

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

WOOD-FRUITTICHER GROCERY  
COMPANY, INC.,

Plaintiff,

vs.

TYSON FOODS, INC.; TYSON CHICKEN,  
INC.; TYSON BREEDERS, INC.; TYSON  
POULTRY, INC.; PILGRIM'S PRIDE  
CORPORATION; KOCH FOODS, INC.; JCG  
FOODS OF ALABAMA, LLC; JCG FOODS  
OF GEORGIA, LLC; KOCH MEAT CO.,  
INC.; SANDERSON FARMS, INC.;  
SANDERSON FARMS, INC. (FOOD  
DIVISION); SANDERSON FARMS, INC.  
(PRODUCTION DIVISION); SANDERSON  
FARMS, INC. (PROCESSING DIVISION);  
HOUSE OF RAEFORD FARMS, INC.; MAR-  
JAC POULTRY, INC.; PERDUE FARMS,  
INC.; PERDUE FOODS, LLC; WAYNE  
FARMS, LLC; SIMMONS FOODS, INC.;  
SIMMONS PREPARED FOODS, INC.; O.K.  
FOODS, INC.; O.K. FARMS, INC.; O.K.  
INDUSTRIES, INC.; HARRISON POULTRY,  
INC.; FOSTER FARMS, LLC; FOSTER  
POULTRY FARMS; NORMAN W. FRIES,  
INC. d/b/a CLAXTON POULTRY FARMS,  
INC.; MOUNTAIRE FARMS, INC.;  
MOUNTAIRE FARMS, LLC; MOUNTAIRE  
FARMS OF DELAWARE, INC.; CASE  
FOODS, INC.; CASE FARMS, LLC; CASE  
FARMS PROCESSING, INC.; and AGRI  
STATS, INC.,

Defendants.

Case No.: 21-CV-3666

**COMPLAINT**

**Jury Trial Demanded**

## COMPLAINT

1. Plaintiff Wood-Fruitticher Grocery Company, Inc. (“Wood-Fruitticher” or “Plaintiff”) is an Alabama corporation with its principal place of business in Birmingham, Alabama. Wood-Fruitticher is a foodservice distributor and wholesale company servicing the Southeast United States.

2. Wood-Fruitticher brings this action under the federal antitrust laws against the Defendants identified below and incorporates by reference the factual allegations and reservations of rights contained in the Direct Action Plaintiffs’ Amended Consolidated Complaint and Demand for Jury Trial, filed in In re Broiler Antitrust Litigation, Civil Action No. 1:16-cv-08637 (ECF 4243; ECF 4244).

3. Wood-Fruitticher joins Section II of the Direct Action Plaintiffs’ Amended Consolidated Complaint and Demand for Jury Trial, adding the following to specify the Wood-Fruitticher causes of action and the Defendants in the Wood-Fruitticher action.

<b>Plaintiff Name</b>	<b>Named Defendants<sup>1</sup></b>	<b>Named Co-Conspirators</b>	<b>Causes of Action</b>
Wood-Fruitticher Grocery Company, Inc.	Agri Stats; Claxton; Foster Farms; Harrison; House of Raeford; Koch; Mar-Jac; Mountaire; O.K. Foods; Perdue; Pilgrim's Pride; Sanderson; Simmons; Tyson; Wayne; Case	Fieldale; Amick; George's; Peco; Keystone; Allen Harim	Count I (Sherman Act Claim for all Anticompetitive Conduct); Count II (Sherman Act Claim for Output Restriction, Pled in the Alternative to Count I); Count III (Sherman Act Claim for GA Dock Manipulation, Pled in the Alternative to Count I)

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests that the Court:

- A. Enter joint and several judgments against all Defendants in favor of Plaintiff;
- B. Award Plaintiff treble damages, of an amount to be determined at trial, to the maximum extent allowed under the federal antitrust laws;
- C. Award Plaintiff post-judgment interest as provided by law, with such interest to be awarded at the highest legal rate;
- D. Award Plaintiff its attorneys' fees, litigation expenses, and costs, as provided by law;
- E. Grant Plaintiff such other and further relief to which Plaintiff is entitled.

### **JURY DEMAND**

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff demands a trial by jury on all of its claims and issues so triable.

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<sup>1</sup> The Defendants named in this Complaint include the entire Defendant family of each Defendant in this table, identified in Section IV.B of ECF 4243/ECF 4244.

Dated: July 9, 2021

Respectfully submitted,

/s/ Terence H. Campbell

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