed Final Judgment will also apply to violations of this Stipulation and Order.

D. Settling Defendants agree to arrange, at their expense, publication of the newspaper notice required by the APPA, which will be drafted by the United States in its sole discretion. The publication must be arranged as quickly as possible and, in any event, no later than three business days after Settling Defendants' receipt of (1) the text of the notice from the United States and (2) the identity of the newspaper or newspapers within which the publication must be made. Settling Defendants must promptly send to the United States (1) confirmation that publication of the newspaper notice has been arranged and (2) the certification of the publication prepared by the newspaper or newspapers within which the notice was published.

E. This Stipulation and Order applies with equal force and effect to any amended proposed Final Judgment agreed upon in writing by the United States and Settling Defendants and filed with the Court.

F. Settling Defendants represent that the actions that they are required to perform pursuant to the proposed Final Judgment can and will be performed, and that Settling Defendants will later raise no claim of mistake, hardship or difficulty of compliance as grounds for asking the Court to modify any of the provisions contained therein.

G. This Stipulation and Order, including the proposed Final Judgment or any amended proposed Final Judgment agreed upon in writing by the United States and Settling Defendants, constitutes the final, complete, and exclusive agreement and understanding among the United States and Settling Defendants with respect to the settlement of the above-captioned case, and supersedes all prior agreements and understandings, whether oral or written, concerning the settlement embodied herein.

### **III. DURATION OF OBLIGATIONS**

In the event that (1) the United States has withdrawn its consent, as provided in Paragraph II.A of this Stipulation and Order; (2) the United States voluntarily dismisses the Complaint in this matter; or (3) the Court declines to enter the proposed Final Judgment, the time has expired for all appeals of any ruling declining entry of the proposed Final Judgment, and the Court has not otherwise ordered continued compliance with the terms and provisions of the proposed Final Judgment, Settling Defendants are released from all further obligations under this Stipulation and Order, and the making of this Stipulation and Order will be without prejudice to any party in this or any other proceeding.

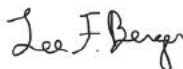
### **IV. ENGAGEMENT IN POULTRY PROCESSING IN THE UNITED STATES**

A. The Settling Defendants represent that they engage in Poultry Processing in the United States.

Dated: July 20, 2022

Respectfully submitted,

FOR PLAINTIFF  
UNITED STATES OF AMERICA



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Lee F. Berger  
Miriam R. Vishio  
Kathleen Simpson Kiernan  
U.S. Department of Justice  
Antitrust Division  
Civil Conduct Task Force  
450 Fifth Street NW, Suite 8600  
Washington, DC 20530  
Tel: 202-353-3100  
Fax: 202-616-2441  
Email: Lee.Berger@usdoj.gov

FOR DEFENDANT  
SANDERSON FARMS, INC.

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Nelson O. Fitts  
Wachtell, Lipton, Rosen & Katz  
51 West 52nd Street  
New York, NY 10019  
Tel: 212-403-1361  
Fax: 212-403-2361  
Email: NOFitts@wlrk.com

FOR DEFENDANTS  
CARGILL, INC. AND CARGILL  
MEAT SOLUTIONS CORPORATION

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Mary N. Lehner  
Freshfields Bruckhaus Deringer US LLP  
700 13th Street, NW, 10th Floor  
Washington, DC 20005-3960  
Tel: 202-777-4566  
Fax: 202-777-4555  
Email: mary.lehner@freshfields.com

FOR DEFENDANT  
WAYNE FARMS, LLC

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Aidan Synnott  
Paul, Weiss, Rifkind, Wharton & Garrison  
LLP  
1285 Avenue of the Americas  
New York, NY 10019-6064  
Tel: 212-373-3213  
Fax: 212-492-0213  
Email: asynnott@paulweiss.com

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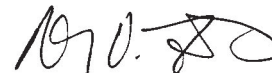
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Fax: 202-777-4555  
Email: mary.lehner@freshfields.com

FOR DEFENDANT  
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Nelson O. Fitts  
Wachtell, Lipton, Rosen & Katz  
51 West 52nd Street  
New York, NY 10019  
Tel: 212-403-1361  
Fax: 212-403-2361  
Email: NOFitts@wlrk.com

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CARGILL, INC. AND CARGILL  
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FOR DEFENDANT  
WAYNE FARMS, LLC

**Mary N.  
Lehner**

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N. Lehner  
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Freshfields Bruckhaus Deringer US LLP  
700 13th Street, NW, 10th Floor  
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Aidan Synnott  
Paul, Weiss, Rifkind, Wharton & Garrison  
LLP  
1285 Avenue of the Americas  
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Tel: 212-373-3213  
Fax: 212-492-0213  
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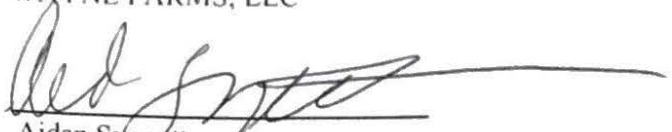
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**ORDER**

IT IS SO ORDERED by this Court, this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
United States District Judge