U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed December 3, 2009 **United States Bankruptcy Judge**

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

In re:	§	
	§	**Chapter 11**
PILGRIM'S PRIDE CORPORATION,	§	
ET AL.	§	**Case No. 08-45664 (DML)**
	§	
Debtors	§	
	§	**JOINTLY ADMINISTERED**

ORDER GRANTING MOTION OF CODY WHEELER, DON DAVIS, AND DAVEY WILLIAMS FOR RELIEF FROM THE AUTOMATIC STAY TO PERMIT SHERMAN ACT LITIGATION TO PROCEED IN FEDERAL DISTRICT COURT

CAME ON for consideration the *Motion of Cody Wheeler, Don Davis and Davey Williams for Relief from the Automatic Stay to Permit Sherman Act Litigation to Proceed in Federal District Court* [Bankr. D.I. 2861] ("Motion") filed in the above-styled bankruptcy cases on July 31, 2009 by Cody Wheeler, Don Davis and Davey Williams (collectively, the "Plaintiffs"), and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, and having considered the Motion, and after due and proper notice having been granted to all parties entitled to notice of the Motion, is of the opinion that the Motion should be GRANTED.

THE COURT FINDS THAT:

A. All capitalized terms not otherwise defined in this order (the "Order") shall have the meanings ascribed to them in the Motion.

B. Cause exists to modify the automatic stay pursuant to 11 U.S.C. § 362(d)(1) to permit the Plaintiffs, PPC and Tyson to proceed with the Antitrust Action in the District Court and to exhaust all rights and remedies they may have under applicable law in connection with the Antitrust Action in the District Court and/or on appeal to the United States Court of Appeals for the Fifth Circuit and/or the United States Supreme Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. The Motion is in all things GRANTED.

2. Effective as of February 1, 2010, the automatic stay (and/or any then effective discharge or similar injunction granted to the Debtors under Bankruptcy Code §§ 105, 524 and/or 1141 pursuant to any then effective plan of reorganization of the Debtors (a "Discharge Injunction")) shall be modified, lifted and terminated to permit the Plaintiffs, PPC and Tyson to proceed with the Antitrust Action in the District Court and to exhaust all rights and remedies they may have under applicable law in connection with the Antitrust Action in the District Court and/or on appeal to the United States Court of Appeals for the Fifth Circuit and/or the United States Supreme Court

3. After February 1, 2010, the automatic stay (and/or any Discharge Injunction) shall continue to prohibit the Plaintiffs from executing, foreclosing on and/or taking any other collection action against the Debtors' property on account of any final and non-appealable judgment or judgments, if any, that the Plaintiffs may obtain against PPC in the Antitrust Action. If the Plaintiffs recover one or more final and non-appealable judgments against PPC in the Antitrust

Action, then any Plaintiff holding such judgment(s) shall amend his currently filed proof of claim by filing with the Debtors' claims agent, Kurtzman Carson Consultants LLC, a copy of the judgment with an amended proof of claim.

4. This Order is without prejudice to the rights of the Plaintiffs, PPC and/or Tyson to seek additional relief from this Court in connection with the Antitrust Action and/or any related proceedings, as well as the rights of any party to challenge such request.

5. This Court retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.

6. This Order shall become effective immediately upon entry by this Court notwithstanding the ten-day stay of effectiveness required by Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure.

End of Order