

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

QUALITY SUPPLY CHAIN CO-OP, 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; GEORGE'S, INC.; GEORGE'S FARMS, INC.; SIMMONS FOODS, INC.; SIMMONS PREPARED FOODS, INC.; O.K. FOODS, INC.; O.K. FARMS, INC.; O.K. INDUSTRIES, INC.; PECO FOODS, 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.; AMICK FARMS, LLC; CASE FOODS, INC.; CASE FARMS, LLC; CASE FARMS PROCESSING, INC.; and AGRI STATS, INC.,

Defendants.

Case No.: 21-CV-3668

COMPLAINT

Jury Trial Demanded

COMPLAINT

1. Plaintiff Quality Supply Chain Co-op, Inc. (“QSCC” or “Plaintiff”) is a Delaware corporation with its principal place of business in Dublin, Ohio. QSCC is an independent purchasing cooperative for Wendy’s supply chain in North America. QSCC is the third-largest purchasing cooperative in the quick-service restaurant industry.

2. QSCC brings this action on its own behalf and pursuant to assignments with The SYGMA Network, Inc., The Sysco Corporation, Performance Food Group, Quality Custom Distribution Services, Inc., Southeastern Food Merchandisers, LP, Shamrock Food Company, Upper Lake Foods, Inc., ULF Janesville, LLC, Willow Foods Run, Inc., Harvest Distribution, Inc. and their affiliates and predecessors with respect to direct purchases from Defendants made for the Wendy’s system, supply chain and operators. The SYGMA Network, Inc., The Sysco Corporation, Performance Food Group, Quality Custom Distribution Services, Inc., Southeastern Food Merchandisers, LP, Shamrock Food Company, Upper Lake Foods, Inc., ULF Janesville, LLC, Willow Foods Run, Inc., and Harvest Distribution, Inc. on behalf of themselves and their affiliates and predecessors have assigned federal antitrust claims based on those direct purchases to QSCC.

3. QSCC 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).

4. QSCC joins Section II of the Direct Action Plaintiffs' Amended Consolidated Complaint and Demand for Jury Trial, adding the following to specify the QSCC causes of action and the Defendants in the QSCC action.

Plaintiff Name	Named Defendants¹	Named Co-Conspirators	Causes of Action
Quality Supply Chain Co-op, Inc.	Agri Stats; Amick; Claxton; Foster Farms; George's; Harrison; House of Raeford; Koch; Mar-Jac; Mountaire; O.K. Foods; Peco; Perdue; Pilgrim's Pride; Sanderson; Simmons; Tyson; Wayne; Case	Fieldale; 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.

¹ 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.

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.

Dated: July 9, 2021

Respectfully submitted,

/s/ Terence H. Campbell

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