	Case 4:13-md-02420-YGR Document 2487	7 Filed 04/23/19 Page 1 of 120
1 2 3 4 5 6 7 8 9 10 11 12 13 14	Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001 steve@hbsslaw.com Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNSTEIN 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415) 956-1000 Facsimile: (415) 956-1008 ecabraser@lchb.com Joseph W. Cotchett (36324) COTCHETT, PITRE & McCARTHY, LLP 840 Malcolm Road Burlingame, CA 94010 Telephone: (650) 697-6000 Facsimile: (650) 697-0577 jcotchett@cpmlegal.com <i>Indirect Purchaser Plaintiffs</i> <i>Interim Co-Lead Class Counsel</i>	, LLP
15 16	UNITED STATES NORTHERN DISTRI	
17	OAKLAND	DIVISION
18 19 20	IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR) MDL No. 2420
<ul> <li>21</li> <li>22</li> <li>23</li> <li>24</li> <li>25</li> <li>26</li> <li>27</li> <li>28</li> </ul>	This Documents Relates to: ALL ACTIONS	COMPENDIUM OF CLASS REPRESENTATIVE DECLARATIONS IN SUPPORT OF INDIRECT PURCHASER PLAINTIFFS' MOTION FOR ATTORNEYS FEES, EXPENSES, AND SERVICE AWARDS Date: July 16, 2019 Time: 2:00pm Judge: Hon. Yvonne Gonzalez Rogers Court: Courtroom 1, 4th Floor DATE ACTION FILED: Oct. 3, 2012
20	010330-11 1063447 V1	

### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 2 of 120

Ex.	Description
1	Declaration of Plaintiff Jason Ames in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 16, 2019
2	Declaration of Plaintiff Caleb Batey in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, April 17, 2019
3	Declaration of Plaintiff Christopher Bessette in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, April 18, 2019
4	Declaration of Plaintiff Cindy Booze in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 10, 2019
5	Declaration of Plaintiff Matt Bryant in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 15, 2019
6	Declaration of Plaintiff Steven Bugge in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 13, 2019
7	Declaration of Plaintiff William Cabral in Support of Indirect Purchaser Plaintiffs Motion for Attorneys' Fees, Expenses and Service Awards, dated April 10, 2019
8	Declaration of Terrence Howzell (On Behalf of Plaintiff City of Palo Alto) in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 17, 2019
9	Declaration of Shannon Moore (On Behalf of Plaintiff City of Richmond) in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 16, 2019
10	Declaration of Plaintiff Matthew Ence in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 10, 2019
11	Declaration of Plaintiff Drew Fennelly in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 10, 2019
12	Declaration of Plaintiff Sheri Harmon in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 13, 2019
13	Declaration of Plaintiff Christopher Hunt in Support of Indirect Purchaser Plaintiff Motion for Attorneys' Fees, Expenses and Service Awards, dated April 11, 2019
14	Declaration of Plaintiff John Kopp in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 11, 2019
15	Declaration of Plaintiff Linda Lincoln in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 13, 2019
16	Declaration of Plaintiff Patrick McGuinness in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 13, 2019

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	Description
17	Declaration of Plaintiff Joseph O'Daniel in Support of Indirect Purchaser Plaintiff Motion for Attorneys' Fees, Expenses and Service Awards, dated April 12, 2019
18	Declaration of Plaintiff Tom Pham in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 10, 2019
19	Declaration of Plaintiff Piya Robert Rojanasathit in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 16, 2019
20	Declaration of Plaintiff Bradley Seldin in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 10, 2019
21	Declaration of Plaintiff Donna Shawn in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 15, 2019
22	Declaration of Plaintiff David Tolchin in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 10, 2019
23	Declaration of Plaintiff Bradley Van Patten in Support of Indirect Purchaser Plaintiffs' Motion for Attorneys' Fees, Expenses and Service Awards, dated April 16, 2019
L	
	M OF CLASS REP. DECLS. ISO IPPS MOTION CPENSES AND SERVICE AWARDS – No. 4:13- R

Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 4 of 120

	Case 4:13-md-02420-YGR Document 2	487-7	Filed 04/23/19	Page 5 of 120
1 2 3 4 5 6 7 8 9 10 11 12 13	Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LL 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001 steve@hbsslaw.com Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNST 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415) 956-1000 Facsimile: (415) 956-1008 ecabraser@lchb.com Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, LLP 840 Malcolm Road, Suite 200 Burlingame, CA 94010 Telephone: (650) 697-6000 Facsimile: (650) 697-0577 azapala@cpmlegal.com <i>Indirect Purchaser Plaintiffs</i> <i>Interim Co-Lead Class Counsel</i>		LP	
14 15 16	UNITED STAT	tes dis	STRICT COURT	
	NORTHERN DIS	STRICT	OF CALIFORNI	A
17	OAKL	AND D	IVISION	
18 19	IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,		Case No. 13-M	D-02420 YGR (DMR)
19 20			MDL No. 2420	
20 21				N OF PLAINTIFF
21	This Documents Relates to:		INDIRECT PU	IN SUPPORT OF RCHASER PLAINTIFFS'
23	ALL ACTIONS			ATTORNEYS' FEES, ND SERVICE AWARDS
24			Date: July 16, Time: 2:00 p.m	
25			Time: 2:00 p.m Judge: Hon. Yv Court: Courtro	onne Gonzalez Rogers
26				
27			DATE ACTION	N FILED: Oct. 3, 2012
28				

### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 6 of 120

I, JASON AMES, declare as follows:

I am an individual over the age of 18. I have personal knowledge of the matters 1. stated herein and, if called upon, I could and would competently testify thereto.

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2. I am a class representative in In re Lithium Ion Batteries Antitrust Litigation, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd., and SANYO North America Corporation (collectively "Panasonic"); Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"); Toshiba Corporation ("Toshiba"); and TOKIN Corporation ("TOKIN").

12 3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any 13 14 settlement proposed by the lawyers. I also understand that in evaluating the fairness of the 15 settlements, I am required to consider the interests of all members of the Class, as well as my own. 16 I am free to disagree with my attorneys about the merits of a settlement and make my views known 17 to the court.

4. 18 Over the past six years, I have diligently performed my duty to assist counsel in 19 prosecuting this case, investing significant time and effort to fulfill my role as a class 20 representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update 22 correspondence from my counsel and key case documents. Since the outset of the litigation, I have 23 also diligently retained all papers or electronic information that could be relevant to the litigation 24 and provided these to my attorneys.

25 5. Throughout the case I have also assisted in responding to discovery. This included 26 reviewing discovery requests from defendants, discussing them with my counsel, reviewing 27 proposed responses, making any corrections, and signing off on the responses. In total, I assisted counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and 28 JASON AMES DECL. ISO IPPS' MOT. FOR ATTYS' FEES. -1-COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420-YGR

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted six hours of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent two hours reviewing it for errors.

7. In total, I estimate that I have spent about 40-45 hours performing all of the abovedescribed duties on behalf of the class over the past six years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba, and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

20 9. I believe that the proposed settlements achieve significant recovery for the Class and 21 that this is an excellent result in light of the risks associated with a complex and costly trial. I 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 23 case were to go to trial. I understand that after these settlements were reached, this Court denied 24 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 25 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 26 be financially prudent given my damages in this case versus the resources available to the 27 international defendants who formed this cartel. The proposed settlements also permit an 28 immediate recovery to class members without the risk, delay, and expense of trial. JASON AMES DECL. ISO IPPS' MOT. FOR ATTYS' FEES. COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR - 2 -

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### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 8 of 120

10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 16, 2019, in Portland, Maine.

Jasen JASC

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JASON AMES DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 413-md-ID425-YGR Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 9 of 120

	Case 4:13-md-02420-YGR Document 2487-	7 Filed 04/23/19 Page 10 of 120
1 2 3 4 5 6 7 8 9 10 11 12 13 14	Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001 steve@hbsslaw.com Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNSTEIN 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415) 956-1000 Facsimile: (415) 956-1008 ecabraser@lchb.com Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, LLP 840 Malcolm Road, Suite 200 Burlingame, CA 94010 Telephone: (650) 697-0577 azapala@cpmlegal.com <i>Indirect Purchaser Plaintiffs</i> <i>Interim Co-Lead Class Counsel</i>	I, LLP
15 16		DISTRICT COURT
17		CT OF CALIFORNIA
18	OAKLANL IN RE LITHIUM ION BATTERIES	DIVISION
19	ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR) MDL No. 2420
20		MDL NO. 2420
21	This Documents Relates to:	DECLARATION OF PLAINTIFF BRIAN CALEB BATEY IN SUPPORT
22	ALL ACTIONS	OF INDIRECT PURCHASER PLAINTIFFS' MOTION FOR
23		ATTORNEYS' FEES, EXPENSES AND SERVICE AWARDS
24		Date: July 16, 2019 Time: 2:00pm
25 26		Judge: Hon. Yvonne Gonzalez Rogers Court: Courtroom 1, 4th Floor
26 27		
27 28		DATE ACTION FILED: Oct. 3, 2012
20		

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I, BRIAN CALEB BATEY, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("TOKIN").

