

# **EXHIBIT 5**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

*Budicak, Inc. et al. v. Lansing Trade Group,  
LLC et al.*

Case No. 2:19-cv-02449 (D. Kan.)

**SUMMARY NOTICE OF PROPOSED CLASS ACTION SETTLEMENTS**

**If you transacted in CBOT Wheat Futures or Options from at least February 1, 2015 through May 15, 2015, your rights may be affected by pending class action settlements and you may be entitled to a portion of the settlement fund.**

This Summary Notice is to alert you to two proposed Settlements, one with Lansing Trade Group, LLC (“Lansing”) totaling **\$18,000,000.00** and the second with Cascade Commodity Consulting LLC (“Cascade” and collectively with Lansing and unidentified co-conspirators named as John Does 6 through 10, “Defendants”), in a pending class action (the “Action”). Lansing and Cascade deny each and every one of Plaintiffs’ allegations of unlawful conduct, and each maintains that it has good and meritorious defenses to the claims of liability and damages made by Plaintiffs.

The United States District Court for the District of Kansas (the “Court”) authorized this Summary Notice and has appointed the lawyers listed below (“Class Counsel”) to represent the Settlement Class in this Action:

Vincent Briganti  
Raymond P. Girnys  
Lowey Dannenberg, P.C.  
44 South Broadway, Suite 1100  
White Plains, NY 10601  
Telephone: (914) 733-7221  
vbriganti@lowey.com  
rgirnys@lowey.com

Jennifer W. Sprengel  
Cafferty Clobes Meriwether & Sprengel LLP  
135 S. LaSalle St., Suite 3210  
Chicago, IL 60603  
Telephone: (312) 782-4880  
jsprengel@caffertyclobes.com

**Who is a member of the Settlement Class?**

Subject to certain exceptions, the proposed Settlement Class consists of all Persons and entities that transacted in CBOT Wheat Futures or Options from at least February 1, 2015 through May 15, 2015 (the “Class Period”). Excluded from the Settlement Class are Defendants and their direct or indirect parents, subsidiaries, affiliates, divisions, officers, directors, employees, and agents, whether or not named as a Defendant, the United States Government, and any judicial officer presiding over this Action and the members of his or her immediate family and judicial staff.

“CBOT Wheat Futures or Options” means wheat futures and options contracts that trade on the Chicago Board of Trade (“CBOT”).

The other capitalized terms used in this Summary Notice are defined in the detailed Notice of Proposed Class Action Settlements, [DATE], 2022 Settlement Hearing Thereon, and Class Members' Rights ("Notice") and the Stipulations, which are available at [www.2015CBOTwheatfuturesclassactionsettlement.com](http://www.2015CBOTwheatfuturesclassactionsettlement.com).

If you are not sure if you are included in the Settlement Class, you can get more information, including the detailed Notice, at [www.2015CBOTwheatfuturesclassactionsettlement.com](http://www.2015CBOTwheatfuturesclassactionsettlement.com) or by calling toll-free 1-XXX-XXX-XXXX (if calling from outside the United States or Canada, call 1-XXX-XXX-XXXX).

### **What is this lawsuit about and what do the Settlements provide?**

Plaintiffs allege that Defendants conspired to and successfully manipulated the prices of CBOT Wheat Futures or Options during the Class Period by falsely signaling demand for physical wheat, which caused the prices of CBOT Wheat Futures or Options to be artificial. Plaintiffs further allege that Lansing engaged in this behavior with its primary purpose to benefit its trading positions at the expense of Class Members in violation of the Commodity Exchange Act, 7 U.S.C. §§ 1, *et seq.* (the "CEA"), the Sherman Antitrust Act, 15 U.S.C. §§ 1, *et seq.*, and the common law. Plaintiffs also allege that Cascade wrongfully published information relating to Lansing's alleged market activity.

