

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

If you purchased eggs, including shell eggs and egg products, produced from caged birds in the United States directly from any producer from January 1, 2000 through July 15, 2010, you could be a Class member in a proposed class action settlement.

**YOUR LEGAL RIGHTS ARE AFFECTED WHETHER OR NOT YOU ACT.
PLEASE READ THIS NOTICE CAREFULLY.**

The purpose of this notice is to inform you that Plaintiffs in this class action reached a settlement with Defendants Moark, LLC, Norco Ranch, Inc., and Land O'Lakes, Inc. ("Moark Defendants"). If you fall within the definition of the "Settlement Class" as defined herein, you will be bound by the settlement unless you expressly exclude yourself in writing pursuant to the instructions below. This notice is also to inform you of the nature of the action and of your rights in connection with it.

A federal court authorized this Notice. This is not a solicitation from a lawyer.

This notice is not an expression by the Court of any opinion as to the merits of any of the claims or defenses asserted by either side in this case. This notice is intended merely to advise you of the settlement with the Moark Defendants (the "Moark Settlement") and of your rights with respect to it, including, but not limited to, the right to remain a member of the Settlement Class or to exclude yourself from the Settlement Class.

These rights and options, and the deadlines to exercise them, are explained in this notice.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
TAKE NO ACTION	You will receive the non-monetary benefits of the Moark Settlement and give up the right to sue the Moark Defendants with respect to the claims asserted in this case. You may be eligible to receive a payment from the Moark Settlement <i>if</i> you submit a timely Claim Form (by first-class mail postmarked by, or pre-paid delivery service to be hand-delivered by, January 7, 2011). You will give up the right to sue Moark.
EXCLUDE YOURSELF FROM THE SETTLEMENT CLASS BY FIRST-CLASS MAIL POSTMARKED BY, OR PRE-PAID DELIVERY SERVICE TO BE HAND-DELIVERED BY, NOVEMBER 16, 2010	This is the only option that allows you to ever be a part of any other lawsuit against the Moark Defendants with respect to the claims asserted in this case. You will not become a member of the Class. If you exclude yourself, you will be able to bring a separate lawsuit against Moark with respect to the claims asserted in this case.
OBJECT TO THE SETTLEMENT BY FIRST-CLASS MAIL POSTMARKED BY, OR PRE-PAID DELIVERY SERVICE TO BE HAND-DELIVERED BY, NOVEMBER 16, 2010	You will remain a member of the Class, but you also have the right to comment on the terms of the Moark Settlement.
GO TO THE HEARING ON FEBRUARY 28, 2011 AFTER FILING A TIMELY OBJECTION	If you file a timely objection, you may speak in Court about the fairness of the Moark Settlement.
SUBMIT A CLAIM FORM BY FIRST-CLASS MAIL POSTMARKED BY, OR PRE-PAID DELIVERY SERVICE TO BE HAND-DELIVERED BY, JANUARY 7, 2011	This is the only way to receive a payment from the Moark Settlement.

1. Why did I receive this notice?

This legal notice is to inform you of the Moark Settlement that has been reached in the class action lawsuit, *In re Processed Egg Products Antitrust Litigation*, Case No. 08-md-02002, pending in the United States District Court for the Eastern District of Pennsylvania. You are being sent this notice because you have been identified as a potential customer of one of the Defendants in the lawsuit.

2. What is this lawsuit about?

In this lawsuit, Plaintiffs allege that Defendants, certain producers of shell eggs and egg products, conspired to decrease the supply of eggs. Plaintiffs allege that this supply conspiracy limited, fixed, raised, stabilized, or maintained the price of eggs, which caused direct purchasers to pay more for eggs than they would have otherwise paid. The term “eggs” refers to both shell eggs and egg products, which are eggs removed from their shells for further processing into a dried, frozen, or liquid form.

In the fall and winter of 2008, lawsuits were filed in several federal courts generally alleging this conspiracy to depress egg supply. On December 2, 2008, the Judicial Panel on Multidistrict Litigation transferred those cases for coordinated proceedings before the Honorable Gene E. K. Pratter, United States District Judge in the United States District Court for the Eastern District of Pennsylvania. On January 30, 2009, Plaintiffs filed their first consolidated amended complaint alleging a wide-ranging conspiracy to fix egg prices that injured direct egg purchasers.¹ Soon thereafter, Plaintiffs and Defendant Sparboe Farms, Inc. (“Sparboe”) commenced settlement discussions. On June 8, 2009, Plaintiffs and Sparboe reached a settlement. By settling with Sparboe, Plaintiffs learned many more details about the alleged conspiracy. These details were included in a second consolidated amended complaint that Plaintiffs filed on April 7, 2010.

