

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA

**If you purchased farm-raised salmon between April 10, 2013 and November 17, 2022,  
you may be entitled to payment from a Class Action Settlement.**

*A Federal Court authorized this notice. This is not a solicitation from a lawyer.*

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

This notice is to:

- Provide information regarding a proposed \$33 million Settlement of a class action lawsuit on behalf of persons and entities who indirectly purchased, for resale, farm-raised salmon or products derived from farm-raised salmon, such as salmon fillets or smoked salmon, sold by Defendants (listed below).
- Announce an order certifying a Settlement Class and provide information and a process and deadline to exclude yourself from the Settlement Class.
- Provide information about a process and deadline for Settlement Class Members to:
  - 1) submit claims for payments from the Settlement; and
  - 2) object to the Settlement or to a request for payment of attorneys' fees and reimbursement of expenses from the Settlement.

A Federal Court still has to decide whether to finally approve the Settlement. Payments to Settlement Class Members who submit timely qualifying claims will be made only (1) if the Court approves the Settlement and after any appeals are resolved, and (2) after the Court approves a Plan of Allocation to distribute the Settlement Fund minus expenses and any court-approved attorneys' fees to Settlement Class Members.

**KEY SETTLEMENT TERMS**

• **SETTLEMENT CLASS**

All persons and entities who indirectly purchased, for resale, Defendants' farm-raised salmon or products derived from farm-raised salmon, such as salmon fillets or smoked salmon, sold or distributed by Defendants (listed below) in any of the following states, districts, or territories: Alabama, Arizona, Arkansas, California, the District of Columbia, Florida, Guam, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, or Wisconsin during the Settlement Class Period.

- **ELIGIBLE PRODUCTS**

Defendants' farm-raised salmon or products derived from farm-raised salmon, such as salmon fillets or smoked salmon, purchased during the Settlement Class Period from a person or entity **other than** a Defendant.

- **SETTLEMENT CLASS PERIOD**

- April 10, 2013 and November 17, 2022.

- **CO-LEAD COUNSEL**

- Lockridge Grindal Nauen P.L.L.P. (Heidi M. Siltou)
- Zwerling, Schachter & Zwerling LLP (Fred T. Isquith Sr.)

- **DEFENDANTS**

- **Mowi Defendants**

- Mowi ASA (f/k/a Marine Harvest ASA);
- Mowi USA, LLC (f/k/a Marine Harvest USA, LLC);
- Mowi Canada West, Inc. (f/k/a Marine Harvest Canada, Inc.); and
- Mowi Ducktrap, LLC (an assumed name of Ducktrap River of Maine LLC).

- **Grieg Defendants**

- Grieg Seafood ASA;
- Grieg Seafood BC Ltd.;
- Grieg Seafood North America Inc. (f/k/a Ocean Quality North America Inc.);
- Grieg Seafood USA, Inc. (f/k/a Ocean Quality USA Inc.); and
- Grieg Seafood Premium Brands, Inc. (f/k/a Ocean Quality Premium Brands, Inc.).

- **Sjór Defendant**

- Sjór AS (f/k/a Ocean Quality AS)

- **SalMar Defendant**

- SalMar ASA

- **Lerøy Defendants**

- Lerøy Seafood AS; and
- Lerøy Seafood USA Inc.

- **Cermaq Defendants**

- Cermaq Group AS;
- Cermaq US LLC;
- Cermaq Canada Ltd.; and
- Cermaq Norway.

- YOUR RIGHTS AND OPTIONS—AND THE DEADLINES TO EXERCISE THEM—ARE EXPLAINED IN THIS NOTICE.
- YOUR LEGAL RIGHTS ARE AFFECTED WHETHER YOU ACT OR DON'T ACT. READ THIS NOTICE CAREFULLY.

