

AG Kaul: Announces lawsuit, divestiture of two former Dean Foods plants

Posted on Friday, May 1, 2020

>> **WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)**

MADISON, Wis. – Attorney General Kaul announced today that he, along with the U.S. Department of Justice and Commonwealth of Massachusetts, has filed a [complaint](#) and [proposed final judgment](#) in the Northern District of Illinois against Dairy Farmers of America (DFA), which recently acquired Dean Foods property out of bankruptcy.

“I am very happy that we’ve been able to help protect competition in the dairy industry here in Wisconsin,” AG Kaul said. “While strong competition in the market is always important, it’s incredibly important now, as we’re living through a pandemic. Our supply chain must have robust competition to ensure a continued supply of milk to those who need it, and milk producers—who were facing a crisis in the dairy industry even before the coronavirus pandemic hit—need to be able to sell milk on fair terms.”

The proposed order requires that DFA divest two plants, one in DePere, Wisconsin, and one in Harvard, Illinois (also known as the Chemung plant) to a buyer within thirty days. DFA is also required to divest the intellectual property associated with the DePere plant, including the exclusive right to using the “Dean’s” name in Wisconsin, Illinois, Indiana, and the Upper Peninsula of Michigan, and licenses for the “TruMoo” and “DairyPure” brand names nationwide.

In early April, a U.S. bankruptcy court in Texas approved the sale of Dean Foods plants to DFA for \$433 million. That decision came five months after Dean, at the time the largest dairy processor in the country, filed for Chapter 11 bankruptcy protection.

The U.S. Department of Justice will approve the buyer of the DePere and Harvard plants.

The filings may be found [here](#).

Assistant Attorney General Gwendolyn J. Cooley represented the State of Wisconsin in this matter.

<https://www.doj.state.wi.us/news-releases/ag-kaul-announces-lawsuit-divestiture-two-former-dean-foods-plants>