After an exchange of relevant sales data, Plaintiffs and the Moark Defendants entered into settlement discussions in March of 2010. After extensive and arm’s-length negotiations, on May 21, 2010, Plaintiffs and the Moark Defendants reached a settlement.

Plaintiffs represent both themselves (the named plaintiffs) and the entire Class of direct egg purchasers across the United States. Plaintiffs brought this lawsuit as a class action because they believe, among other things, that a class action is superior to filing individual cases and that the claims of each member of the class present and share common questions of law and fact. Plaintiffs claim that Defendants’ actions violated the Sherman Antitrust Act, a federal statute that prohibits any agreement that unreasonably restrains competition. The alleged agreement was to reduce the overall supply of eggs in the United States from the year 2000 to the present. Plaintiffs allege that Defendants and unnamed co-conspirators controlled the egg supply through various methods that were all part of a wide-ranging conspiracy. These methods include, but are not limited to, agreements to limit or dispose of hen flocks, a pre-textual animal husbandry program that was a cover to further reduce egg supply, agreements to export eggs in order to remove eggs from the domestic supply, and the unlawful coercion of producers and customers to ensure compliance with the conspiracy. Plaintiffs allege that by collectively agreeing to lower the supply of eggs, Defendants caused prices to be higher than they otherwise would have been. The Moark Defendants and the other Defendants deny all of Plaintiffs’ allegations.

3. Who is included in the Settlement?

Plaintiffs and the Moark Defendants have agreed that, for purposes of the Moark Settlement, the Settlement Class is defined as follows:

All persons and entities in the United States that purchased eggs, including shell eggs and egg products, produced from caged birds in the United States directly from any producer during the Class Period from January 1, 2000 through July 15, 2010.

¹ This lawsuit alleges injuries to *direct* egg purchasers only, that is, entities or individuals who bought eggs directly from egg producers. A separate case is pending wherein the plaintiffs allege a wide-ranging conspiracy to fix egg prices that injured *indirect* egg purchasers. An indirect egg purchaser buys eggs from a direct purchaser of eggs or another indirect purchaser.

Persons or entities that fall within the definition of the Settlement Class and do not exclude themselves will be bound by the results of this litigation.²

4. What does the Moark Settlement provide?

After several months of extensive settlement discussions, Plaintiffs and the Moark Defendants reached a Settlement on May 21, 2010. The Moark Settlement is between Plaintiffs and the Moark Defendants only; it does not affect any of the remaining non-settling Defendants, against whom this case continues. Pursuant to the terms of the Moark Settlement, Plaintiffs will release the Moark Defendants from all pending claims. In exchange, the Moark Defendants have agreed to pay \$25,000,000 to a fund to compensate Class members and to provide substantial and immediate cooperation with Plaintiffs, including producing documents and making witnesses available for interviews, which will provide important information in support of Plaintiffs' claims against the non-settling Defendants and possibly others who participated in the alleged conspiracy. (If Class members whose combined purchases account for 7.5% or more of total sales for egg producers in the U.S. choose to exclude themselves from the Settlement Agreement, the Moark Defendants have the right to terminate the Settlement.) It is the opinion of Plaintiffs' attorneys that the Moark Defendants' cooperation will provide significant benefits to members of the Settlement Class and will materially assist Plaintiffs in the prosecution of claims against the non-settling Defendants.

On July 15, 2010, the Court granted preliminary approval of the Moark Settlement, finding it sufficiently fair, reasonable, and adequate to warrant notifying the Settlement Class.

The Moark Settlement should not be taken as an admission by the Moark Defendants of any allegation by Plaintiffs or of wrongdoing of any kind. Finally, the Court ordered that Plaintiffs shall provide notice of the Moark Settlement to all members of the Settlement Class who can be identified through reasonable effort.

5. How will the Settlement Fund be distributed?

The \$25 million paid by the Moark Defendants may be reduced by court-ordered attorneys' fees and reimbursement of litigation expenses, including administration of the Settlement, as approved by the Court. The Settlement Fund will also be reduced by the expense of providing notice to the Class. If Class members whose sales equal 7.5% or more of the total U.S. egg sales choose to exclude themselves from the Class, the Settlement Fund also may be reduced by an amount equal to the total purchases of excluded Class members divided by total U.S. egg sales times the settlement amount. The remainder of the Moark Settlement will be distributed on a *pro rata* basis among the members of the Class who timely and properly submit a valid Claim Form. Your *pro rata* share will be based on the dollar amount of your direct purchases of eggs and egg products in the United States. The Court retains the power to approve or reject, in part or in full, any individual claim of a Class member based on equitable grounds. Because the alleged overcharge is only a portion of the price paid for eggs and egg products, your recovery will be less than the total amount you paid.