3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

4. Over the past six years, I have diligently performed my duty to assist counsel in prosecuting this case, investing significant time and effort to fulfill my role as a class representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update correspondence from my counsel and key case documents. Since the outset of the litigation, I have also diligently retained all papers or electronic information that could be relevant to the litigation and provided these to my attorneys.

 5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 BRIAN CALEB BATEY DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-010330-11 960235V1

#### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 12 of 120

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

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6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted 3 hours and 26 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent about 2.5 hours reviewing it for errors.

7. In total, I estimate that I have spent about 80 hours performing all of the abovedescribed duties on behalf of the class over the past six years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

20 9. I believe that the proposed settlements achieve significant recovery for the Class and 21 is an excellent result considered in light of the risks associated with a complex and costly trial. I 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 23 case were to go to trial. I understand that after these settlements were reached, this Court denied 24 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 25 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 26 be financially prudent given my damages in this case versus the resources available to the 27 international defendants who formed this cartel. The proposed settlements also permit an 28 immediate recovery to class members without the risk, delay, and expense of trial. BRIAN CALEB BATEY DECL. ISO IPPS' MOT. FOR ATTYS' -2-FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960235V1

### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 13 of 120

10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 17, 2019, in Cookeville, TN. Brian Caleb Batey

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Brian Caleb Batey 2019.04.17 11:13:05 -05'00'

BRIAN CALEB BATEY DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960235V1

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	Case 4:13-md-02420-YGR Document 2487-7	Filed 04/23/19 Page 15 of 120
1	Steve W. Berman ( <i>Pro Hac Vice</i> )	
2	HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202	
3	Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001	
4	steve@hbsslaw.com	
5	Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNSTEIN	ΤΤΡ
6	275 Battery Street, 29th Floor San Francisco, CA 94111-3339	
7	Telephone: (415) 956-1000 Facsimile: (415) 956-1008	
8	ecabraser@lchb.com	
9	Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, LLP	
10	840 Malcolm Road, Suite 200 Burlingame, CA 94010	
11	Telephone: (650) 697-6000 Facsimile: (650) 697-0577	
12 13	azapala@cpmlegal.com	
13	Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel	
15		
16	UNITED STATES	
17	NORTHERN DISTRI	
18	OAKLAND	
19	IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR)
20		MDL No. 2420
21	This Documents Relates to:	DECLARATION OF PLAINTIFF CHRISTOPHER BESSETTE IN
22	ALL ACTIONS	SUPPORT OF INDIRECT PURCHASER PLAINTIFFS' MOTION FOR
23		ATTORNEYS' FEES, EXPENSES AND SERVICE AWARDS
24		Date: July 16, 2019
25		Time: 2:00pm Judge: Hon. Yvonne Gonzalez Rogers
26		Court: Courtroom 1, 4th Floor
27		DATE ACTION FILED: Oct. 3, 2012
28		
	010330-11 960242V1	

#### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 16 of 120

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#### I, CHRISTOPHER BESSETTE, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

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2. I am a class representative in In re Lithium Ion Batteries Antitrust Litigation, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN Corporation ("TOKIN").

12

3. As a class representative, I understand that it is my responsibility to be informed of 13 the work done by my attorneys on the case and make my own judgment about the fairness of any 14 settlement proposed by the lawyers. I also understand that in evaluating the fairness of the 15 settlements, I am required to consider the interests of all members of the Class, as well as my own. 16 I am free to disagree with my attorneys about the merits of a settlement and make my views known 17 to the court.

18 4. Over the past six years, I have diligently performed my duty to assist counsel in prosecuting this case, investing significant time and effort to fulfill my role as a class 19 20 representative. Throughout this litigation, I have remained informed regarding the status of the 21 litigation by communicating with my attorneys, including reviewing periodic update 22 correspondence from my counsel and key case documents. Since the outset of the litigation, I have 23 also diligently retained all papers or electronic information that could be relevant to the litigation 24 and provided these to my attorneys.

25 5. Throughout the case I have also assisted in responding to discovery. This included 26 reviewing discovery requests from defendants, discussing them with my counsel, reviewing 27 proposed responses, making any corrections, and signing off on the responses. In total, I assisted 28 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and CHRISTOPHER BESSETTE DECL. ISO IPPS' MOT. FOR -1-ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960242V1

#### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 17 of 120

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted five hours and twenty minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent about two hours reviewing it for errors.

7. In total, I estimate that I have spent about fifty hours performing all of the abovedescribed duties on behalf of the class over the past six years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

9. I believe that the proposed settlements achieve significant recovery for the Class and is an excellent result considered in light of the risks associated with a complex and costly trial. I recognize the uncertainty of success on any or all of the claims presented in this litigation if this case were to go to trial. I understand that after these settlements were reached, this Court denied class certification. This denial highlights the risks that plaintiffs face in collective actions such as this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not be financially prudent given my damages in this case versus the resources available to the

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international defendants who formed this cartel. The proposed settlements also permit an 1 2 immediate recovery to class members without the risk, delay, and expense of trial.

3 I believe the settlement agreements between the Settling Defendants and Class 10. Counsel were reached at arms' length, and that the terms of the settlements reflect the independent 4 evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based 5 upon my understanding of the class claims asserted in this litigation, and my understanding of the 6 terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 18, 2019, in the City of Wall, South Dakota.

m Bessel

CHRISTOPHER BESSETTE

CHRISTOPHER BESSETTE DECL. ISO HPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Club No. 4:13-md-02420.YGR 0:0330-11 90024271

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Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 19 of 120

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1 2 3	Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001	
4	steve@hbsslaw.com	
5	Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNSTEIN	I, LLP
6 7	275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415) 956-1000	
8	Facsimile: (415) 956-1008 ecabraser@lchb.com	
9	Adam J. Zapala (SBN 245748)	
10	COTCHETT, PITRE & McCÁRTHY, LLP 840 Malcolm Road, Suite 200	
11	Burlingame, CA 94010 Telephone: (650) 697-6000	
12	Facsimile: (650) 697-0577 azapala@cpmlegal.com	
13	Indirect Purchaser Plaintiffs	
14	Interim Co-Lead Class Counsel	
15		
16	UNITED STATES	DISTRICT COURT
17	NORTHERN DISTRI	ICT OF CALIFORNIA
18	OAKLANI	DIVISION
19	IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR)
20	ANTINOST DIMORITON,	MDL No. 2420
21		DECLARATION OF PLAINTIFF
22	This Documents Relates to:	CINDY BOOZE IN SUPPORT OF INDIRECT PURCHASER PLAINTIFI
23	ALL ACTIONS	MOTION FOR ATTORNEYS' FEES, EXPENSES AND SERVICE AWARD
24		Date: July 16, 2019
25		Time: 2:00pm Judge: Hon. Yvonne Gonzalez Rogers
26		Court: Courtroom 1, 4th Floor
27	· · ·	DATE ACTION FILED: Oct. 3, 2012
28		
	· ·	

I, CINDY BOOZE, declare as follows:

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1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

4 2. I am a class representative in In re Lithium Ion Batteries Antitrust Litigation, No. 5 13-md-02420, filed in the United States District Court for the Northern District of California. I 6 submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion 7 for attorneys' fees, expenses, and service awards and in support of final approval of the settlements 8 with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and 9 SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and 10 Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN 11 Corporation ("TOKIN"),

3. As a class representative, I understand that it is my responsibility to be informed of
the work done by my attorneys on the case and make my own judgment about the fairness of any
settlement proposed by the lawyers. I also understand that in evaluating the fairness of the
settlements, I am required to consider the interests of all members of the Class, as well as my own.
I am free to disagree with my attorneys about the merits of a settlement and make my views known
to the court.

4. Over the past six years, I have diligently performed my duty to assist counsel in
prosecuting this case, investing significant time and effort to fulfill my role as a class
representative. Throughout this litigation, I have remained informed regarding the status of the
litigation by communicating with my attorneys, including reviewing periodic update
correspondence from my counsel and key case documents. Since the outset of the litigation, I have
also diligently retained all papers or electronic information that could be relevant to the litigation
and provided these to my attorneys.

5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 CINDY BOZE DECL. ISO IPPS' MOT. FOR ATTYS' FEES,
 COSTS AND SERVICE AWARDS - CRISE NO. 4:13-md-02420 YGR
 OU030-11 960245 VI

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted four hours and 30 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent one and one-half hours reviewing it for errors.

7 7. In total, I estimate that I have spent about 64 hours performing all of the above8 described duties on behalf of the class over the past six years. My attorneys have not made any
9 promises regarding compensation for my service, and I willingly agreed to participate in this case
10 with no guarantee of personal benefit. I believe that the time, effort, and information I provided
11 helped to make the settlements possible. I ask that the Court approve my service award in the
12 amount of \$10,000.

