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*Chairman of the Executive Committee
for the Direct Purchaser Plaintiffs*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE OPTICAL DISK DRIVE
ANTITRUST LITIGATION

Case No. 3:10-md-02143 RS
MDL No. 2143

This Document Relates to:
ALL DIRECT PURCHASER ACTIONS

**DIRECT PURCHASER PLAINTIFFS’
REPLY BRIEF IN SUPPORT OF MOTION
FOR ORDER AUTHORIZING
DISTRIBUTION OF REMAINING
SETTLEMENT FUNDS AND CY PRES
DISTRIBUTION OF FUTURE REMAINING
FUNDS**

Date: September 2, 2021
Time: 1:30 p.m.
Judge: Hon. Richard Seeborg
Courtroom: 3

1 **STATEMENT OF ISSUES TO BE DECIDED**

2 1. Whether to authorize additional pro rata payments from the remaining Net
3 Settlement Funds to the 138 approved claimants who were authorized to be paid more than \$10.00
4 from the initial distribution.

5 2. Whether to designate any remaining settlement funds, if any, to a cy pres
6 beneficiary.

7 3. Whether the Settlement Administrator shall be reimbursed for costs and expenses
8 incurred in the amount of \$106,727.96.

9 4. Whether to reserve \$11,135.67 from the remaining Net Settlement Funds for
10 estimated administrative costs necessary for the Settlement Administrator to complete its work in
11 this matter.

12 5. Whether to authorize the use of a portion of the previously authorized reserve to
13 correct a payment to one claimant.

14 **REPLY BRIEF**

15 Direct Purchaser Plaintiffs (“Plaintiffs”) respectfully submit this Reply Brief in support of
16 their Motion for an Order Authorizing Distribution of Remaining Settlement Funds and Cy Pres
17 Distribution of Future Remaining Funds, ECF No. 3044 (“Motion”).

18 After Plaintiffs filed their Motion, the Notice of Motion and Motion, the Memorandum of
19 Points and Authorities in Support Thereof, the Declaration of Rachel Christman re Proposed
20 Residual Distribution of the Net Settlement Funds (“Christman Declaration” or “Christman
21 Decl.”), the Declaration of Diana L. Moss (“Moss Decl.”), and the [Proposed] Order Granting
22 Direct Purchaser Plaintiffs’ Motion for an Order Authorizing Distribution of Remaining Settlement
23 Funds and Cy Pres Distribution of Future Remaining Funds were posted on the ODD settlement
24 website (www.ODDDirectPurchaserAntitrustSettlement.com) maintained by the Settlement
25 Administrator. Declaration of Rachel Christman in Support of Direct Purchaser Plaintiffs’ Reply in
26 Support of Motion for an Order Authorizing Distribution of Remaining Settlement Funds and Cy
27 Pres Distribution of Future Remaining Funds ¶ 2 (“Christman Reply Declaration”).

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

1 Plaintiffs therefore request that the Court enter the Proposed Order, previously submitted,
2 which authorizes additional payments to certain class members, a corrected payment to one
3 claimant, and payment of additional and remaining claims administration costs incurred by the
4 Settlement Administrator.

5
6 Dated: August 10, 2021

Respectfully submitted,

7 /s/ R. Alexander Saveri

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