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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE DYNAMIC RANDOM ACCESS
MEMORY (DRAM) ANTITRUST
LITIGATION

Master File No. M-02-1486 PJH

MDL No. 1486

**[PROPOSED] ORDER GRANTING
DIRECT PURCHASER PLAINTIFFS'
MOTION FOR AN ORDER
AUTHORIZING DISTRIBUTION OF
SETTLEMENT FUND**

This Document Relates To:

All Direct Purchaser Actions

Judge: Hon. Phyllis J. Hamilton
Courtroom: 3, 3rd Floor

1 Direct Purchaser Plaintiffs' Motion for an Order Authorizing Distribution of the Settlement
2 Fund ("Motion") came on for hearing on October 28, 2009. The Court previously granted final
3 approval the settlement agreements reached in these class action proceedings and found that due
4 and adequate notice of the settlements was provided to the Class. (Dkt. Nos. 1153-55, 1533-36,
5 1662-64, 1677.)

6 Having considered the Motion, the Declaration of Robin Niemiec in Support of Motion
7 Authorizing Distribution of Settlement Fund ("Niemiec Declaration"), the Declaration of R.
8 Alexander Saveri in Support of Direct Purchaser Plaintiffs' Motion for an Order Authorizing
9 Distribution of Settlement Fund, and all other supporting papers and arguments presented at the
10 hearing, it is hereby ORDERED that:

11 1. Plaintiffs' Motion is GRANTED.

12 2. The Court finds that a *pro rata* distribution of the Net Settlement Fund (determined
13 by multiplying each valid claimant's percentage of the total valid claims times the Net Settlement
14 Fund) is fair, adequate and reasonable.

15 3. The Court further finds that the claims review process, as set forth in the Niemiec
16 Declaration, was fair, adequate and reasonable, providing a full and fair opportunity for potential
17 members of the class to submit a valid claim.

18 4. The Claims Administrator's recommendations regarding the ineligibility (Exhibit K
19 of the Niemiec Declaration) and eligibility (Exhibit L of the Niemiec Declaration) of the claims are
20 hereby adopted and approved.

21 5. Sufficient funds shall be reserved in the Net Settlement Fund for the payment of
22 claims administration costs and taxes.

23 6. Until further order of the Court regarding the disputed claims of Kimball
24 Electronics, Inc. f/k/a Reptron Electronics, Inc. ("Reptron"), Plaintiffs' Counsel shall reserve
25 Reptron's *pro rata* share of the Net Settlement Fund in escrow until resolution of its claim.