I have reviewed the terms of the settlements with the SDI, Toshiba and TOKIN 13 8. 14 defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of 15 the proposed settlements, as it affects me and the members of the Class. Based upon this reading 16 and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million 17 into a fund to be distributed to the Settlement Class. I understand in general terms that there will be 18 no reversion of unclaimed funds to any defendant. To the extent that money is not able to be 19 reasonably distributed to class members, IPPs propose that the money escheat to state 20 governments.

9. I believe that the proposed settlements achieve significant recovery for the Class and is an excellent result considered in light of the risks associated with a complex and costly trial. I recognize the uncertainty of success on any or all of the claims presented in this litigation if this case were to go to trial. I understand that after these settlements were reached, this Court denied class certification. This denial highlights the risks that plaintiffs face in collective actions such as this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not be financially prudent given my damages in this case versus the resources available to the

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CINDY BOOZE DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-Ind-02420-YOR 010330-11 960245V1

international defendants who formed this cartel. The proposed settlements also permit an immediate recovery to class members without the risk, delay, and expense of trial. 10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 10, 2019, in Lincoln, Nebraska, CINDY BOOZE DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Cost No. 4:13-md-02420-- 3 -010330-11 960245V1

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Case	4:13-md-02420-YGR Document 2487-7	Filed 04/23/19	Page 25 of 120
1	Steve W. Berman (Pro Hac Vice) HAGENS BERMAN SOBOL SHAPIRO LLP		
2	715 Hearst Avenue, Suite 202		
3	Berkeley, CA 94710 Telephone: (510) 725-3000		
4	Facsimile: (510) 725-3001 steve@hbsslaw.com		
5	Elizabeth J. Cabraser (083151)	IID	
6	LIEFF CABRASER HEIMANN & BERNSTEIN, 275 Battery Street, 29th Floor	, LLF	
7	San Francisco, CA 94111-3339 Telephone: (415) 956-1000		
8	Facsimile: (415) 956-1008 ecabraser@lchb.com		
9	Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, LLP		
10	840 Malcolm Road, Suite 200		
11	Burlingame, CA 94010 Telephone: (650) 697-6000 Facsimile: (650) 697-0577		
12	azapala@cpmlcgal.com		
13	Indirect Purchaser Plaintiffs		
14	Interim Co-Lead Class Counsel		
15	UNITED STATES	DISTRICT COUR	т
16	NORTHERN DISTRI	CT OF CALIFOR	NIA
17	OAKLAND	DIVISION	
18	IN RE LITHIUM ION BATTERIES	Case No. 13-	MD-02420 YGR (DMR)
19	ANTITRUST LITIGATION,	MDL No. 242	20
20		DECLARAT	ION OF PLAINTIFF MATT
21	This Documents Relates to:	BRYANT IN	SUPPORT OF INDIRECT R PLAINTIFFS' MOTION
22	ALL ACTIONS	FOR ATTOR	NEYS' FEES, EXPENSES CE AWARDS
23		Date: July l	
24		Time: 2:00pr	
25		Court: Court	room 1, 4th Floor
26		DATE ACTI	ON FILED: Oct. 3, 2012
27			
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	010330-11 960247V1		

1	I, MATT BRYANT, declare as follows:
2	<ol> <li>I am an individual over the age of 18. I have personal knowledge of the matters</li> </ol>
3	stated herein and, if called upon, I could and would competently testify thereto.
4	<ol> <li>I am a class representative in In re Lithium Ion Batteries Antitrust Litigation, No.</li> </ol>
5	13-md-02420, filed in the United States District Court for the Northern District of California. I
6	submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion
7	for attorneys' fees, expenses, and service awards and in support of final approval of the settlements
8	with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and
9	SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and
0	Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN
1	Corporation ("TOKIN").
2	<ol> <li>As a class representative, I understand that it is my responsibility to be informed of</li> </ol>
3	the work done by my attorneys on the case and make my own judgment about the fairness of any
4	settlement proposed by the lawyers. I also understand that in evaluating the fairness of the
5	settlements, I am required to consider the interests of all members of the Class, as well as my own.
6	I am free to disagree with my attorneys about the merits of a settlement and make my views known
7	to the court.
8	<ol> <li>Over the past six years, I have diligently performed my duty to assist counsel in</li> </ol>
9	prosecuting this case, investing significant time and effort to fulfill my role as a class
20	representative. Throughout this litigation, I have remained informed regarding the status of the
21	litigation by communicating with my attorneys, including reviewing periodic update
22	correspondence from my counsel and key case documents. Since the outset of the litigation, I have
23	also diligently retained all papers or electronic information that could be relevant to the litigation
24	and provided these to my attorneys.
25	<ol><li>Throughout the case I have also assisted in responding to discovery. This included</li></ol>
26	reviewing discovery requests from defendants, discussing them with my counsel, reviewing
27	proposed responses, making any corrections, and signing off on the responses. In total, I assisted
28	counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and MATT BRYANT DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420- YGR -1- 010330-11 960247V1

4 requests for admission. I also spent a significant amount of time locating purchase receipts and 1 the other documents requested by the defendants in this litigation. 2 I have also contributed to the discovery process by sitting for a deposition. In total, 3 6. my deposition lasted 7 hours and 20 minutes of record time, where I was questioned by counsel in 4 this case. To ensure the accuracy of my transcript, I spent about 3 hours reviewing it for errors. 5 In total, I estimate that I have spent about 85 hours performing all of the above-7 6 described duties on behalf of the class over the past six years. My attorneys have not made any 7 promises regarding compensation for my service, and I willingly agreed to participate in this case 8 with no guarantee of personal benefit. I believe that the time, effort, and information I provided 9 helped to make the settlements possible. I ask that the Court approve my service award in the 10 amount of \$10,000. 11 I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and 8 12 TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all 13 terms of the proposed settlements, as it affects me and the members of the Class. Based upon this 14 reading and my discussions with Class Counsel, I understand that these defendants agree to pay 15 \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that 16 there will be no reversion of unclaimed funds to any defendant. To the extent that money is not 17 able to be reasonably distributed to class members, IPPs propose that the money escheat to state 18 governments. 19 I believe that the proposed settlements achieve significant recovery for the Class and 9 20 is an excellent result considered in light of the risks associated with a complex and costly trial. I 21 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 22 case were to go to trial. I understand that after these settlements were reached, this Court denied 23 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 24 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 25 be financially prudent given my damages in this case versus the resources available to the 26 international defendants who formed this cartel. The proposed settlements also permit an 27 immediate recovery to class members without the risk, delay, and expense of trial. 28 MATT BRYANT DECL. ISO IPPS' MOT. FOR ATTYS' FEES, -2-COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960247V1

- 1	
1	<ol> <li>I believe the settlement agreements between the Settling Defendants and Class</li> </ol>
2	Counsel were reached at arms' length, and that the terms of the settlements reflect the independent
3	evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based
4	upon my understanding of the class claims asserted in this litigation, and my understanding of the
5	terms of the settlement agreements, I believe the proposed settlements are fair, adequate and
6	reasonable, and in the best interests of class members, and should therefore be granted final
7	approval.
8	I declare under penalty of perjury under the laws of the United States of America that the
9	foregoing is true and correct. Executed April 15, 2019, in Estero, FL.
10	Maria A
11	MATT BRYAND
12	MATT BRYANT
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28	MATT BRYANT DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420- YGR 010330-11 960247V1

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Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001 steve@hbsslaw.com	
Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNSTEIN 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415) 956-1000 Facsimile: (415) 956-1008 ecabraser@lchb.com	, LLP
Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, LLP 840 Malcolm Road, Suite 200 Burlingame, CA 94010 Telephone: (650) 697-6000 Facsimile: (650) 697-0577 azapala@cpmlegal.com	
Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel	
UNITED STATES NORTHERN DISTRI	DISTRICT COURT
OAKLAND	
IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR) MDL No. 2420
This Documents Relates to: ALL ACTIONS	DECLARATION OF PLAINTIFF STEVEN BUGGE IN SUPPORT OF INDIRECT PURCHASER PLAINTIFI MOTION FOR ATTORNEYS' FEES, EXPENSES AND SERVICE AWARD
	Date: July 16, 2019 Time: 2:00pm Judge: Hon. Yvonne Gonzalez Rogers Court: Courtroom 1, 4th Floor

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I, STEVEN BUGGE, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN Corporation ("TOKIN").

3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

4. Over the past six years and seven months, I have diligently performed my duty to assist counsel in prosecuting this case, investing significant time and effort to fulfill my role as a class representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update correspondence from my counsel and key case documents. Since the outset of the litigation, I have also diligently retained all papers or electronic information that could be relevant to the litigation and provided these to my attorneys.

5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 STEVEN BUGGE DECL. ISO IPPS' MOT. FOR ATTYS' FEES,
 COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420 YGR
 010330-11 960267V1

#### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 32 of 120

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

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6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted 5 hours and 12 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent about 2 hours reviewing it for errors.

