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VIA OVERNIGHT MAIL AND ELECTRONIC FILING

October 18, 2023

The Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543

**Re: *Amory Investments LLC, et al. v. Tyson Foods Inc., et al.*, No. 23-285
Motion to Extend Time to Oppose Petition for a Writ of Certiorari**

Dear Mr. Harris:

I am writing on behalf of all Respondents in the above-captioned case to request a 30-day extension of time to file a brief in opposition to the petition for a writ of certiorari.¹ This Court docketed the petition on September 22, 2023. The brief in opposition is currently due on October 23, 2023. Pursuant to Supreme Court Rules 15.3 and 30.4, Respondents respectfully request an extension until November 22, 2023 to file their brief in opposition.

There is good cause for this extension. First, there is no exigency to this case. This appeal challenges an order from the United States Court of Appeals for the Seventh Circuit holding that it did not have appellate jurisdiction under the collateral order doctrine to review an interlocutory order upholding the enforceability of a judgment sharing agreement among the Respondents. The modest extension Respondents seek, therefore, will have no impact on Petitioners' ability to pursue the relief they request in either this Court or the lower courts, particularly because Petitioners are in a second track in the underlying litigation. Second, Respondent Sanderson Farms, Inc. ("Sanderson"), which is actively involved in preparing to oppose the petition, is in the middle of a trial on the merits in the first track of this

¹ Pursuant to Supreme Court Rule 29.6, a list of corporate disclosure statements for all Respondents is attached hereto as Appendix A.

case. That trial is scheduled to conclude during the week of October 23, 2023. The extension should be granted to allow Sanderson an adequate opportunity to participate in the preparation of Respondents' opposition brief without the competing demands of trial.

This is the first extension Respondents have sought. Petitioners have indicated they do not oppose this request.

Respectfully submitted,

Danielle R. Foley

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(via email and overnight mail)

APPENDIX A

Case Farms

Respondents Case Foods, Inc. and Case Farms LLC do not have any parent corporations, and no publicly held company owns 10% or more of their stock.

Respondent Case Farms Processing, Inc.'s parent corporation is Respondent Case Foods, Inc. No publicly held company owns 10% or more of Case Farms Processing, Inc.'s stock.

Claxton

Respondent Norman W. Fries, Inc. d/b/a Claxton Poultry Farms does not have any parent corporations, and no publicly held company owns 10% or more of its stock.

Foster Farms

Respondents Foster Poultry Farms LLC and Foster Farms, LLC's parent corporation is Foster Group Acquisition. Foster Group Acquisition LLC is 100% owned by Foster Group Parent LLC. Foster Group Parent LLC is 100% owned by ACR Foster Intermediate Group LLC. ACR Foster Intermediate Group LLC is 99.96% owned by ACR Group Foster Holdings LLC. ACR Group Foster Holdings LLC is owned 32.93% by ACR III Foster Holdings LLC and 65.86% by ACR IV Foster Holdings LLC. No publicly held company owns 10% or more of the stock of Foster Poultry Farms or Foster Farms, LLC.

Harrison Poultry

Respondent Harrison Poultry, Inc. does not have any parent corporations, and no publicly held company owns 10% or more of its stock.

House of Raeford Farms

Respondent House of Raeford Farms, Inc. does not have any parent corporations, and no publicly held company owns 10% or more of its stock.

Koch

Respondent Koch Foods Incorporated does not have any parent corporations, and no publicly held company owns 10% or more of its stock.

Respondent Koch Meat Co., Inc.'s parent corporation is Respondent Koch Foods Incorporated. No publicly held company owns 10% or more of Koch Meat Co., Inc.'s stock.

Respondents JCG Foods of Alabama, LLC and JCG Foods of Georgia, LLC's parent corporation is JCG Foods LLC. JCG Foods LLC's parent corporation is Koch Foods Incorporated. No publicly held company owns 10% or more of the stock of JCG Foods of Alabama, LLC or JCG Foods of Georgia, LLC.

Mar-Jac

Respondent Mar-Jac Holdings, Inc. does not have any parent corporations, and no publicly held company owns 10% or more of its stock.

Respondent Mar-Jac Poultry, LLC does not have any parent corporations, and no publicly held company owns 10% or more of its stock.

Respondent Mar-Jac Poultry, Inc.'s parent corporation is Respondent Mar-Jac Holdings, Inc. No publicly held company owns 10% or more of Mar-Jac Poultry Inc.'s stock.

