

Jenner & Block Lawyers Secure Verdict Holding Nation's Largest Egg Producers and Industry Groups Liable for Conspiring to Inflate Egg Prices

News

November 21, 2023

After a five-week trial, a federal jury in Illinois found that two of the largest egg producers in the nation, Cal-Maine Food and Rose Acre Farms, and two egg trade groups, United Egg Producers and United States Egg Marketers, are liable for conspiring to inflate the prices of eggs from the late 1990s through at least 2008.

Our clients, Kraft Heinz Co., Kellogg Co., General Mills Inc., and Nestle USA Inc., sued the defendants in 2011 for their antitrust violations. The price-fixing scheme involved various measures to restrict the egg supply such as prematurely slaughtering still-productive hens.

This verdict is the first holding these businesses liable for their actions. Two other sets of egg buyer plaintiffs failed to convince juries that the producers fixed the price of their eggs. Likewise, a similar matter involving price-fixing allegations for broiler chickens also failed before a jury in Chicago on October 26.

US Judge Steven Seeger, who presided over the case said, “The lawyering here is as good as any lawyering I’ve ever seen on the bench. I told you at the outset of the case that I wanted to see Major League Baseball, and you all delivered an All-Star game.”

The trial was split into two phases earlier this year and the damages phase begins on Wednesday, November 29.

The Jenner & Block trial team was led by Brandon Fox, Annie Kastanek, Angela Allen, Michael Brody, Amy Gallegos, Joel Pelz, Sati Harutyunyan, John VanDeventer, Christopher Sheehan, Margaret Hlousek, Christian Plummer, Reanne Zheng, and Matthew Summers. They received support from James Malysiak, Alex Romain, Terrence Truax, Ali Alsarraf, Adam Abdel-Mageed, Elizabeth Baldrige, Savannah McNeily, Zoe Reinstein, and Steven Tinetti.

Read *Law360*'s coverage of the case here and *Bloomberg*'s here.

Related Attorneys

Brandon D. Fox

Managing Partner, Los Angeles and Century City
bfox@jenner.com
+1 213 239 5101

Annie Kastanek

Partner
akastanek@jenner.com
+1 312 840 7285

Angela Allen

Partner
aallen@jenner.com
+1 312 840 7218

Amy Gallegos

Partner
agallegos@jenner.com
+1 213 239 2208

Joel T. Pelz

Of Counsel
jpelz@jenner.com
+1 312 923 2609

Sati Harutyunyan

Partner
sharutyunyan@jenner.com
+1 213 239 2229

Christian Plummer

Associate
cplummer@jenner.com
+1 312 840 7264

Elizabeth Baldrige

Special Counsel
ebaldrige@jenner.com
+1 213 239 5174

Savannah E.B. McNeily

Associate
smcneily@jenner.com
+1 312 840 7434

Steven Tinetti

Associate

stinetti@jenner.com

+1 312 840 7360

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