7. In total, I estimate that I have spent about 45-50 hours performing all of the abovedescribed duties on behalf of the class over the past six years and seven months. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

20 9. I believe that the proposed settlements achieve significant recovery for the Class and 21 is an excellent result considered in light of the risks associated with a complex and costly trial. I 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 23 case were to go to trial. I understand that after these settlements were reached, this Court denied 24 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 25 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 26 be financially prudent given my damages in this case versus the resources available to the 27 international defendants who formed this cartel. The proposed settlements also permit an 28 immediate recovery to class members without the risk, delay, and expense of trial. STEVEN BUGGE DECL. ISO IPPS' MOT. FOR ATTYS' FEES. -2-COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960267V1

### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 33 of 120

1	10. I believe the settlement agreements between the Settling Defendants and Class	
2	Counsel were reached at arms' length, and that the terms of the settlements reflect the independent	
3	evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based	
4	upon my understanding of the class claims asserted in this litigation, and my understanding of the	
5	terms of the settlement agreements, I believe the proposed settlements are fair, adequate and	
6	reasonable, and in the best interests of class members, and should therefore be granted final	
7	approval.	
8	I declare under penalty of perjury under the laws of the United States of America that the	
9	foregoing is true and correct. Executed April 13, 2019, in Brooklyn, New York.	
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11	Steven Bugge	
12	STEVEN BUGGE	
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28	STEVEN BUGGE DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420- YGR 010330-11 960267V1	

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	Case 4:13-md-02420-YGR	Document 2487-7	Filed 04/23/19	Page 35 of 120
1 2	Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000			
3				
4	Facsimile: (510) 725-3001 steve@hbsslaw.com			
5	Elizabeth J. Cabraser (083151)		TD	
6	LIEFF CABRASER HEIMANN & BERNSTEIN, LLP 275 Battery Street, 29th Floor San Francisco, CA 94111-3339			
7	Telephone: (415) 956-1000 Facsimile: (415) 956-1008			
8	ecabraser@lchb.com			
9	Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCA			
10	840 Malcolm Road, Suite 200 Burlingame, CA 94010			
11	Telephone: (650) 697-6000 Facsimile: (650) 697-0577 azapala@cpmlegal.com			
12				
13	Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel			
14				
15	UNITED STATES DISTRICT COURT			
16	NORTHERN DISTRICT OF CALIFORNIA			
17	OAKLAND DIVISION			
18	IN RE LITHIUM ION BATTE ANTITRUST LITIGATION,	RIES	Case No. 13-MI	D-02420 YGR (DMR)
19	ANIIIKOSI LIIIGAIION,		MDL No. 2420	
20				N OF BLAINTEF
21	This Documents Relates to:		DECLARATION OF PLAINTIFF WILLIAM CABRAL IN SUPPORT OF INDIRECT PURCHASER PLAINTIFFS	
22 23	ALL ACTIONS		MOTION FOR	ATTORNEYS' FEES, D SERVICE AWARDS
23 24			Date: July 16, 2	
24 25			Time: 2:00pm Judge: Hon. Yv	onne Gonzalez Rogers
26			Court: Courtroo	om 1, 4th Floor
27			DATE ACTION	FILED: Oct. 3, 2012
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	010330-11 960265V1			

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2.

I, WILLIAM CABRAL, declare as follows:

I am an individual over the age of 18. I have personal knowledge of the matters 1. stated herein and, if called upon, I could and would competently testify thereto.

I am a class representative in In re Lithium Ion Batteries Antitrust Litigation, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN Corporation ("TOKIN").

3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court. Ŋ

4. Over the past six years, I have diligently performed my duty to assist counsel in prosecuting this case, investing significant time and effort to fulfill my role as a class representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update correspondence from my counsel and key case documents. Since the outset of the litigation, I have also diligently retained all papers or electronic information that could be relevant to the litigation and provided these to my attorneys.

25 5. Throughout the case I have also assisted in responding to discovery. This included 26 reviewing discovery requests from defendants, discussing them with my counsel, reviewing 27 proposed responses, making any corrections, and signing off on the responses. In total, I assisted 28 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and WILLIAM CABRAL DECL. ISO IPPS' MOT. FOR ATTYS -1-FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960265V1

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted 7 hours and 10 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent about hours reviewing it for errors.

7. In total, I estimate that I have spent about 25 hours performing all of the abovedescribed duties on behalf of the class over the past six years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

9. I believe that the proposed settlement achieves significant recovery for the Class and is an excellent result considered in light of the risks associated with a complex and costly trial. I recognize the uncertainty of success on any or all of the claims presented in this litigation if this case were to go to trial. I understand that after these settlements were reached, this Court denied class certification. This denial highlights the risks that plaintiffs face in collective actions such as this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not be financially prudent given my damages in this case versus the resources available to the international defendants who formed this cartel. The proposed settlements also permit an

immediate recovery to class members without the risk, delay, and expense of trial. WILLIAM CABRAL DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960265V1

#### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 38 of 120

10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 10, 2019, in Freetown, MA

WILLIAM CABRA

Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 39 of 120

Class Counsel for Indirect Purchaser Plaintify	fs of the considering discovering concerns Table
UNITED STAT	ES DISTRICT COURT
NORTHERN DIST	<b>FRICT OF CALIFORNIA</b>
OAKLA	ND DIVISION
IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR)
ANTIKUSI EIHOAHON,	MDL No. 2420
This Documents Relates to: ALL ACTIONS	DECLARATION OF TERENCE HOWZELL (ON BEHALF OF PLAINTIFF CITY OF PALO ALT IN SUPPORT OF INDIRECT PURCHASER PLAINTIFFS' MOTION FOR ATTORNEYS' FE COSTS AND SERVICE AWARDS
	Time: 2:00 p.m. Dept: Courtroom 1, 4th Floor Judge: Hon, Vyonne Conzalez Rogg
ในอากุญ 10 และสำหรับนับ การส่วนสายรูปแบบของ สา	DATE ACTION FILED: Oct. 3, 20

#### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 41 of 120

I, Terence Howzell, declare as follows:

I am an attorney licensed to practice in the State of California and am Chief 1. Assistant City Attorney with Palo Alto City Attorney's Office. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. The City of Palo Alto ("Palo Alto" or the "City") is a representative of the governmental entity subclass in In re Lithium Ion Batteries Antitrust Litigation, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit on Palo Alto's behalf and the settlement class, in support of Class Counsel's motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Samsung SDI Co., LTD and Samsung SDI America, Inc. (collectively "SDI"), TOKIN Corporation ("TOKIN"); Toshiba Corporation ("Toshiba"); and Panasonic Corporation, Panasonic Corporation of North America, SANYO Electric Co., Ltd., and SANYO North America Corporation (collectively "Panasonic") (collectively, the "Settling Defendants").<sup>1</sup>

3. As a class representative, Palo Alto is responsible for being informed of the work done by its attorneys on the case and make its own judgment about the fairness of any settlement proposed by the lawyers.

4 In evaluating the fairness of the settlement, Palo Alto is also required to consider the interests of all members of the Class, as well as its own, and is free to disagree with its attorneys about the merits of a settlement and make its views known to the court.

5. Over the past four years, Palo Alto – through its employees, including personnel within the City Attorney's Office – has worked diligently to perform its duty to assist. It retained outside counsel, Sloan Sakai Yeung & Wong LLP ("SSYW," formerly known as Renne Sloan Holtzman Sakai LLP), Renne Public Law Group ("RPLG") and Bleichmar Fonti & Auld LLP ("BFA") – and invested significant time and effort to fulfill its role as a class representative.

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Cotchett, Pitre & McCarthy, LLP, Hagens Berman Sobol Shapiro LLP, and Lieff Cabraser Heimann & Bernstein, LLP. The term "Supporting Counsel" refers to the law firms that assisted Co-Lead Counsel in litigating this case. The term "Class Counsel" refers to all the attorneys and law firms that represented IPPs in this case, including Co-Lead Counsel and Supporting Counsel.

Throughout this declaration, the term "Co-Lead Counsel" refers to the law firms of

Throughout this litigation, Palo Alto has remained informed regarding the status of the litigation by communicating with its attorneys, including reviewing periodic update correspondence from counsel and key case documents. Moreover, since the outset of the litigation, Palo Alto has diligently retained all documents or electronic information that could be relevant to the litigation and provided a large bulk of these documents to its attorneys.

6. As a Class Representative, multiple Palo Alto personnel also assisted in responding to discovery throughout the case. This included reviewing discovery requests from defendants, discussing them with counsel, reviewing proposed responses, making any corrections, and signing off on the responses. In total, Palo Alto has assisted counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and 4 requests for admission. Palo Alto personnel, including employees assigned to its IT and procurement departments, have also spent a significant amount of time locating relevant purchase orders, receipts and other documents requested by the defendants in this litigation. These public employees did so in part to assist the Class in making sure that all Class purchases were covered.