**YOUR LEGAL RIGHTS AND OPTIONS**

<b>You May</b>	<b>Explanation</b>	<b>Deadline</b>
<b>Do Nothing</b>	<ul style="list-style-type: none"> <li>• Receive no benefits.</li> <li>• Give up your right to separately sue or continue to sue Defendants for the claims in this case.</li> </ul>	<b>None.</b>
<b>Submit a Claim Form</b>	<ul style="list-style-type: none"> <li>• File a Claim to receive benefits.</li> <li>• Give up your right to separately sue or continue to sue Defendants for the claims in this case.</li> </ul>	Postmarked or submitted online by February 17, 2023.
<b>Exclude Yourself from the Settlement</b>	<ul style="list-style-type: none"> <li>• Remove yourself from the Settlement Class.</li> <li>• Receive no benefits.</li> <li>• Keep the right to separately sue or continue to sue Defendants for the claims in this case at your own expense.</li> </ul>	Postmarked by January 13, 2023.
<b>Object to the Settlement</b>	<ul style="list-style-type: none"> <li>• Comment on or tell the Court that what you do not like about the Settlement—you will still be bound by the Settlement if the Court approves the Settlement.</li> </ul>	Postmarked or pre-paid delivery by January 26, 2023.
<b>Go to the Fairness Hearing</b>	<ul style="list-style-type: none"> <li>• Ask to speak in Court about the Settlement by filing a Notice of Intention to Appear.</li> <li>• If you want your own attorney to represent you, you must pay for that attorney.</li> <li>• Attend the Fairness Hearing at your own expense.</li> </ul>	Postmarked by January 26, 2023. Hearing scheduled for February 24, 2023 at 10:30. E.T. This date is subject to change without further notice. Please check the settlement website for updates.

**WHAT THIS NOTICE CONTAINS**

**BASIC INFORMATION.....4**

1. Why did I receive this notice package?

2. What is this lawsuit about?

3. What is a class action and who is involved?

**THE SETTLEMENT CLASS.....5**

4. Who is included in the Settlement Class?

**THE LAWYERS REPRESENTING YOU .....5**

5. Who are the lawyers representing you?

6. How will the lawyers be paid?

**SETTLEMENT BENEFITS .....5**

7. What does the proposed Settlement provide?

8. How do I file a Claim Form in the Settlement?

9. When do I get my payment?

10. What am I giving up by staying in the Settlement Class?

**IF YOU DO NOTHING .....6**

11. What happens if I do nothing at all?

**EXCLUDING YOURSELF FROM THE SETTLEMENT .....7**

12. What is the difference between excluding myself from the Settlement and objecting to the Settlement?

13. How do I exclude myself from the Settlement?

**OBJECTING TO THE SETTLEMENT .....7**

14. How do I object to the proposed Settlement?

**THE COURT WILL HAVE A FINAL “FAIRNESS HEARING” ABOUT THE SETTLEMENT.....8**

15. When and where is the final Fairness Hearing?

**FOR MORE INFORMATION.....8**

**BASIC INFORMATION**

**1. Why did I receive this notice package?**

You or your company may have indirectly purchased farm-raised salmon or products derived from farm-raised salmon during the period between April 10, 2013 and November 17, 2022. This class action lawsuit and the information described in this notice relate to those purchases. This notice explains that:

- There is a proposed Settlement that has been preliminarily approved by the Court.
- You have a right to know about the Settlement and have legal rights and options that you may exercise before the Court decides whether to finally approve the Settlement.

The Court in charge of this case is the United States District Court for the Southern District of Florida. The case is called *Wood Mountain Fish LLC, et al. v. Mowi ASA, et al.*, Case No. 19-22128-CIV-SMITH/LOUIS. It was filed in 2019.

**2. What is this lawsuit about?**

Plaintiffs allege that Defendants conspired to raise, fix, stabilize or maintain prices within the market for sale of farm-raised salmon and that, as a result, members of the Class paid more than they otherwise would have. Defendants have denied all liability for this conduct and asserted that their conduct was lawful and/or exempt from the antitrust laws, among other defenses. The Court has not decided who is right. Plaintiffs and Defendants have reached a proposed Settlement to avoid the uncertainties, risks, and costs of further litigation.