6. How do I file a Claim Form?

The Claim Form and instructions for filing a proof of claim are included with the Claim Form provided with this Notice. Claim Forms must be sent by first-class mail postmarked by, or pre-paid delivery service to be hand-delivered by, January 7, 2011, to be considered for distribution.

You should carefully read the descriptions of the respective classes set forth earlier in this Notice to verify that you are a Class member. Next, you should review your records and confirm that you purchased the

² The Settlement Class consists of two subclasses. The first subclass, called the "Shell Egg Subclass," is made up of "[a]ll individuals and entities in the United States that purchased shell eggs produced from caged birds in the United States directly from any producer during the Class Period from January 1, 2000 through July 15, 2010." The second subclass, called the "Egg Products Subclass," is comprised of "[a]ll individuals and entities in the United States that purchased egg products produced from shell eggs that came from caged birds in the United States directly from any producer during the Class Period from January 1, 2000 through July 15, 2010." Excluded from the subclasses are the Defendants, their co-conspirators, and their respective parents, subsidiaries and affiliates, all government entities, as well as the Court and staff to whom this case is assigned, and any member of the Court's or staff's immediate family. Also excluded from the subclasses are purchases of "specialty" Shell Eggs or Egg Products (certified organic, nutritionally enhanced, cage-free, free-range, and vegetarian-fed types) and purchases of "hatching" Shell Eggs (used by poultry breeders to produce breeder stock or growing stock for laying hens or meat).

relevant product(s) during the relevant time period. Then, included with this Notice, you will find a Claim Form which must be completed by the Class member and returned to the address indicated on the Claim Form. Claim Forms must be sent by first-class mail postmarked by, or pre-paid delivery service to be hand-delivered by, January 7, 2011. **Any Class member who does not complete and timely return the Claim Form will not be entitled to share in the Moark Settlement.**

Where records are available to calculate and document the dollar amount of your relevant purchases, you must use those records to complete the Claim Form.

Where adequate records are not available to calculate your purchases to be listed on the Claim Form, you may submit purchase information based on verifiable estimates as directed in the Claim Form.

7. How will the lawyers be paid?

These attorneys and their respective firms are referred to as Class Counsel. Class Counsel will apply to the Court for an award from the Settlement Fund of attorneys' fees and for reimbursement of litigation costs and expenses incurred, including fees and costs expended while providing Notice to the Class and while administering the Settlement Fund (including the plan of allocation).

Class Counsel, in compensation for their time and risk in prosecuting the litigation on a wholly contingent fee basis, intend to apply to the Court for an award of attorneys' fees in an amount not to exceed thirty percent of \$25 million as well as the costs and expenses incurred. To date, Class Counsel have not been paid any attorneys' fees. Any attorneys' fees and reimbursement of costs will be awarded only as approved by the Court in amounts determined to be fair and reasonable.

8. What is the effect of the Court's final approval of the Moark Settlement?

If the Court grants final approval, the Moark Settlement will be binding upon you and all other members of the Settlement Class. By remaining part of the Moark Settlement, if approved, you will give up any claims against the Moark Defendants relating to the claims made or which could have been made in this lawsuit. By remaining a part of the Moark Settlement, you will retain all claims against all other Defendants, named and unnamed.

9. Who represents the Settlement Class?

The Settlement Class is represented by the following attorneys:

Steven A. Asher WEINSTEIN KITCHENOFF & ASHER LLC 1845 Walnut Street, Suite 1100 Philadelphia, PA 19103	Michael D. Hausfeld HAUSFELD LLP 1700 K Street NW, Suite 650 Washington, DC 20006
Stanley D. Bernstein BERNSTEIN LIEBHARD LLP 10 East 40th Street, 22nd Floor New York, NY 10016	Stephen D. Susman SUSMAN GODFREY LLP 654 Madison Avenue, 5th Floor New York, NY 10065

10. When and where will the Court hold a hearing on the fairness of the Settlement?

The Court has scheduled a "Fairness Hearing" at 1:30 p.m. on February 28, 2011 at the following address:

United States District Court
James A. Byrne Federal Courthouse
601 Market Street
Philadelphia, PA 19106-1797

The purpose of the Fairness Hearing is to determine whether the Moark Settlement is fair, reasonable, and adequate, and whether the Court should enter judgment granting final approval of it. You do not need to

attend this hearing. You or your own lawyer may attend the hearing if you wish, at your own expense. Please note that the Court may choose to change the date and/or time of the Fairness Hearing without further notice of any kind. Settlement Class members are advised to check www.eggproductssettlement.com for any updates.