7. Palo Alto has also contributed to the discovery process in this case by producing David Ramberg, Assistant Director to the City's Administrative Services department, as its person most knowledgeable in response to Defendants Samsung SDI Co., LTD and Samsung SDI American, Inc.'s FRCP 30(b)(6) deposition notice. In preparation for his deposition, Mr. Ramberg spent approximately 30 hours conferring with the City's retained outside counsel and reviewing documents produced by the City in discovery. In total, Mr. Ramberg's deposition lasted approximately eight hours, during which he was questioned by counsel in this case. Mr. Ramberg was an exceptionally well-prepared witness.

8. In total, I estimate that Palo Alto has spent over 220 hours performing all of the above-described duties on behalf of the class over the past four years. Palo Alto's retained outside counsel have not made any promises regarding compensation for these services, and the City willingly agreed to participate in this case with no guarantee of any benefit whatsoever. The City has also consulted with Class Counsel regarding the preparation of complaints, class certification papers, and proposed settlement agreements.

HOWZELL DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS -2Case No. 4:13-md-02420-YGR

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- 9. Based on information obtained from its attorneys, the City believes that the time, effort, and information it provided helped to make the settlement possible. Accordingly, the City respectfully requests that the Court approve a service award on its behalf in the amount of \$25,000.
- 10. Attorneys in the City Attorney's Office have reviewed the terms of the settlements with the SDI, TOKIN, Toshiba, and Panasonic defendants, discussed those terms with the City's outside counsel. Palo Alto is aware of and approves all terms of the proposed settlements, as it affects the City and the members of the Class.

11. Based upon this reading and discussions with Class Counsel, the City understands in general terms that the monies from a settlement agreement will be distributed on a *pro rata* basis to class members based on: (1) the number of Lithium Ion Batteries purchased by the class member; and (2) the number of valid claims filed. Palo Alto also understands that there will be no reversion of unclaimed funds to any defendant and, to the extent that money is not able to be reasonably distributed to class members, it may escheat to federal or state governments.

12. Palo Alto believes that the proposed settlements represent significant recoveries for the class, and are excellent results considered in light of the risks associated with a complex and costly trial. The City recognizes the uncertainty of success on any or all of the claims presented in this litigation if this case were to go to trial.

13. Palo Alto understands that after these settlements were reached, this Court denied class certification. This denial highlights the risks that plaintiffs face in collective actions such as this. The City believes that litigation of this case on its own behalf, and not on behalf of a class, would not be financially prudent given its damages in this case versus the resources available to the international defendants who formed this cartel. The proposed settlements also permit an immediate recovery to class members without the risk, delay, and expense of trial.

14. Palo Alto understands these settlement agreements were reached at arms' length.
Based upon its understanding of the class claims asserted in this litigation and its understanding of
the terms of the settlement agreement, the City believes the proposed settlements are fair, adequate
and reasonable, and in the best interests of class members, and should therefore be granted final
approval.

foregoing is tru	e and correc	t. Executed A	.pril <u>17</u> , 20	19, in Palo A	lto, California.	
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			£ <del>*****</del>	T	stence Howzell	
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Class Counsel for Indirect Purchaser Plaintiff	<sup>T</sup> S
UNITED STATI	ES DISTRICT COURT
NORTHERN DIST	<b>TRICT OF CALIFORNIA</b>
OAKLA	ND DIVISION
IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION, This Documents Relates to: ALL ACTIONS	Case No. 13-MD-02420 YGR (DMR MDL No. 2420 DECLARATION OF SHANNON MOORE (ON BEHALF OF PLAINTIFF CITY OF RICHMON IN SUPPORT OF INDIRECT PURCHASER PLAINTIFFS' MOTION FOR ATTORNEYS' FEL COSTS AND SERVICE AWARDS Date: July 16, 2019 Time: 2:00 p.m. Dept: Courtroom 1, 4th Floor Judge: Hon. Yvonne Gonzalez Roge DATE ACTION FILED: Oct. 3, 201
MOORE DECL. ISO IPPS' MOT. FOR ATTY	YS' FEES, Case No. 4:13-md-02420

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I. Shannon Moore, declare as follows:

I am an attorney licensed to practice in the State of California and am an Assistant 1. City Attorney with Richmond City Attorney's Office. I have personal knowledge true of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. The City of Richmond ("Richmond" or the "City") is a representative of the governmental entity subclass in In re Lithium Ion Batteries Antitrust Litigation, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit on Richmond's behalf and the settlement class, in support of Class Counsel's motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Samsung SDI Co., LTD and Samsung SDI America, Inc. (collectively "SDI"), TOKIN Corporation ("TOKIN"); Toshiba Corporation ("Toshiba"); and Panasonic Corporation, Panasonic Corporation of North America, SANYO Electric Co., Ltd., and SANYO North America Corporation (collectively "Panasonic") (collectively, the "Settling Defendants").<sup>1</sup>

3. As a class representative, Richmond is responsible for being informed of the work done by its attorneys on the case and make its own judgment about the fairness of any settlement proposed by the lawyers.

4. In evaluating the fairness of the settlement, Richmond is also required to consider the interests of all members of the Class, as well as its own, and is free to disagree with its attorneys about the merits of a settlement and make its views known to the court.

5. Over the past four years, Richmond – through its employees, including attorneys in the City Attorney's Office – has worked diligently to perform its duty to assist. It retained outside counsel – Sloan Sakai Yeung & Wong LLP ("SSYW," formerly known as Renne Sloan Holtzman Sakai LLP), Renne Public Law Group ("RPLG") and Bleichmar Fonti & Auld LLP ("BFA") – and invested significant time and effort to fulfill its role as a class representative. Throughout this

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Throughout this declaration, the term "Co-Lead Counsel" refers to the law firms of Cotchett, Pitre & McCarthy, LLP, Hagens Berman Sobol Shapiro LLP, and Lieff Cabraser Heimann & Bernstein, LLP. The term "Supporting Counsel" refers to the law firms that assisted Co-Lead Counsel in litigating this case. The term "Class Counsel" refers to all the attorneys and law firms that represented IPPs in this case, including Co-Lead Counsel and Supporting Counsel.

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litigation, Richmond has remained informed regarding the status of the litigation by communicating with its attorneys, including reviewing periodic update correspondence from counsel and key case documents. Moreover, since the outset of the litigation, Richmond has diligently retained all documents or electronic information that could be relevant to the litigation and provided a large bulk of these documents to its attorneys.

6 6. As a Class Representative, Richmond personnel also assisted in responding to 7 discovery throughout the case. This included reviewing discovery requests from defendants, 8 discussing them with counsel, reviewing proposed responses, making any corrections, and signing 9 off on the responses. In total, Richmond has assisted counsel in responding to a total of 22 10 interrogatories, 37 requests for production of documents, and 4 requests for admission. Richmond personnel, including employees assigned to its IT and finance departments, have also spent a 12 significant amount of time locating relevant purchase orders, receipts and other documents 13 requested by the defendants in this litigation. These public employees spent many hours digging 14 through and analyzing records of purchases of many products containing lithium ion batteries to 15 ensure that the Class's claims were adequately covered.

7. Richmond has also contributed to the discovery process in this case by producing Sue Hartman, Director of the City's Information Technology Department, as its person most knowledgeable in response to Defendants Samsung SDI Co., LTD and Samsung SDI American, Inc.'s FRCP 30(b)(6) deposition notice. In preparation for her deposition, Ms. Hartman spent approximately 30 hours conferring with the City's retained outside counsel and reviewing documents produced by the City in discovery. She was a diligent, thoughtful, effective and highly prepared witness. In total, Ms. Hartman's deposition lasted approximately eight hours, during which she was questioned by counsel in this case.

8. In total, I estimate that Richmond has spent over 220 hours performing all of the above-described duties on behalf of the class over the past four years. Richmond's retained outside counsel have not made any promises regarding compensation for these services, and the City willingly agreed to participate in this case with no guarantee of any benefit whatsoever. The City

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has also consulted with Class Counsel regarding the preparation of complaints, class certification papers, and proposed settlement agreements.

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9. Based on information obtained from its attorneys, the City believes that the time, effort, and information it provided helped to make the settlement possible. Accordingly, the City respectfully requests that the Court approve a service award on its behalf in the amount of \$25,000.

10. Attorneys in the City Attorney's Office have reviewed the terms of the settlements with the SDI, TOKIN, Toshiba, and Panasonic defendants, and discussed those terms with the City's outside counsel. Richmond is aware of and approves all terms of the proposed settlements, as it affects the City and the members of the Class.

11. Based upon this reading and discussions with Class Counsel, the City understands in general terms that the monies will be distributed on a *pro rata* basis to class members based on: (1) the number of Lithium Ion Batteries purchased by the class member; and (2) the number of valid claims filed. Richmond also understands that there will be no reversion of unclaimed funds to any defendant and, to the extent that money is not able to be reasonably distributed to class members, it may escheat to federal or state governments.

12. Richmond believes that the proposed settlements represent significant recoveries for the class, and are excellent results considered in light of the risks associated with a complex and costly trial. The City recognizes the uncertainty of success on any or all of the claims presented in this litigation if this case were to go to trial.

