



For settlement questions, or to get the claim process started, contact Janice Hart at (800) 729-5998 or email Janice at [jhart@nationalequity.com](mailto:jhart@nationalequity.com)

If your company purchased products from U.S. Foodservice, Inc. (known as US Foods, Inc.) under a cost-plus arrangement, which included the use of a Value-Added Service Provider (“VASP”) invoice, you could be entitled to payment resulting from a class action settlement.

*In re U.S. Foodservice, Inc. Pricing Litigation, No. 3:07-md-1894(AWT) (D. Conn.)*

**Settlement Fund:** \$297,000,000

**Period of Claim:** Between 1998 and 2005

**Filing Deadline:** December 19, 2014 or 7 days after the Court enters an order of final approval of the settlement, whichever comes later. The Court will hold a hearing on December 9, 2014 to decide whether to approve the settlement.

**Summary:** The lawsuit alleges that US Foods, Inc. (USF), between 1998 and 2005, improperly inflated the “cost” of goods it sold to its customers with cost-plus purchasing arrangements, and for which USF used a VASP transaction to calculate the cost component, and thereby breached its contracts with those customers and violated Federal Racketeer Influenced and Corrupt Organization Act (“RICO”) laws.

**Eligibility:** Any company or individual in the United States who purchased products from USF pursuant to an arrangement that defined a sale price in terms of a cost components plus a mark-up (“cost-plus arrangement”), and for which USF used a VASP transaction to calculate the cost component during the claim period. The alleged VASP’s were:

- Seafood Marketing Specialists, Inc.
- Frozen Farms, Inc.
- Produce Solutions, Inc. a/k/a Cross Valley Produce, Inc.
- Private Labels Distribution Inc., a/k/a Private Brands Distribution, Inc.
- Commodity Management Systems, Inc.

You are NOT a Class Member if you purchased products from USF between 1998 and 2005 and did NOT have an agreement with USF (either written or oral) that your price would be calculated based on a cost for the product plus an agreement-upon markup, margin, or per case fee, or if you had such an agreement, but you did not make purchases from USP from which a VASP invoice was used to calculate the price.

**Defendants:** U.S. Foodservice, Inc., now known as US Foods, Inc., (USF)

National Equity is not a law firm. If you require legal advice, please consult your attorney. For additional information, please visit the Court authorized website at [usfoodservicepricinglitigation.com/](http://usfoodservicepricinglitigation.com/)

2775 MAIN STREET • BUFFALO, NEW YORK 14214-1703 • (800) 729-5998 • (716) 834-6603  
• FAX (716) 834-6607 • E-mail: [jhart@nationalequity.com](mailto:jhart@nationalequity.com)