Lansing and Cascade deny Plaintiffs' allegations, and each maintains that it has good and meritorious defenses to Plaintiffs' claims and would prevail if the case were to proceed. Lansing specifically contends that it did not send any signal to the market, nor was its demand for the wheat underlying shipping certificates false. Lansing further denies conspiring with Cascade to do anything, much less conduct that allegedly violated the CEA or the Sherman Antitrust Act. Nevertheless, to settle the claims in this lawsuit, and thereby avoid the distraction and cost of further litigation, Lansing has agreed to pay a total of \$18 million (the "Settlement Fund") in cash for the benefit of the proposed Settlement Class. Cascade has provided substantial cooperation to Plaintiffs' Counsel to benefit the Class. If the Settlements are approved, the Settlement Fund, plus interest earned from the date it was established, less any Taxes, the reasonable costs of Class Notice and administration, any Court-awarded attorneys' fees, litigation expenses and costs, Incentive Awards for Plaintiffs, and any other costs or fees approved by the Court (the "Net Settlement Fund") will be divided among all Class Members who file timely and valid Proof of Claim and Release Forms ("Claim Forms").

If the Settlements are approved, the Action will be resolved against Lansing and Cascade. If the Settlements are not approved, Lansing and Cascade will remain as defendants in the Action, and Plaintiffs will continue to pursue their claims against them.

### **Will I get a payment?**

If you are a member of the Settlement Class and do not opt out, you may be eligible for a payment from the Net Settlement Fund if you file a Claim Form. You also may obtain more information at [www.2015CBOTwheatfuturesclassactionsettlement.com](http://www.2015CBOTwheatfuturesclassactionsettlement.com) or by calling toll-free 1-XXX-XXX-XXXX (if calling from outside the United States or Canada, call 1-XXX-XXX-XXXX). Claim Forms must be postmarked by [DATE] or submitted online at [www.](http://www.2015CBOTwheatfuturesclassactionsettlement.com)

**2015CBOTwheatfuturesclassactionsettlement.com** on or before 11:59 p.m. Eastern Time on [DATE].

**What are my rights?**

If you are a member of the Settlement Class and do not opt out, you will release certain legal rights against Lansing, Cascade and Released Parties as explained in the detailed Notice and Stipulations, which are available at **www.2015CBOTwheatfuturesclassactionsettlement.com**. If you do not want to take part in the proposed Settlements, you must opt out by [DATE]. You may object to the proposed Settlements, the Distribution Plan, and/or Class Counsel's request for attorneys' fees, payment of litigation costs and expenses, and Plaintiffs' application for Incentive Awards. If you want to object, you must do so by [DATE]. Information on how to opt out or object is contained in the detailed Notice, which is available at **www.2015CBOTwheatfuturesclassactionsettlement.com**.

**When is the Settlement Hearing?**

The Court will hold a hearing at the United States District Court for the District of Kansas, 444 S.E. Quincy, Topeka, KS 66683, on [DATE] at [TIME a.m./p.m.] Central Time to consider whether to finally approve the proposed Settlement, Distribution Plan, the application for an award of attorneys' fees and payment of litigation costs and expenses, and the application for Incentive Awards for the Plaintiffs. The Settlement Hearing may be moved to a different date or time without notice to you, but Class Counsel will post updates concerning dates and deadlines on the Settlement Website. Given the current COVID-19 situation, the Settlement Hearing may be conducted remotely. Although you do not need to attend, if you plan to do so, you should check the Settlement Website before making travel plans. You or your lawyer may ask to appear and speak at the hearing at your own expense, but you do not have to. Any changes to the time and place of the Settlement Hearing, or other deadlines, will be posted to **www.2015CBOTwheatfuturesclassactionsettlement.com** as soon as is practicable.

**For more information, call toll-free 1-XXX-XXX-XXXX (if calling from outside the United States or Canada, call 1-XXX-XXX-XXXX) or visit [www.2015CBOTwheatfuturesclassactionsettlement.com](http://www.2015CBOTwheatfuturesclassactionsettlement.com).**

***\*\*\*\* Please do not call the Court or the Clerk of the Court for information about the Settlement. \*\*\*\****