

If you purchased fresh potatoes directly from certain entities June 18, 2006 through June 17, 2015, you could be a Class Member in a proposed class action Settlement.

This legal notice is to inform you of the Settlement that has been reached in the class action lawsuit, IN RE FRESH AND PROCESS POTATOES ANTITRUST LITIGATION, No. 4:10-md-02186 pending in the U.S. District Court for the District of Idaho, Eastern Division.

Who is included in Settlement?

Plaintiffs represent both themselves (the named plaintiffs) and two Classes of direct purchasers of potatoes across the United States. The classes include everyone who purchased Fresh Potatoes directly from certain entities from June 18, 2006 through June 17, 2015. For an explanation of the term Fresh Potatoes and the entities whose sales of Fresh Potatoes are covered by the Settlement Agreement, please review the long-form notice and Settlement Agreement available at www.PotatoesAntitrustSettlement.com.

What is this case about?

In this lawsuit, Plaintiffs allege that Defendants violated antitrust laws by engaging in a number of anticompetitive actions to control and restrict the supply of potatoes. Plaintiffs argued that these acts caused prices for potatoes in the United States to be higher than they would have otherwise been.

What does the Settlement provide?

The parties agreed to settle the case for \$19,500,000 from Defendants. The Settlement also bars producers of potatoes and certain membership organizations from agreeing among themselves on the volume or amount of potatoes that any producer will plant or grow, among other relief.

What do I do now?

If you are a Class Member your legal rights are affected, and you now have choices to make. **Participate in the Settlement.** You may be eligible to receive a payment from the Settlement Fund if you submit a completed claim form (postmarked or submitted online no later than

Oct. 16, 2015. **Ask to be excluded:** If you wish to exclude yourself from the Settlement and retain your rights to pursue your own lawsuit relating to the claims alleged in this lawsuit, you must formally exclude yourself from one or both Classes by sending a signed letter to the Claims Administrator postmarked on or before Oct. 16, 2015. **Object:** You may notify the Court that you object to the Settlement by mailing a statement of your objection(s) to the Court, Plaintiffs' Counsel, and Defense Counsel postmarked by Oct. 16, 2015. Detailed instructions on how to participate, opt out or object are on the Settlement website, www.PotatoesAntitrustSettlement.com.

Who represents you?

The Court appointed Settlement Class Counsel to represent you. You do not have to pay them or anyone else to participate. You may hire your own lawyer at your own expense.

When will the Court decide whether to approve the Settlement?

At 3:30 p.m. on December 3, 2015, at the United States District Court for the District of Idaho, James A. McClure Federal Building and United States Courthouse, Office of the Clerk of Court, 550 W. Fort Street, Suite 400, Boise, Idaho 83724, the Court will hold a hearing to determine the fairness and adequacy of the Settlement. You may appear at the hearing, but are not required to do so.

Please note that the Court may change the date and/or time of the Fairness Hearing without further notice. Settlement Class members are advised to **check the Settlement web site** for any updates.

How can I learn more?

This notice is only a summary. For more information, visit www.PotatoesAntitrustSettlement.com, call 866-985-7589 or email info@PotatoesAntitrustSettlement.com.