13. Richmond understands that after these settlements were reached, this Court denied class certification. This denial highlights the risks that plaintiffs face in collective actions such as this. The City believes that litigation of this case on its own behalf, and not on behalf of a class, would not be financially prudent given its damages in this case versus the resources available to the international defendants who formed this cartel. The proposed settlements also permit an immediate recovery to class members without the risk, delay, and expense of trial.

26 14. Richmond understands these settlement agreements were reached at arms' length.
27 Based upon its understanding of the class claims asserted in this litigation and its understanding of
28 the terms of the settlement agreement, the City believes the proposed settlements are fair, adequate

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and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 4, 2019, in Richmond, California.

Shannon Moore

MOORE DECL.	ISO IPPS'	MOT.	FOR	ATTYS'	FEES,
COSTS AND SE	RVICE A	WARD	S	-4-	

Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 51 of 120

Steve W. Berman ( <i>Pro Hac Vice)</i> HAGENS BERMAN SOBOL SHAPIRO LLF 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001 steve@hbsslaw.com	
Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNST 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415) 956-1000 Facsimile: (415) 956-1008 ecabraser@lchb.com	EIN, LLP
Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, LLP 840 Malcolm Road, Suite 200 Burlingame, CA 94010 Telephone: (650) 697-6000 Facsimile: (650) 697-0577 azapala@cpmlegal.com	
Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel	
UNITED STAT	ES DISTRICT COURT
NORTHERN DIS	TRICT OF CALIFORNIA
OAKLA	AND DIVISION
IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR)
Althread Enformeria,	MDL No. 2420
This Documents Relates to: ALL ACTIONS	DECLARATION OF PLAINTIFF MATTHEW ENCE IN SUPPORT OF INDIRECT PURCHASER PLAINTIFF MOTION FOR ATTORNEYS' FEES, EXPENSES AND SERVICE AWARDS
	Date: July 16, 2019 Time: 2:00pm Judge: Hon. Yvonne Gonzalez Rogers Court: Courtroom 1, 4th Floor

I 2 I, MATTHEW ENCE, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

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2. I am a class representative in In re Lithium Ion Batteries Antitrust Litigation, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN Corporation ("TOKIN").

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3. As a class representative, I understand that it is my responsibility to be informed of 13 the work done by my attorneys on the case and make my own judgment about the fairness of any 14 settlement proposed by the lawyers. I also understand that in evaluating the fairness of the 15 settlements. I am required to consider the interests of all members of the Class, as well as my own. 16 I am free to disagree with my attorneys about the merits of a settlement and make my views known 17 to the court.

4. Over the past 3.5 years, I have diligently performed my duty to assist counsel in 18 19 prosecuting this case, investing significant time and effort to fulfill my role as a class 20 representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update 21 22 correspondence from my counsel and key case documents. Since the outset of the litigation, I have 23 also diligently retained all papers or electronic information that could be relevant to the litigation 24 and provided these to my attorneys. 25 5. Throughout the case I have also assisted in responding to discovery. This included

- reviewing discovery requests from defendants, discussing them with my counsel, reviewing
- 27 proposed responses, making any corrections, and signing off on the responses. In total, I assisted

28 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and MATTHEW ENCE DECL. ISO IPPS' MOT. FOR ATTYS' -1-FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960263V1

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4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

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6. In total, I estimate that I have spent about 15-18 hours performing all of the abovedescribed duties on behalf of the class over the past 3.5 years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

9 7. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and
10 TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all
11 terms of the proposed settlements, as it affects me and the members of the Class. Based upon this
12 reading and my discussions with Class Counsel, I understand that these defendants agree to pay

13 \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that 14 there will be no reversion of unclaimed funds to any defendant. To the extent that money is not 15 able to be reasonably distributed to class members, IPPs propose that the money escheat to state 16 governments.

17 8. I believe that the proposed settlements achieve significant recovery for the Class and is an excellent result considered in light of the risks associated with a complex and costly trial. I 18 19 recognize the uncertainty of success on any or all of the claims presented in this litigation if this case were to go to trial. I understand that after these settlements were reached, this Court denied 20 21 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 22 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 23 be financially prudent given my damages in this case versus the resources available to the 24 international defendants who formed this cartel. The proposed settlements also permit an immediate recovery to class members without the risk, delay, and expense of trial. 25 9. I believe the settlement agreements between the Settling Defendants and Class 26 27 Counsel were reached at arms' length, and that the terms of the settlements reflect the independent 28 evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based MATTHEW ENCE DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md--2-

FEES, COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420-YGR 010330-11 960263V1

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upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 10, 2019, in Minden, Nevada.

MATTHEW ENCE

MATTHEW ENCE DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420-YGR 010330-11 960263V1 Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 56 of 120

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Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001 steve@hbsslaw.com Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNSTEIN, 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415) 956-1000 Facsimile: (415) 956-1008 ecabraser@lchb.com Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, LLP 840 Malcolm Road, Suite 200 Burlingame, CA 94010	LLP	
Telephone: (650) 697-6000 Facsimile: (650) 697-0577 azapala@cpmlegal.com		
Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel		
UNITED STATES D	DISTRICT COURT	
NORTHERN DISTRIC	T OF CALIFORNIA	
OAKLAND	DIVISION	
IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR) MDL No. 2420	
This Documents Relates to: ALL ACTIONS	DECLARATION OF PLAINTIFF DRE' FENNELLY IN SUPPORT OF INDIRECT PURCHASER PLAINTIFFS MOTION FOR ATTORNEYS' FEES, EXPENSES AND SERVICE AWARDS	
	Date: July 16, 2019 Time: 2:00pm Judge: Hon. Yvonne Gonzalez Rogers Court: Courtroom 1, 4th Floor	
	DATE ACTION FILED: Oct. 3, 2012	
010330-11 960268V1		

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I, DREW FENNELLY, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("TOKIN").

3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

4. Over the past four years, I have diligently performed my duty to assist counsel in
prosecuting this case, investing significant time and effort to fulfill my role as a class
representative. Throughout this litigation, I have remained informed regarding the status of the
litigation by communicating with my attorneys, including reviewing periodic update
correspondence from my counsel and key case documents. Since the outset of the litigation, I have
also diligently retained all papers or electronic information that could be relevant to the litigation
and provided these to my attorneys.

5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 DREW FENNELLY DECL. ISO IPPS' MOT. FOR ATTYS'
 FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md -1-

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted three hours and thirty minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent two hours reviewing it for errors.

7. In total, I estimate that I have spent about 45-65 hours performing all of the abovedescribed duties on behalf of the class over the past four years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlement possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

9. I believe that the proposed settlements achieve significant recovery for the Class and is an excellent result considered in light of the risks associated with a complex and costly trial. I recognize the uncertainty of success on any or all of the claims presented in this litigation if this case were to go to trial. I understand that after these settlements were reached, this Court denied class certification. This denial highlights the risks that plaintiffs face in collective actions such as this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not be financially prudent given my damages in this case versus the resources available to the

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### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 60 of 120

international defendants who formed this cartel. The proposed settlements also permit an immediate recovery to class members without the risk, delay, and expense of trial.

10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 10, 2019, in Lawrence, Kansas.

DREW FENN

DREW FENNELLY DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420-YGR 010330-11 960268V1

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1	Steve W. Berman (Pro Hac Vice)	
2	HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202	
3	Berkeley, CA 94710 Telephone: (510) 725-3000	
1345	Facsimile: (510) 725-3001	
4	steve@hbsslaw.com	
5	Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNSTEIN	LLP
6	275 Battery Street, 29th Floor San Francisco, CA 94111-3339	
7	Telephone: (415) 956-1000 Facsimile: (415) 956-1008	
8	ecabraser@lchb.com	
9	Adam J. Zapala (SBN 245748)	
10	COTCHETT, PITRE & McCARTHY, LLP 840 Malcolm Road, Suite 200	
11	Burlingame, CA 94010 Telephone: (650) 697-6000	
12	Facsimile: (650) 697-0577 azapala@cpmlegal.com	
13	Indirect Purchaser Plaintiffs	
14	Interim Co-Lead Class Counsel	
15		
16	UNITED STATES	DISTRICT COURT
17	NORTHERN DISTRI	CT OF CALIFORNIA
18	OAKLAND	DIVISION
19	IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR)
20		MDL No. 2420
21		
22	This Documents Relates to:	DECLARATION OF PLAINTIFF SHERI HARMON IN SUPPORT OF INDIRECT
23	ALL ACTIONS	PURCHASER PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, EXPENSES
24	2	AND SERVICE AWARDS
25		Date: July 16, 2019 Time: 2:00pm
26	5 8	Judge: Hon. Yvonne Gonzalez Rogers Court: Courtroom 1, 4th Floor
27		anna ann an ann an ann an ann ann ann a
28		DATE ACTION FILED: Oct. 3, 2012
20		
	010330-11 960269¥1	
		<ul> <li>38.1</li> </ul>

1 I, SHERI HARMON, declare as follows: 2 1. I am an individual over the age of 18. I have personal knowledge of the matters 3 stated herein and, if called upon, I could and would competently testify thereto. 4 2. I am a class representative in In re Lithium Ion Batteries Antitrust Litigation, No. 5 13-md-02420, filed in the United States District Court for the Northern District of California. I 6 submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion 7 for attorneys' fees, expenses, and service awards and in support of final approval of the settlements 8 with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and 9 SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and 10 Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN 11 Corporation ("TOKIN"). 12 3. As a class representative, I understand that it is my responsibility to be informed of 13 the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the 14 settlements, I am required to consider the interests of all members of the Class, as well as my own. 15 I am free to disagree with my attorneys about the merits of a settlement and make my views known 16 17 to the court. 18 4. Over the past six years, I have diligently performed my duty to assist counsel in 19 prosecuting this case, investing significant time and effort to fulfill my role as a class 20 representative. Throughout this litigation, I have remained informed regarding the status of the 21 litigation by communicating with my attorneys, including reviewing periodic update 22 correspondence from my counsel and key case documents. Since the outset of the litigation, I have 23 also diligently retained all papers or electronic information that could be relevant to the litigation 24 and provided these to my attorneys.

