

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

IN RE: PROCESSED EGG PRODUCTS :
ANTITRUST LITIGATION :
: **MULTIDISTRICT LITIGATION**
:
: **No. 08-md-2002**
THIS DOCUMENT APPLIES TO :
ALL DIRECT PURCHASER ACTIONS :

ENTRY OF JUDGMENT
IN FAVOR OF CAL-MAINE FOODS, INC.

AND NOW, this 24th day of November, 2014, this Court finds, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure:

1. There is no just reason for delay of entry of final judgment in favor of Cal-Maine Foods, Inc. (“Cal-Maine”) in the Direct Purchaser Plaintiffs’ action;
2. No reason for delay has been argued to the Court from any source;
3. Cal-Maine and the Direct Purchaser Plaintiffs entered into a settlement agreement (“Cal-Maine Settlement Agreement”) to resolve the litigation between them in August 2013;
4. Notice of the Cal-Maine Settlement Agreement was given to the Class via publication and direct mail in April 2014 (ECF No. 1036-4 ¶¶ 8,11 (Affidavit of Jennifer M. Keough));
5. Final Approval of the Cal-Maine Settlement Agreement was granted on October 10, 2014 (ECF No. 1082);
6. The time for appeal of the Court’s Order Granting Final Approval of the Cal-Maine Settlement Agreement (ECF No. 1082) and the Court’s Order on Direct Purchaser


Plaintiffs' Motion for Attorneys' Fees and Reimbursement (ECF No. 1079) has expired. Fed. R. App. P. 4(a)(1)(A);

7. In a case such as this, involving numerous defendants, the dismissal of one or more defendants will shorten the time of trial.

THEREFORE, it is hereby **ORDERED** that:

1. The claims alleged and sought in this matter by Direct Purchaser Plaintiffs against Cal-Maine are hereby **DISMISSED WITH PREJUDICE** in accordance with Fed. R. Civ. P. 54(b). Final judgment is entered in favor of Cal-Maine and, except as explicitly provided for in the Cal-Maine Settlement Agreement and the Court's Order on Direct Purchaser Plaintiffs Motion for Attorneys' Fees and Reimbursement, each party shall bear its own costs and attorneys' fees;
2. This Court reserves exclusive jurisdiction over the Cal-Maine Settlement Agreement, including the administration and consummation of this settlement;
3. Liaison Counsel for the Direct Purchaser Plaintiffs shall file with the Clerk of the Court a record of potential Class Members who timely excluded themselves from the class (an "Opt-Out List") and shall provide a copy of that Opt-Out List to counsel for Cal-Maine within ten (10) business days of this Order. Final Judgment is granted in favor of Cal-Maine on any claim of a Class Member that is not identified in the Opt-Out List.

BY THE COURT:


GENE E.K. PRATTER
United States District Judge