

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

IN RE BROILER CHICKEN ANTITRUST
LITIGATION

No. 1:16-cv-08637

This Document Relates To:

Honorable Thomas M. Durkin
Magistrate Judge Jeffrey T. Gilbert

All End-User Consumer Plaintiff Actions

**END-USER CONSUMER PLAINTIFFS'
NOTICE AND STIPULATION CONCERNING
INTENT TO PROCEED ON TRACK ONE TRIAL**

In accordance with the Court's October 15, 2021 Order,¹ the End-User Consumer Plaintiffs (EUCPs) hereby submit notice of their intent to seek a track one trial.

In support, EUCPs state the following:

1. The Court has stated that “[i]f any plaintiff desires to proceed to trial on the supply reduction and Georgia Dock conspiracies without discovery into bid rigging, that track will be given priority over plaintiffs who insist on taking bid rigging discovery before any trial.”²

2. More than five years have been spent litigating the EUCP claims. EUCPs ask to proceed to trial as expeditiously as possible on their market manipulation claims.³ EUCPs confirm that they do not need additional discovery into bid rigging beyond what was already contemplated in the existing schedule (the deposition of the individuals and companies subject to the stay requested by the U.S. Department of Justice).⁴

3. EUCPs understand that the Court's prohibition on discovery into bid rigging for Plaintiffs proceeding on the first track “should not be construed as a ruling on whether Plaintiffs may use evidence of bid rigging they already possess or that is publicly available in a trial” on the market manipulation claims.⁵

4. With this understanding, EUCPs concede and stipulate any appellate issue on trying these claims without further bid rigging discovery, in accordance with the Court's Order.⁶

¹ Order, ECF No. 5128 (October 15, 2021).

² *Id.* at 5.

³ *See* Scheduling Order No. 16, ECF No. 4748 (June 17, 2021).

⁴ Order, ECF No. 5128 (October 15, 2021).

⁵ *See id.* at n. 2.

⁶ *Id.* at 5.

Respectfully Submitted,

DATED: October 26, 2021

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