5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 sheri HARMON DECL. ISO IPPS' MOT. FOR ATTYS' FEES,
 COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420.

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4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted six hours and nine minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent two hours reviewing it for errors.

7 In total, I estimate that I have spent about 45 hours performing all of the abovedescribed duties on behalf of the class over the past six years. My attorneys have not made any
promises regarding compensation for my service, and I willingly agreed to participate in this case
with no guarantee of personal benefit. I believe that the time, effort, and information I provided
helped to make the settlements possible. I ask that the Court approve my service award in the
amount of \$10,000.

12 8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and 13 TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all 14 terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay 15 \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that 16 17 there will be no reversion of unclaimed funds to any defendant. To the extent that money is not 18 able to be reasonably distributed to class members, IPPs propose that the money escheat to state 19 governments.

20 9. I believe that the proposed settlements achieve significant recovery for the Class and 21 is an excellent result considered in light of the risks associated with a complex and costly trial. I 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 23 case were to go to trial. I understand that after these settlements were reached, this Court denied 24 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 25 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 26 be financially prudent given my damages in this case versus the resources available to the 27 international defendants who formed this cartel. The proposed settlements also permit an 28 immediate recovery to class members without the risk, delay, and expense of trial. SHERI HARMON DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420--2-010330-11 960269V1

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1	10. I believe the settlement agreements between the Settling Defendants and Class						
2	Counsel were reached at arms' length, and that the terms of the settlements reflect the independent						
3	evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based						
4	upon my understanding of the class claims asserted in this litigation, and my understanding of the						
5	terms of the settlement agreements, I believe the proposed settlements are fair, adequate and						
6	reasonable, and in the best interests of class members, and should therefore be granted final						
7	approval.						
8	I declare under penalty of perjury under the laws of the United States of America that the						
9	foregoing is true and correct. Executed April <u>13</u> , 2019, in Mulino, Or						
10							
11	_ Shire Harmon						
12	SHERI HARMON						
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	SHERI HARMON DECL. ISO IPPS' MOT. FOR ATTYS' FEES, - 3 - COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420- VGR						
	YGR 010330-11 960269V1						

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2	Case 4:13-md-02420-YGR	Document 2	2487-7	Filed 04/23/19	Page 67 of 120
1	Store W. Domoon (Dec. Has V	(; )			
1 2	Steve W. Berman ( <i>Pro Hac V</i> HAGENS BERMAN SOBOL 715 Hearst Avenue, Suite 202	. SHAPIRO LI	ĹΡ		
3	Berkeley, CA 94710 Telephone: (510) 725-3000				
4	Facsimile: (510) 725-3001 steve@hbsslaw.com				
5	Elizabeth J. Cabraser (083151	.)			
6	LIEFF CABRASER HEIMA 275 Battery Street, 29th Floor	ŃN & BERNS	TEIN, L	LP	
7	San Francisco, CA 94111-333 Telephone: (415) 956-1000	39			
8	Facsimile: (415) 956-1008 ecabraser@lchb.com				
9	Adam J. Zapala (SBN 245748	S)			
10	COTCHETT, PITRE & McC. 840 Malcolm Road, Suite 200 Burlingame, CA 94010				
11	Telephone: (650) 697-6000 Facsimile: (650) 697-0577				
12	azapala@cpmlegal.com				
13	Indirect Purchaser Plaintiffs Interim Co-Lead Class Couns	vel			
14					
15		UNITED STA	TES DI	STRICT COURT	
16 17	NO	ORTHERN DI	STRICT	OF CALIFORNL	A
17 18		OAKI	AND D	IVISION	
19	IN RE LITHIUM ION BATT ANTITRUST LITIGATION,			Case No. 13-M	D-02420 YGR (DMR)
20				MDL No. 2420	
21					N OF PLAINTIFF
22	This Documents Relates to: ALL ACTIONS			OF INDIRECT PLAINTIFFS' M	
23	ALLACTIONS			ATTORNEYS' SERVICE AWA	FEES, EXPENSES AND
24				Date: July 16, 2	2019
25 26				Time: 2:00pm Judge: Hon. Yv Court: Courtroo	onne Gonzalez Rogers om 1, 4th Floor
27 28				DATE ACTION	FILED: Oct. 3, 2012
	010330-11 960270V1				

#### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 68 of 120

I, CHRISTOPHER HUNT, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

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2. I am a class representative in In re Lithium Ion Batteries Antitrust Litigation, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN Corporation ("TOKIN").

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3. As a class representative, I understand that it is my responsibility to be informed of 13 the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. 16 I am free to disagree with my attorneys about the merits of a settlement and make my views known 17 to the court.

4. 18 Over the past six years, I have diligently performed my duty to assist counsel in 19 prosecuting this case, investing significant time and effort to fulfill my role as a class 20 representative. Throughout this litigation, I have remained informed regarding the status of the 21 litigation by communicating with my attorneys, including reviewing periodic update 22 correspondence from my counsel and key case documents. Since the outset of the litigation, I have 23 also diligently retained all papers or electronic information that could be relevant to the litigation 24 and provided these to my attorneys.

Throughout the case I have also assisted in responding to discovery. This included

- 25 5. 26 reviewing discovery requests from defendants, discussing them with my counsel, reviewing 27 proposed responses, making any corrections, and signing off on the responses. In total, I assisted 28 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
  - CHRISTOPHER HUNT DECL, ISO IPPS' MOT, FOR ATTYS' -1-FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960270V1

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

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6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted 7 hours and 14 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent 9 1/2 hours reviewing it for errors.

7. In total, I estimate that I have spent about 80-90 hours performing all of the abovedescribed duties on behalf of the class over the past six years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. 12 I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and 13 TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all 14 terms of the proposed settlements, as it affects me and the members of the Class. Based upon this 15 reading and my discussions with Class Counsel. I understand that these defendants agree to pay 16 \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that 17 there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state 18 19 governments.

9. 20 I believe that the proposed settlements achieve significant recovery for the Class and 21 is an excellent result considered in light of the risks associated with a complex and costly trial. I 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 23 case were to go to trial. I understand that after these settlements were reached, this Court denied 24 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 25 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 26 be financially prudent given my damages in this case versus the resources available to the 27 international defendants who formed this cartel. The proposed settlements also permit an 28 immediate recovery to class members without the risk, delay, and expense of trial. CHRISTOPHER HUNT DECL. ISO IPPS' MOT. FOR ATTYS' -2-FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960270V1

1 10. I believe the settlement agreements between the Settling Defendants and Class 2 Counsel were reached at arms' length, and that the terms of the settlement reflect the independent 3 evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based 4 upon my understanding of the class claims asserted in this litigation, and my understanding of the 5 terms of the settlement agreements, I believe the proposed settlements are fair, adequate and 6 reasonable, and in the best interests of class members, and should therefore be granted final 7 approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 11, 2019, in Phoenix, Arizona.

CHRIS ER HUN

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Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 71 of 120

	Case 4:13-md-02420-YGR Documer	nt 2487-7	Filed 04/23/19	Page 72 of 120		
1 2 3 3 4 4 5 5 5 5 7 7 8 8 9 9 0	Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRC 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001 steve@hbsslaw.com Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BER 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415) 956-1000 Facsimile: (415) 956-1008 ecabraser@lchb.com Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, L 840 Malcolm Road, Suite 200	NSTEIN, Ì	LLP			
1 2	Burlingame, CA 94010 Telephone: (650) 697-6000 Facsimile: (650) 697-0577 azapala@cpmlegal.com					
3 4	Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel					
5	UNITED S	TATES D	ISTRICT COURT	,		
5	NORTHERN	DISTRIC	T OF CALIFORN	IA		
7	OA	KLAND I	DIVISION			
3 )	IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,		Case No. 13-N MDL No. 2420	4D-02420 YGR (DMR) )		
2	This Documents Relates to:DECLARATION OF PLAINTIFF JO KOPP IN SUPPORT OF INDIRECT PURCHASER PLAINTIFFS' MOTIO FOR ATTORNEYS' FEES, EXPENS AND SERVICE AWARDS					
4 5 6			Date: July 16 Time: 2:00pm Judge: Hon. Y Court: Courtro	, 2019 Vonne Gonzalez Rogers oom 1, 4th Floor		
7			DATE ACTIO	N FILED: Oct. 3, 2012		
8	010330-11 960272V1					

#### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 73 of 120

I, JOHN KOPP, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("TOKIN").