### **3. What is a class action and who is involved?**

In a class action lawsuit, one or more persons or businesses (called “Class Representatives”) sue on behalf of others who have similar claims. The Class Representatives in this lawsuit are Portland Hunt-Alpine Club, LLC, Prime Steakhouse, Mamme Inc., Rocca Kurt’s Brothers Inc., Stephen T. Deangelis, Inc., Amy Mehaffey, Nautical Okoboji LLC, People’s Food Cooperative, Inc., Classic City Catering, Inc., and Bama Seafood, Inc. The Class Representatives and the Defendants have agreed to settle the case. The proposed Settlement requires Defendants to pay money to members of the Settlement Class. The Class Representatives and their attorneys believe the Settlement is in the best interest of the Settlement Class.

#### **THE SETTLEMENT CLASS**

### **4. Who is included in the Settlement Class?**

You are a member of Settlement Class if you fit the following definition: All persons and entities who indirectly purchased, for resale, Defendants’ farm-raised salmon or farm-raised salmon products, from a person or entity **other than** a Defendant, in any of the following states, districts, or territories: Alabama, Arizona, Arkansas, California, the District of Columbia, Florida, Guam, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, or Wisconsin during the Settlement Class Period.

Excluded from the Settlement Class are Defendants, their co-conspirators, and their respective parents, subsidiaries and affiliates, as well as any government entities.

Persons or entities that fall within the Settlement Class and do not exclude themselves from that Settlement will be bound by the terms of the Settlement and its release.

#### **THE LAWYERS REPRESENTING YOU**

### **5. Who are the lawyers representing you?**

The Court appointed Heidi Silton, a partner at Lockridge Grindal Nauen P.L.L.P. and Fred Isquith Sr., Senior National Litigation Counsel to Zwerling, Schachter & Zwerling LLP, along with other firms, to represent the Settlement Class. Heidi Silton and Fred Isquith Sr. are called Co-Lead Counsel. You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

### **6. How will the lawyers be paid?**

Attorneys’ fees and expenses are paid out of the Settlement Fund. With respect to the Settlement, Co-Lead Counsel will file a motion (the “Fee Petition”) on or before December 1, 2022 that asks the Court to approve payment of attorneys’ fees in an amount of \$9,900,000.00, not to exceed 30% of the \$33 million Settlement, as well as for reimbursement of litigation costs and expenses incurred, including fees and costs expended while providing notice to the Class and administering the Settlement. Once filed, the Fee Petition will be available on the settlement website, [www.SalmonIndirectPurchaserSettlement.com](http://www.SalmonIndirectPurchaserSettlement.com). You will have an opportunity to object to or comment on it. Any fees and expenses approved by the Court in connection with the Fee Petition will be paid out of the Settlement Fund before making payments to eligible Settlement Class Members.

#### **SETTLEMENT BENEFITS**

### **7. What does the proposed Settlement provide?**

If the proposed Settlement is approved, the Defendants will pay a total Settlement Amount of \$33,000,000.00 into a Settlement Fund, of which up to \$500,000.00 will be set aside for settlement administration and notice. After deductions for attorneys’ fees and litigation costs (Question 6), the Fund will be distributed to Settlement Class Members who send in a valid Claim Form.

You cannot receive compensation unless you timely submit a Claim Form to the Settlement Administrator by the claim deadline as set forth in Question 8, below.

The credited value of any timely and valid Claim will be calculated based on the Settlement Class Member's verified Purchase Amount of farm-raised salmon, or products derived from farm-raised salmon, in accordance with the Plan of Allocation.

Each Settlement Class Member who submits a valid Claim Form will receive its *pro rata* share of the Fund, after attorneys' fees, settlement and class administration costs, and other expenses have been deducted, based on the value of its credited, verified Purchase Amount against all claims submitted (a "Settlement Award"). However, any claim whose value is less than the cost to transmit payment will not be paid.

