
UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

IN RE: BROILER CHICKEN GROWER
ANTITRUST LITIGATION (NO. III)

**ORDER STAYING DISCOVERY
PENDING RESOLUTION OF
MOTIONS TO DISMISS AND SETTING
DEADLINES FOR STATUS REPORTS
(MDL Pretrial Order No. 3)**

Case No. 2:25-MD-03167-DBB-CMR

District Judge David Barlow

To be entered additionally in member cases:

2:25-CV-01134-DBB-CMR
2:25-CV-01135- DBB-CMR
2:25-CV-01136- DBB-CMR
2:25-CV-01137- DBB-CMR
2:25-CV-01139- DBB-CMR
2:25-CV-01172- DBB-CMR

Before the Court is the Joint Motion of Plaintiffs and Defendants Amick Farms, LLC; Mountaire Farms, Inc.; Harrison Poultry, LLC (f/k/a Harrison Poultry, Inc.); Peco Foods, Inc.; Foster Farms, LLC; Case Foods, Inc.; Case Farms Processing, Inc.; Fieldale Farms Corp.; House of Raeford Farms, Inc.; Mar-Jac Poultry, Inc.; Mar-Jac Poultry AL, LLC; Mar-Jac Poultry MS, LLC; Mar-Jac Poultry, LLC; Mar-Jac Holdings, Inc.; O.K. Foods, Inc.; Allen Harim Foods, LLC; Simmons Foods, Inc.; and Norman W. Fries Inc. d/b/a Claxton Poultry Farms, Inc. (collectively, “Defendants” and together with Plaintiffs, “the Parties”) for Entry of Stipulated Order Staying Discovery Pending Resolution of the Motions to Dismiss and Setting Deadlines for Status Reports.

Having considered the Parties' Joint Motion and the Parties' February 5, 2026, joint status report, for the reasons stated on the record, and good cause appearing therefor, the Court hereby orders:

- (1) Discovery in this matter, including any and all activities related to the discovery record that was developed in *In re: Broiler Chicken Grower Litigation*, Case No. 6:17-cv-00033 ("Growers I") and discovery from third parties, is stayed pending the Court's order on Defendants' motions to dismiss, except that the Parties shall be allowed to serve preservation subpoenas on third parties, provided that the Parties expressly defer any meet and confer efforts other than solely for the purpose of ensuring preservation and do not seek to obtain the productions that are subject to these subpoenas until the discovery stay is lifted.
- (2) Following the Court's order on Defendants' motions to dismiss, and if the case is not dismissed, the discovery stay is lifted, and the Parties shall submit a joint status report apprising the Court regarding any discovery limitations and the time needed to conduct discovery within 30 days of the Court's order.
- (3) Upon commencement of discovery, the Parties shall submit a joint status report every 60 days to keep the Court apprised of the status of discovery.

ORDER

The following motions are GRANTED:

- ECF No. 138 in case 2:25-md-03167;
- ECF No. 297 in case 2:25-cv-01134;
- ECF No. 107 in case 2:25-cv-01135;

- ECF No. 53 in case 2:25-cv-01136;
- ECF No. 71 in case 2:25-cv-01137;
- ECF No. 65 in case 2:25-cv-01139; and
- ECF No. 68 in case 2:25-cv-01172.

Signed June 10, 2026.

BY THE COURT



David Barlow
United States District Judge