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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **OAKLAND DIVISION**

12 IN RE: CATHODE RAY TUBE (CRT)
13 ANTITRUST LITIGATION

Master File No. 07-CV-5944-JST

MDL No. 1917

14 This Document Relates to:

15 *ALL DIRECT PURCHASER ACTIONS*

16 **DIRECT PURCHASER PLAINTIFFS’
17 REPLY BRIEF IN SUPPORT OF MOTION
18 FOR ORDER AUTHORIZING
19 DISTRIBUTION OF SETTLEMENT FUNDS**

Date: May 26, 2022

Time: 2:00 p.m.

Judge: Honorable Jon S. Tigar

Courtroom: 6 - 2nd Floor

1 **STATEMENT OF ISSUES TO BE DECIDED**

2 1. Whether to adopt and approve the Settlement Administrator’s recommendations
3 regarding the ineligibility of the claims, as set forth in Exhibit B to the Christman Declaration.

4 2. Whether to authorize payment of all claims approved by the Settlement
5 Administrator from the settlement funds according to the pro rata Plan of Allocation and as set
6 forth in Exhibit D to the Christman Declaration.

7 3. Whether the Settlement Administrator shall be reimbursed for costs and expenses
8 incurred in the amount of \$1,291,445.86.

9 4. Whether to reserve \$70,660.76 for the payment of additional claims administration
10 costs and expenses, and \$250,000.00 for potential tax liability and other issues.

11 **REPLY BRIEF**

12 **I. INTRODUCTION**

13 Direct Purchaser Plaintiffs (“Plaintiffs”) respectfully submit this Reply Brief in support of
14 their Motion for an Order Authorizing Distribution of Settlement Funds (ECF No. 6005) (“Motion”
15 or “Mot.”). No objection to the Motion has been filed to date. The Court should therefore enter an
16 order authorizing payment of approximately \$142 million to the 1,834 approved claimants.

17 **II. STATEMENT OF RELEVANT FACTS**

18 After Plaintiffs filed their Motion, the following documents were posted on the CRT
19 settlement website (www.CRTDirectPurchaserAntitrustSettlement.com) maintained by the
20 Settlement Administrator: the Notice of Motion and Motion, the Memorandum of Points and
21 Authorities in Support Thereof, the Declaration of Rachel Christman re: Claims Processing and
22 Distribution of the Net Settlement Funds (“Christman Declaration”), and the [Proposed] Order
23 Granting Direct Purchaser Plaintiffs’ Motion for Order Authorizing Distribution of Settlement
24 Funds. Declaration of Rachel Christman re: Posting of Documents to Settlement Website ¶ 2
25 (“Christman Reply Declaration”).

26 The Settlement Administrator has responded to inquiries from class members regarding the
27 status of the proposed distributions as well as the calculations of their proposed pro rata payments.

28 *Id.* ¶ 3. The deadline to oppose the Motion has passed and no opposition or objections were filed.

1 **III. ARGUMENT**

2 Plaintiffs' proposed distribution is fair, adequate and reasonable, and gives no preferential
 3 treatment to any individual claimant. All approved claimants are entitled to a pro rata share of the
 4 Net Settlement Funds, less expenses and reserve, according to the pro rata Plan of Allocation. Mot.
 5 at 13–14. The pro rata Plan of Allocation previously approved by the Court will compensate class
 6 members based on the extent of their injuries. *Id.* at 13 (citing *In re Anthem, Inc. Data Breach*
 7 *Litig.*, 327 F.R.D. 299, 332 (N.D. Cal. 2018)). Notices about the settlements and the claims process
 8 informed the class about the pro rata allocation. Mot. at 5–6. Therefore any objections based on the
 9 previously approved pro rata allocation—if any are filed—should be overruled.

10 **IV. CONCLUSION**

11 For the foregoing reasons, Plaintiffs respectfully request that the Court enter the previously
 12 submitted [Proposed] Order: 1) approving the Settlement Administrator's recommendations
 13 regarding the ineligibility of claims set forth in Exhibit B to the Christman Declaration; 2)
 14 authorizing payment of all claims approved by the Settlement Administrator according to the pro
 15 rata Plan of Allocation, as set forth in Exhibit D to the Christman Declaration; 3) authorizing
 16 payment to the Settlement Administrator for unreimbursed costs and expenses incurred in the
 17 amount of \$1,291,445.86; and 4) authorizing Plaintiffs to reserve in escrow \$70,660.76 for the
 18 payment of additional claims administration costs, as well as \$250,000 for potential tax liability or
 19 other issues.

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 21 Dated: April 21, 2022

Respectfully submitted,

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 23 /s/ R. Alexander Saveri

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