

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

IN RE CATTLE AND BEEF ANTITRUST  
LITIGATION

Case No. 0:20-cv-01319 JRT-JFD

This Document Relates To:  
IN RE DPP BEEF LITIGATION

**DIRECT PURCHASER  
PLAINTIFFS' MOTION FOR  
FINAL APPROVAL OF  
SETTLEMENT BETWEEN DIRECT  
PURCHASER PLAINTIFFS AND  
JBS DEFENDANTS**

Direct Purchaser Plaintiffs Howard B. Samuels solely in his capacity as Chapter 7 trustee for the bankruptcy estate of Central Grocers, Inc.; R&D Marketing, LLC; and Redner's Markets, Inc. (collectively, "DPPs"), respectfully move this court for an Order:

1. Finally approving the settlement between DPPs and Defendants JBS S.A., JBS USA Food Company, Swift Beef Company, and JBS Packerland, Inc. (collectively, "JBS") as being a fair, reasonable, and adequate settlement for the Settlement Class within the meaning of Fed. R. Civ. P. 23, and directing the implementation, performance, and consummation of that settlement.

2. Certifying the class reflected in the Settlement Agreement for settlement purposes pursuant to Fed. R. Civ. P. 23(e) because, as determined at Preliminary Approval, the settlement class meets all of the requirements under Rule 23 for settlement class certification.

3. Determining that the Class Notice issued after preliminary approval constituted the best notice practicable under the circumstances of the settlement and the fairness hearing, and constituted due and sufficient notice for all other purposes to all persons entitled to receive notice.

4. Dismissing the action with prejudice as to JBS in all class action complaints asserted by DPPs or the Settlement Class, excluding any persons or entities who timely opted out of the settlement.

5. Discharging and releasing the Released Parties, as defined in the settlement, from all Released Claims, as defined in the settlement.

6. Reserving continuing and exclusive jurisdiction over the settlement for all purposes.

7. Determining under Fed. R. Civ. P. 54(b) that there is no just reason for delay and directing that the judgment of dismissal as to JBS shall be final and appealable and entered forthwith.

This motion is based upon Fed. R. Civ. P. 23, and all the files, records, and proceedings herein including Direct Purchaser Plaintiffs' Memorandum of Law in Support of Motion for Final Approval of Settlement between Direct Purchaser Plaintiffs and JBS Defendants, the Declarations of Daniel E. Gustafson and Eric Schachter submitted in support of this Motion, the evidence submitted in support of this Motion, and such further evidence, whether documentary or oral, that may be presented at the time of the noticed hearing.

Dated: July 22, 2022

Respectfully Submitted,

/s/ Daniel E. Gustafson

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