

NEWS & INSIGHTS

DOJ MOVES TO DISMISS ALL CLAIMS AGAINST LIGHTFOOT CLIENT IN HIGH-PROFILE CHICKEN PRICE-FIXING CASE

Partner Jack Sharman led Lightfoot defense team in the largest price-fixing enforcement action in decades

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The U.S. Department of Justice (DOJ) has moved to dismiss all price-fixing claims against Lightfoot, Franklin & White LLC client Wesley “Scott” Tucker, a former national accounts sales executive for the chicken producer Pilgrim’s Pride. Tucker, along with four other defendants who were also former employees of Pilgrim’s Pride, was the target of a DOJ investigation and subsequent criminal antitrust prosecution.

This matter was part of the largest DOJ price-fixing enforcement action in decades and has already resulted in three trials in Denver, Colorado.

Lightfoot partner **Jack Sharman** led the defense team for Tucker. The judge in the case has yet to approve the motion to dismiss the charges.

“We are gratified that the government has moved to dismiss its claims against Scott,” said Sharman, who also serves as chair of Lightfoot’s **White-Collar Criminal Defense and Corporate Investigations practice group**. “We will work with the DOJ and the court to ensure that all remaining issues are addressed so that Scott can turn his focus to rebuilding his personal life and professional career.”

The government’s investigation was officially announced in 2019 when it intervened in a private lawsuit alleging the country’s largest chicken producers engaged in anti-competitive activity. In all of its subsequent criminal prosecutions, the DOJ claimed executives and employees at the companies loosely communicated with each other to coordinate pricing for restaurants, grocery stores and other wholesale chicken buyers. Since then, three trials have gone forward, with the first two ending in mistrials and the third in acquittals.

In addition to Sharman, the Lightfoot team included partners **Brandon Essig** and **Jeff Doss**; associates **Amie Vague**, **Tatum Jackson** and **Mary Parrish McCracken**; and **Sam McAllister**, head of the firm’s litigation technology services department.

The case is U.S. v. McGuire et al., case number 1:21-cr-00246, in the U.S. District Court for the District of Colorado.