UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil Action No.: 22-cv-1821

CARGILL MEAT SOLUTIONS CORPORATION, et al.,

Defendants.

JOINT MOTION TO MODIFY FINAL JUDGMENT AND ENTER MODIFIED FINAL JUDGMENT

Pursuant to Federal Rule of Civil Procedure 60(b)(5) and Section XII of the final judgment entered in this matter on June 5, 2023 (ECF 59) (the "Final Judgment"), Plaintiff United States of America ("United States") and Defendants Cargill Meat Solutions Corp., Cargill, Inc., Sanderson Farms, Inc., and Wayne Farms, LLC (collectively, "Settling Defendants") jointly move this Court to modify the Final Judgment and enter the Modified Final Judgment, attached hereto as Exhibit 1.1 For the Court's convenience, a redline comparison of the Final Judgment and the proposed Modified Final Judgment is attached hereto as Exhibit 2.

The proposed modifications would make minor revisions to Sections X and XIV of the Final Judgment, requiring each Settling Defendant to maintain the funds equal to 10% of their Restitution Amount in a segregated interest-bearing bank account instead of requiring transfer of

¹ This motion requests the same modifications as the forthcoming motion to modify the George's, Inc. and George's Foods, LLC final judgment (ECF 77). No modification is sought as to the final judgment with Defendants Webber, Meng, Sahl and Co., Inc., d/b/a WMS & Company, Inc. and WMS President G. Jonathan Meng (ECF 60). Defendants WMS & Company, Jonathan Meng, George's, Inc., and George's Foods, LLC have reviewed the proposed Modified Final Judgment and do not oppose this motion or the proposed modifications.

those funds into an escrow account selected by the United States. The proposed modifications would require Settling Defendants to pay these funds and any accrued interest to the third-party claims administrator in the event of a contingency outlined in Section X.C, rather than releasing the funds to the United States. The proposed changes are intended to simplify administrative compliance with the restitution provisions of Section X while effectuating the remedies called for by the Final Judgment. Settling Defendants represent that they have entered into a settlement agreement with the plaintiffs in *Jien v. Perdue Farms, Inc.*, No. 1:19-cv-2521 (D. Md.) and have deposited the full amount of their respective Restitution Amounts into an escrow account identified by counsel to the *Jien* plaintiffs.

For these reasons and those more fully set forth in the United States and Settling

Defendants' accompanying Memorandum of Law in Support, the United States and Settling

Defendants request that the Court grant their Joint Motion to Modify Final Judgment and Enter

Modified Final Judgment.

Dated: April 8, 2024

Respectfully submitted,

FOR PLAINTIFF UNITED STATES OF AMERICA

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Attorneys for Cargill Meat Solutions Corp. and Cargill Inc.

CERTIFICATE OF SERVICE

I, Jessica J. Taticchi, hereby certify that on April 8, 2024, I caused true and correct copies of the Joint Motion to Modify Final Judgment and Enter Modified Final Judgment to be served via the Court's CM/ECF system.

FOR PLAINTIFF UNITED STATES OF AMERICA

/s/

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