

FILED
2025 AUG 19 12:13 PM The Honorable Marshall Ferguson
KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE #: 24-2-00977-9 SEA

**STATE OF WASHINGTON
KING COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,

Plaintiff,

v.

THE KROGER CO., ET AL.,

Defendants.

CAUSE NO. 24-2-00977-9

AMENDED JUDGMENT

Clerk's Action Required

AMENDED JUDGMENT SUMMARY

- | | |
|--|--|
| 1. Judgment Creditor: | State of Washington |
| 2. Judgment Debtors: | The Kroger Co.; Kettle Merger Sub, Inc.;
Albertsons Companies, Inc.; Albertson's
Companies Specialty Care, LLC;
Albertson's LLC; and Albertson's Stores
Sub LLC. |
| 3. Non-Monetary Judgment: | Declaratory Judgment and Injunctive Relief |
| 4. Attorney Fees: | \$28,370,356.04 |
| 5. Costs: | \$2,776.57 |
| 6. Judgment debt shall accrue Interest at a rate of: | 12% (twelve percent) per annum. |
| 7. Attorneys for Judgment Creditor: | Paula Pera C.
Amy Hanson
Jonathan Mark

Washington State Office of the Attorney
General |

1 8. Attorney for Judgment Debtors The Kroger
2 Co.; Kettle Merger Sub, Inc.:

Sonia Kuester Pfaffenroth, Pallavi Mehta
Wahi and Aaron Millstein, Arnold & Porter
Kaye Scholer LLP

3 9. Attorney for Judgment Debtors Albertsons
4 Companies, Inc.; Albertson's Companies
5 Specialty Care, LLC.; Albertson's LLC; and
Albertson's Stores Sub LLC:

Enu Mainigi, Beth Stewart, and William
Ashworth, Williams and Connolly LLP;
Claire Martirosian, McNaul Ebel Nawrot &
Helgren PLLC

6 **AMENDED JUDGMENT**

7 IT IS ORDERED, ADJUDGED AND DECREED that, for the reasons stated in the
8 Court's Findings of Facts and Conclusions of Law, Dkt. No. 946 (Dec. 10, 2024), and for the
9 reasons stated in the Court's Findings of Fact, Conclusions of Law, and Order on the State's
10 Cost Bill and Petition for Attorneys' Fees and Expenses, Dkt. No. 1100 (August 19, 2025),
11 both of which are incorporated by reference herein, and as stated on the record on December
12 10, 2024, and on August 7, 2025, JUDGMENT is entered in favor of Plaintiff State of
13 Washington and against Defendants The Kroger Co. and Kettle Merger Sub, Inc. (collectively
14 "Kroger") and Defendants Albertsons Companies, Inc., Albertson's Companies Specialty Care,
15 LLC., Albertson's LLC, and Albertson's Stores Sub LLC (collectively, "Albertsons" and
16 together with Kroger "Defendants"), as follows:

17 1. The proposed transaction between Defendants Kroger and Albertsons through
18 which Kroger proposes to acquire Albertsons violates RCW 19.86.060;

19 2. Defendants, their affiliates, successors, transferees, assignees and other officers,
20 directors, partners, agents and employees thereof, and all other persons acting or claiming to
21 act on their behalf or in concert with them, are PERMANENTLY ENJOINED AND
22 RESTRAINED from consummating the proposed acquisition by Defendant Kroger of
23 Defendant Albertsons;

24 3. Plaintiff State of Washington is the prevailing party in this matter. The State of
25 Washington is awarded its reasonable costs and attorneys' fees.

26 4. The State of Washington's reasonable statutory costs are \$2,776.57.

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Notice of Presentation Waived

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**King County Superior Court
Judicial Electronic Signature Page**

Case Number: 24-2-00977-9 SEA
Case Title: STATE OF WASHINGTON VS KROGER CO ET AL

Document Title: Judgment

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Judge: Marshall L Ferguson

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