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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

**IN RE: PACKAGED SEAFOOD
PRODUCTS ANTITRUST LITIGATION**

Case No.: 15-MD-2670 DMS (MDD)

This Document Relates To:

CLASS ACTION

All Direct Purchaser Plaintiff Actions

**AMENDED ORDER GRANTING
DIRECT PURCHASER
PLAINTIFFS’ MOTION FOR
ORDER PERMITTING AND
CONFIRMING UPDATED OPT-OUT
REPORT**

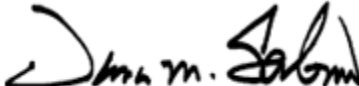
On July 27, 2023, this Court entered an order granting the Direct Purchaser Plaintiffs’ (“DPPs”) motion permitting and confirming an updated opt-out report. DPPs filed the motion without first requesting a hearing date, and with one exception, it appeared the parties were in agreement on updating the opt-out report. Based thereon, the Court granted the motion and issued the requested order. After the order issued, StarKist and Dongwon filed a response to the motion addressing the exceptional issue, and DPPs filed a response.

1 The exceptional issue concerns Ingles Markets, Inc. According to StarKist, Ingles
2 Markets executed a settlement agreement with StarKist and Dongwon in which it released
3 all claims against them related to this case. Based on that settlement agreement, StarKist
4 and Dongwon request that Ingles Markets also be included on the opt-out report. DPPs
5 respond that they have not received a copy of the settlement agreement, but even if they
6 had, Ingles Markets did not file a request to be excluded from the Litigation Class.

7 The Court has considered the parties' arguments, and orders that Ingles Markets be
8 added to the opt-out report. Ingles Markets is similarly situated to Sysco, which entered
9 into a settlement agreement with StarKist and Dongwon but did not file an exclusion
10 request. DPPs agreed to add Sysco to the opt-out report, and offer no reason why Ingles
11 Markets should not also be added. Accordingly, the Court amends its July 27, 2023 Order
12 to include Ingles Markets as an additional opt-out as to StarKist and Dongwon only.
13 StarKist and Dongwon's request for additional relief is denied.

14 **IT IS SO ORDERED.**

15 Dated: August 18, 2023

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18 Hon. Dana M. Sabraw, Chief Judge
19 United States District Court
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