To the extent there are any undistributed funds following an initial distribution to Settlement Class Members, the Settlement Administrator, upon the recommendation of Class Counsel and approval of the Court, will either make a subsequent distribution to Settlement Class Members, or, if it is infeasible to do so in light of the amount of undistributed funds and costs, that money, together with any uncashed checks, will be distributed *cy pres* to a charitable recipient, to be determined and subject to Court approval.

The Court retains the power to approve or reject, in part or in full, any individual claim of a Settlement Class Member. Because the alleged overcharge resulting from the conspiracy alleged by Plaintiffs is only a portion of the price paid for Defendants' farm-raised salmon or farm-raised salmon products, your recovery will be less than the total amount you paid.

#### **8. How do I file a Claim Form in the Settlement?**

To qualify for compensation under the Settlement, you must select, complete and timely submit a Claim Form. The completed Claim Form must be submitted online at [www.SalmonIndirectPurchaserSettlement.com](http://www.SalmonIndirectPurchaserSettlement.com) or by mail to the address below postmarked by February 17, 2023:

*Wood Mountain Fish v. Mowi ASA* Settlement Administrator  
P.O. Box 301132  
Los Angeles, CA 90030-1132

**If you do not submit a valid Claim Form by February 17, 2023, you will not receive a payment, but you will be bound by the Court's judgment.**

#### **9. When do I get my payment?**

Payments will be made to Settlement Class Members who submit timely and valid Claim Forms after the Court grants "final approval" to the Settlement and after all appeals are resolved. If the Court approves the Settlement, there may be appeals, and it cannot be determined with certainty how long it will take to resolve any appeal. Please be patient. The settlement website, [www.SalmonIndirectPurchaserSettlement.com](http://www.SalmonIndirectPurchaserSettlement.com), will be updated with new information as it is known.

#### **10. What am I giving up by staying in the Settlement Class?**

Unless you exclude yourself from the Settlement Class, you are staying in the Settlement Class. By staying in the Settlement Class, you cannot sue, continue to sue, or be part of any other lawsuit against any Defendant that makes claims based on the same legal issues alleged or that could have been alleged in this case. All Court orders will apply to you and legally bind you. The Released Claims are detailed in the Settlement Agreement, available at [www.SalmonIndirectPurchaserSettlement.com](http://www.SalmonIndirectPurchaserSettlement.com).

#### **IF YOU DO NOTHING**

#### **11. What happens if I do nothing at all?**

If you do nothing, you will not get a payment from the Settlement. Unless you exclude yourself, you cannot sue, continue to sue, or be part of any other lawsuit against Defendants that makes claims based on the same legal issues alleged or that could have been alleged in this case. All Court orders will apply to you and legally bind you.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

### 12. What is the difference between excluding myself from the Settlement and objecting to the Settlement?

If you exclude yourself from the Settlement, you are removing yourself or opting out of the Settlement Class and removing yourself from the Settlement and its benefits and releases. You will not receive any benefits from the Settlement and you cannot object to it.

- If you want to sue any one or more of the Defendants, on your own, about the legal issues in this case, then you must exclude yourself from the Settlement. Unless you exclude yourself, you give up any right to sue any Defendant for the claims that the proposed Settlement resolves.
- If you have a pending lawsuit against any one or more of the Defendants involving the same legal issues in this case, speak to your lawyer in that case immediately. You must exclude yourself from the Settlement Class in order to continue your own lawsuit against Defendants. Unless you exclude yourself, you give up any right to sue any Defendant for the claims that the proposed Settlement resolves.

If you object to the Settlement, you will remain a member of the Settlement Class. Objecting is simply telling the Court that you don't like something about the Settlement. You can object to or otherwise comment on any term of the Settlement, including why you think the Court should not approve the Settlement. You may also comment on or object to the Fee Petition. The Court will consider your views.

