

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

In re Broiler Chicken Antitrust Litigation,
Case No: 16-cv-08637

JOHN SOULES FOODS, INC. and JOHN
SOULES ACQUISITIONS LLC,

Plaintiffs,

v.

AGRI STATS, INC., *et al.*,

Defendants.

Case No. 21-cv-00054

Judge Thomas M. Durkin
Magistrate Judge Jeffrey T. Gilbert

JURY TRIAL DEMANDED

AMENDED COMPLAINT

1. Plaintiff John Soules Foods, Inc., is a Texas corporation with its principal place of business in Tyler, Texas, and Plaintiff John Soules Acquisitions, LLC is a Georgia limited liability company with its principal place of business in Gainesville, Georgia, which on or around November 17, 2014, acquired the assets of Pro View Foods, LLC, and its affiliates, including claims that are the subject of this action (collectively “John Soules Foods” or “Plaintiffs”). John Soules Foods, a direct purchaser of Broilers from several producer Defendants, brings this action under the federal antitrust laws against the Defendants identified below

2. Pursuant to Federal Rule of Civil Procedure 15(a)(1), Plaintiffs hereby amend their Complaint (ECF 1) in Case No. 21-cv-00054, to name the following Defendants: Utrecht-America Holdings, Inc. and its subsidiaries, Rabo AgriFinance LLC, Rabobank USA Financial Corporation, and Utrecht-America Finance Co. (collectively “Rabobank”).

3. Plaintiffs incorporate by reference the factual allegations and reservations of rights contained in the Direct Action Plaintiffs' Consolidated Complaint and Demand for Jury Trial, filed in *In re Broiler Antitrust Litigation*, Case No. 1:16-cv-08637 (ECF 3922, 3924) ("DAP Consolidated Complaint"),¹ and amend their row to be added in Section II's Chart of Direct-Action Plaintiff Cases as follows:

Plaintiff Name	Named Defendants ²	Named Co-Conspirators	Causes of Action
John Soules Foods, Inc.; John Soules Acquisitions LLC	Agri Stats; Amick, Case; Claxton; Foster Farms; George's; Harrison; House of Raeford; Keystone; Koch; Mar-Jac; Mountaire; O.K. Foods; Peco; Perdue; Pilgrim's Pride; Sanderson; Simmons; Tyson; Wayne; Rabobank	Fieldale	Count I (Sherman Act Claim for all Anticompetitive Conduct); Count II (Sherman Act Claim for Output Restriction); Count III (Sherman Act for GA Dock Manipulation)

4. Plaintiffs also incorporate by reference the allegations against Rabobank contained in the Amended Complaints filed by Sysco Corporation (Case No. 1:16-cv-08637; ECF 4151, 4159) and US Foods, Inc. (Case No. 1:16-cv-08637, ECF 4153, 4160).

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court:

- A. Enter joint and several judgments against all Defendants in favor of Plaintiffs;
- B. Award Plaintiffs treble damages, of an amount to be determined at trial, to the maximum extent allowed under the federal antitrust laws;

¹ The DAP Consolidated Complaint is in the process of being amended to reflect ECF 4139 and the addition of DAPs which have filed complaints since the DAP Consolidated Complaint was filed. When the amended DAP Consolidated Complaint is filed, it will reflect the amendments included herein.

² The Defendants and Co-Conspirators named in this Complaint include the entire family of each Defendant or Co-Conspirator in this table, identified in Section IV of ECF 3922/ECF 3924. With regard to Amick, George's, and Peco, Plaintiffs are asserting non-released claims.

- C. Award Plaintiffs post-judgment interest as provided by law, with such interest to be awarded at the highest legal rate;
- D. Award Plaintiffs their attorneys' fees, litigation expenses, and costs, as provided by law;
- E. Grant Plaintiffs such other and further relief to which Plaintiffs are entitled.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38, Plaintiffs demand a trial by jury on all of their claims and issues so triable.

Dated: January 21, 2021

Respectfully submitted,

/s/ Scott E. Gant

Scott E. Gant
BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, NW
Washington, DC 20005
Tel: (202) 237-2727
Fax: (202) 237-6131
Email: sgant@bsflp.com

Colleen A. Harrison
BOIES SCHILLER FLEXNER LLP
333 Main Street
Armonk, NY 10504
Tel: (914) 749-8204
Email: charrison@bsflp.com

*Counsel for John Soules Foods, Inc.
and John Soules Acquisitions LLC*