Respondents Mar-Jac Poultry AL, LLC and Mar-Jac Poultry MS, LLC's parent corporation is Respondent Mar-Jac Poultry, LLC. No publicly held company owns 10% or more of the stock of Mar-Jac Poultry AL, LLC or Mar-Jac Poultry MS, LLC.

Mountaire

Respondents Mountaire Farms Inc., Mountaire Farms, LLC, and Mountaire Farms of Delaware, Inc.'s parent corporation is Mountaire Corporation. No publicly held company owns 10% or more of the stock of Mountaire Farms, Inc., Mountaire Farms, LLC, or Mountaire Farms of Delaware, Inc.

Perdue

Respondent Perdue Farms, Inc. does not have any parent corporations, and no publicly held company owns 10% or more of its stock.

Respondent Perdue Foods LLC's parent corporation is Respondent Perdue Farms, Inc. No publicly held company owns 10% or more of Perdue Foods LLC's stock.

Pilgrim's Pride

Respondent Pilgrim's Pride Corporation's majority owner is JBS Wisconsin Properties, LLC, which is an indirect wholly-owned subsidiary of ultimate parent JBS S.A. JBS S.A. owns 10% or more of Pilgrim's Pride Corporation's stock.

Sanderson Farms

Respondent Sanderson Farms, LLC (f/k/a Sanderson Farms, Inc.)'s parent corporation is Sycamore Buyer LLC. Sycamore Buyer LLC is 100% owned by Walnut Sycamore Intermediate Holdings LLC. Walnut Sycamore Intermediate Holdings LLC is 100% owned by Walnut Sycamore NewCo LLC. Walnut Sycamore NewCo LLC is 36% owned by Walnut Sycamore HoldCo1 LLC and 64% owned by Walnut Sycamore Holdings LLC. Walnut Sycamore HoldCo1 LLC is 100% owned by Walnut Sycamore Holdings LLC. Walnut Sycamore Holdings LLC is 50% owned by Wayne Farms Holdings LLC and 50% owned by CMSC Poultry LLC. Wayne Farms Holdings LLC is 76% owned by Continental Grain Company and 24% owned by BBSB Investments, LLC. CMSC Poultry, LLC is 100% owned by Cargill Incorporated. No publicly held company owns 10% or more of Sanderson Farms, LLC's stock.

Respondents Sanderson Farms Foods, LLC (f/k/a Sanderson Farms, Inc. (Foods Division)), Sanderson Farms Production, LLC (f/k/a Sanderson Farms, Inc. (Production Division)), and Sanderson Farms Processing, LLC (f/k/a Sanderson Farms, Inc. (Processing Division))'s parent corporation is Sanderson Farms, LLC. No publicly held company owns 10% or more of the stock of Sanderson Farms Foods, LLC, Sanderson Farms Production, LLC, or Sanderson Farms Processing, LLC.

Simmons

Respondents Simmons Foods, Inc. and Simmons Prepared Foods, Inc. do not have any parent corporations, and no publicly held company owns 10% or more of their stock.

Tyson Foods

Respondents Tyson Breeders, Inc., Tyson Chickens, Inc., and Tyson Poultry, Inc. are wholly-owned subsidiaries of Respondent Tyson Foods, Inc.

Respondent Tyson Foods, Inc. is a publicly-held corporation and does not have any parent corporations. No publicly-held corporation owns 10% or more of Tyson Foods, Inc.'s stock.

Wayne Farms

Respondent Wayne Farms LLC's parent corporation is Walnut Sycamore Intermediate Holdings, LLC. Walnut Sycamore Intermediate Holdings LLC is 100% owned by Walnut Sycamore NewCo LLC. Walnut Sycamore NewCo LLC is 36% owned by Walnut Sycamore HoldCo1 LLC and 64% owned by Walnut Sycamore Holdings LLC. Walnut Sycamore HoldCo1 LLC is 100% owned by Walnut Sycamore Holdings LLC. Walnut Sycamore Holdings LLC is 50% owned by Wayne Farms Holdings LLC and 50% owned by CMSC Poultry LLC. Wayne Farms Holdings LLC is 76% owned by Continental Grain Company and 24% owned by BBSB Investments, LLC. CMSC Poultry, LLC is 100% owned by Cargill Incorporated. No publicly held company owns 10% or more of Wayne Farms LLC's stock.