### 13. How do I exclude myself from the Settlement?

If you are a member of the Settlement Class and you decide that you want to exclude yourself, you must send an "Exclusion Request" by first-class mail postmarked by January 13, 2023 to the following address:

*Wood Mountain Fish v. Mowi ASA* Settlement Administrator  
P.O. Box 301132  
Los Angeles, CA 90030-1132

Your written request should include (1) the identity of the party that has chosen to be excluded, as well as the name and telephone number of the appropriate contact person, (2) evidence of your membership in the Settlement Class, (3) a statement indicating that you wish to be excluded from the Settlement Class (for example "I/we hereby request that I/we be excluded from the proposed Settlement Class in *Wood Mountain Fish LLC, et al. v. Mowi ASA, et al.*, No. 19-22128-CIV-SMITH/Louis (S.D. Fla.)"), and (4) your signature. If you are submitting the exclusion request on behalf of a business or entity, include any "formerly known as" names, "doing business as" names, etc.

## OBJECTING TO THE SETTLEMENT

### 14. How do I object to the proposed Settlement?

In order for the Court to consider your objection to the Settlement (or the Fee Petition), your objection must be sent to Co-Lead Counsel by first-class mail postmarked by, or pre-paid delivery service to one of the following addresses by, January 26, 2023:

Heidi M. Silton  
LOCKRIDGE GRINDAL NAUEN PLLP  
100 Washington Ave. South, Suite 2200  
Minneapolis, MN 55401

**OR**

Fred T. Isquith Sr.  
ZWERLING, SCHACHTER & ZWERLING LLP  
41 Madison Ave  
New York, NY 10010

Your objection(s) 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(s), 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, but need not, file the objection(s) through an attorney. You are responsible for paying your attorney.

If you are a member of the Settlement Class, you have the right to voice your objection to the Settlement or to the Fee Petition made by Co-Lead Class Counsel at the Fairness Hearing. 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 paying your attorney and any costs related to your or your attorney's attendance at the hearing. You need not attend the Fairness Hearing in order for the Court to consider your objection.

## **THE COURT WILL HAVE A FINAL "FAIRNESS HEARING" ABOUT THE SETTLEMENT**

### **15. When and where is the Final Fairness Hearing?**

The Court has scheduled a final "Fairness Hearing" on February 24, 2023 at 10:30 a.m. at the following address: United States District Court, Judge Rodney Smith, U.S. Federal Building and Courthouse, Courtroom 202B, 299 East Broward Blvd., Fort Lauderdale, FL 33301. At the hearing, the Court will consider: (i) whether the proposed Settlement should be approved as fair, reasonable, and adequate to Settlement Class Members; and (ii) whether to approve any Fee Petition made by Co-Lead Class Counsel for an award of attorneys' fees and payment of costs and expenses. If there are objections, the Court will consider them. You or your own lawyer may attend the hearing if you wish, at your own expense, but do not have to. You may ask to speak at the Fairness Hearing if you filed an objection as instructed in Question 14, but you do not have to. The Court will listen to people who have asked to speak at the hearing.

After the hearing, the Court will decide whether to approve the Settlement. We do not know how long the Court will take to decide. **The date and or time of the hearing may change without further notice to the Settlement Class, so please check [www.SalmonIndirectPurchaserSettlement.com](http://www.SalmonIndirectPurchaserSettlement.com) for updates.**

### **FOR MORE INFORMATION**

For more detailed information concerning matters relating to the proposed Settlement, you may wish to review the Settlement Agreement and the related Court Orders. These documents are available on the settlement website, [www.SalmonIndirectPurchaserSettlement.com](http://www.SalmonIndirectPurchaserSettlement.com), which also contains answers to "Frequently Asked Questions" as well as more information about the case.

Additionally, to learn more about the ongoing litigation or any of the Settlement, 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 listed in Question 15.

You may also obtain more information by calling the toll-free helpline at 1-844-776-0179.

If your current address is different from the address on the Claim Form you received with 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.**