11. How do I object?

If you are a Settlement Class member and you wish to participate in the Moark Settlement, but you object to or otherwise want to comment on any term of the Moark Settlement (including the request for attorneys' fees), you may file with the Court an objection in writing. In order for the Court to consider your objection, your objection must be sent by first-class mail postmarked by, or pre-paid delivery service to be hand-delivered by, November 16, 2010 to each of the following:

The Court:

United States District Court
James A. Byrne Federal Courthouse
601 Market Street
Office of the Clerk of the Court, Room 2609
Philadelphia, PA 19106-1797

Counsel for Plaintiffs:

Steven A. Asher
WEINSTEIN KITCHENOFF & ASHER LLC
1845 Walnut Street, Suite 1100
Philadelphia, PA 19103

Counsel for the Moark Defendants:

Nathan P. Eimer
EIMER STAHL KLEVORN & SOLBERG LLP
224 South Michigan Avenue, Suite 1100
Chicago, IL 60604

Your objection must be in writing and must provide evidence of your membership in the Settlement Class. The written objection should state the precise reason or reasons for the objection, including any legal support you wish to bring to the Court's attention and any evidence you wish to introduce in support of the objection. You may file the objection through an attorney. You are responsible for any costs incurred in objecting through an attorney.

If you are a Settlement Class member, you have the right to voice your objection to the Moark Settlement at the Fairness Hearing. In order to do so, you must follow all instructions for objecting in writing (as stated above). You may object in person and/or through an attorney. You are responsible for any costs incurred in objecting through an attorney. You need not attend the Fairness Hearing in order for the Court to consider your objection.

12. How do I exclude myself from the Settlement?

If you are a Settlement Class member and you do not wish to participate in the Moark Settlement, the Court will exclude you from the Moark Settlement if you request exclusion. Your request for exclusion must be sent by first-class mail postmarked by, or pre-paid delivery service to be hand-delivered by,³ November 16, 2010 to the following address:

In re Processed Egg Products Antitrust Litigation– EXCLUSIONS
c/o The Garden City Group, Inc., Claims Administrator
P.O. Box 9476
Dublin, OH 43017-4576

Your written request should specify that you wish to be excluded from the Moark Settlement. Do not request exclusion if you wish to participate in the Moark Settlement as a member of the Settlement Class. If you intend to bring your own lawsuit against the Moark Defendants, you should exclude yourself from the Settlement Class.

³ To the extent you wish to mail your submission by pre-paid delivery service to be hand-delivered, you may send your mail to the following address: *In re Processed Egg Products Antitrust Litigation (EGS)*, c/o The Garden City Group, Inc., 815 Western Avenue, Suite 200, Seattle, WA 98104.

If you remain in the Class, it does not prejudice your right to exclude yourself from any other past, present or future settlement class or certified litigation class in this case.

13. What happens if I do nothing?

If you do nothing, you will remain a member of the Class. As a member of the Settlement Class, you will be represented by the law firms listed above in Question No. 9, and you will not be charged a fee for the services of such counsel and any other class counsel. Rather, counsel will be paid, if at all, as allowed by the Court from some portion of whatever money they may ultimately recover for you and other members of the Settlement Class. If you want to be represented by your own lawyer, you may hire one at your own expense.

However, you must submit a timely Claim Form (see Question No. 6) in order to be considered for any monetary benefit from the Settlement Fund.

14. Where do I get additional information?

For more detailed information concerning matters relating to the Moark Settlement, you may wish to review the "Settlement Agreement Between Direct Purchaser Plaintiffs and Defendants Moark, LLC, Norco Ranch, Inc., and Land O'Lakes, Inc." (signed May 21, 2010) and the "Order on Preliminary Approval of Settlement with Moark, LLC, Norco Ranch, Inc., and Land O'Lakes, Inc." (entered July 15, 2010). These documents are available on the settlement website, www.eggproductssettlement.com, which also contains answers to "Frequently Asked Questions," as well as more information about the case. These documents and other more detailed information concerning the matters discussed in this notice may be obtained from the pleadings, orders, transcripts and other proceedings, and other documents filed in these actions, all of which may be inspected free of charge during regular business hours at the Office of the Clerk of the Court, located at the address set forth in Question No. 10. You may also obtain more information by calling the toll-free helpline at (866) 881-8306. If your present address is different from the address on the envelope in which you received this notice, or if you did not receive this notice directly but believe you should have, please call the toll-free helpline.

PLEASE DO NOT CONTACT THE COURT FOR INFORMATION REGARDING THIS LAWSUIT.

Dated: July 15, 2010

The Honorable Gene E. K. Pratter