3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

4. Over the past 3.5 years, I have diligently performed my duty to assist counsel in prosecuting this case, investing significant time and effort to fulfill my role as a class representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update correspondence from my counsel and key case documents. Since the outset of the litigation, I have also diligently retained all papers or electronic information that could be relevant to the litigation and provided these to my attorneys.

 5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 JOHN KOPP DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960272V1

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4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total,
 my deposition lasted eight hours of record time, where I was questioned by counsel in this case. To
 ensure the accuracy of my transcript, I spent two hours reviewing it for errors.

7. In total, I estimate that I have spent about 52 hours performing all of the abovedescribed duties on behalf of the class over the past 3.5 years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

20 9. I believe that the proposed settlements achieve significant recovery for the Class and 21 is an excellent result considered in light of the risks associated with a complex and costly trial. I 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 23 case were to go to trial. I understand that after these settlements were reached, this Court denied 24 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 25 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 26 be financially prudent given my damages in this case versus the resources available to the 27 international defendants who formed this cartel. The proposed settlements also permit an 28 immediate recovery to class members without the risk, delay, and expense of trial. JOHN KOPP DECL. ISO IPPS' MOT. FOR ATTYS' FEES. -2-COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960272V1

# Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 75 of 120

1	10. I believe the settlement agreements between the Settling Defendants and Class	
2	Counsel were reached at arms' length, and that the terms of the settlements reflect the independent	
3	evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based	
4	upon my understanding of the class claims asserted in this litigation, and my understanding of the	
5	terms of the settlement agreements, I believe the proposed settlements are fair, adequate and	
6	reasonable, and in the best interests of class members, and should therefore be granted final	
7	approval.	
8	I declare under penalty of perjury under the laws of the United States of America that the	
9	foregoing is true and correct. Executed April 11, 2019, in Aurora, Illinois.	
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11	Nolm R. KC	
12	JOHN KOPP	
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28	JOHN KOPP DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420- YGR 010330-11 960272V1	

Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 76 of 120

Case 4:13-md-02420-YGR Document 24	487-7 Filed 04/23/19 Page 77 of 120
Steve W. Berman (Pro Hac Vice)	
HAGENS BERMAN SOBOL SHAPIRO LL 715 Hearst Avenue, Suite 202	Р
Berkeley, CA 94710 Telephone: (510) 725-3000	
Facsimile: (510) 725-3001 steve@hbsslaw.com	
Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNST	TEIN IID
275 Battery Street, 29th Floor	EIN, EEF
San Francisco, CA 94111-3339 Telephone: (415) 956-1000 Facsimile: (415) 956-1008	
ecabraser@lchb.com	
Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, LLP	
840 Malcolm Road, Suite 200 Burlingame, CA 94010	
Telephone: (650) 697-6000 Facsimile: (650) 697-0577	
azapala@cpmlegal.com	
Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel	
UNITED STAT	TES DISTRICT COURT
NORTHERN DIS	TRICT OF CALIFORNIA
OAKL	AND DIVISION
IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR)
	MDL No. 2420
This Documents Relates to:	DECLARATION OF PLAINTIFF LINDA LINCOLN IN SUPPORT OF
	INDIRECT PURCHASER PLAINTIFFS'
ALL ACTIONS	MOTION FOR ATTORNEYS' FEES, EXPENSES AND SERVICE AWARDS
	Date: July 16, 2019
	Time: 2:00pm Judge: Hon. Yvonne Gonzalez Rogers
	Court: Courtroom 1, 4th Floor
	DATE ACTION FILED: Oct. 3, 2012
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### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 78 of 120

I, LINDA LINCOLN, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("TOKIN").

3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

4. Over the past six years, I have diligently performed my duty to assist counsel in prosecuting this case, investing significant time and effort to fulfill my role as a class representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update correspondence from my counsel and key case documents. Since the outset of the litigation, I have also diligently retained all papers or electronic information that could be relevant to the litigation and provided these to my attorneys.

5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 LINDA LINCOLN DECL. ISO IPPS' MOT. FOR ATTYS' FEES,
 COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420-YGR

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# Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 79 of 120

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

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6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted 4 hours and 13 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent about 2 hours reviewing it for errors.

7. In total, I estimate that I have spent about 38-48 hours performing all of the abovedescribed duties on behalf of the class over the past six years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and 8. TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all 14 terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

20 9. I believe that the proposed settlements achieve significant recovery for the Class and 21 is an excellent result considered in light of the risks associated with a complex and costly trial. I 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 23 case were to go to trial. I understand that after these settlements were reached, this Court denied 24 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 25 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 26 be financially prudent given my damages in this case versus the resources available to the 27 international defendants who formed this cartel. The proposed settlements also permit an 28 immediate recovery to class members without the risk, delay, and expense of trial. LINDA LINCOLN DECL. ISO IPPS' MOT. FOR ATTYS' FEES,

COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR

### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 80 of 120

10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 13, 2019, in Dunbar, West Virginia.

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Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 81 of 120

Case 4:13-md-02420-YGR Document	2487-7 Filed 04/23/19 Page 82 of 120		
Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO L 715 Hearst Avenue, Suite 202 Berkeley, CA 94710	LP		
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Burlingame, CA 94010 Telephone: (650) 697-6000			
Facsimile: (650) 697-0577 azapala@cpmlegal.com			
Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel			
UNITED ST	ATES DISTRICT COURT		
NORTHERN D	ISTRICT OF CALIFORNIA		
OAKLAND DIVISION			
IN RE LITHIUM ION BATTERIES	Case No. 13-MD-02420 YGR (DMR)		
ANTITRUST LITIGATION,	MDL No. 2420		
This Documents Relates to:	DECLARATION OF PLAINTIFF PATRICK MCGUINNESS IN SUPPOR OF INDIRECT PURCHASER		
ALL ACTIONS	PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, EXPENSES ANI SERVICE AWARDS		
	Date: July 16, 2019 Time: 2:00pm Judge: Hon. Yvonne Gonzalez Rogers Court: Courtroom 1, 4th Floor		

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### I, PATRICK MCGUINNESS, declare as follows:

I am an individual over the age of 18. I have personal knowledge of the matters 1. stated herein and, if called upon, I could and would competently testify thereto.

2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN Corporation ("TOKIN").

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3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

18 4. Over the past 6 1/2 years, I have diligently performed my duty to assist counsel in 19 prosecuting this case, investing significant time and effort to fulfill my role as a class representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update 22 correspondence from my counsel and key case documents. Since the outset of the litigation, I have 23 also diligently retained all papers or electronic information that could be relevant to the litigation 24 and provided these to my attorneys.

25 5. Throughout the case I have also assisted in responding to discovery. This included 26 reviewing discovery requests from defendants, discussing them with my counsel, reviewing 27 proposed responses, making any corrections, and signing off on the responses. In total, I assisted counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and 28 PATRICK MCGUINNESS DECL. ISO IPPS' MOT. FOR -1-ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960275V1

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted 7 hours and 56 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent about 4 hours reviewing it for errors.

7. I estimate that I have spent about thirty-six hours performing all of the abovedescribed duties on behalf of the class over the past 6 1/2 years. In addition to the forgoing I had two complete travel days from Jacksonville, Fl to Los Angeles. California to attend my deposition in Febuary 2016. Preparation, testimony, document review, record searches, attorney client conferences and travel time (approximately 16 hours) totaled approximately **fifty-two hours**. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel. I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

9. I believe that the proposed settlements achieve significant recovery for the Class and is an excellent result considered in light of the risks associated with a complex and costly trial. I recognize the uncertainty of success on any or all of the claims presented in this litigation if this case were to go to trial. I understand that after these settlements were reached, this Court denied class certification. This denial highlights the risks that plaintiffs face in collective actions such as this. I believe that litigation of this case on my own behalf, and not on behalf of a class. would not PATRICK MCGUINNESS DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420-YGR 010330-11 960275V1

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be financially prudent given my damages in this case versus the resources available to the international defendants who formed this cartel. The proposed settlements also permit an immediate recovery to class members without the risk, delay, and expense of trial.

10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 13, 2019, in Jacksonville,Florida.

in PATRIC MCGUINNESS

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Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 86 of 120

1       Sieve W. Berman (Pro Hac Vice) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710         2       Different Stress		Case 4:13-md-02420-YGR E	Document 2487-7	Filed 04/23/19	Page 87 of 120
HAGENS BERMAN SOBOL SHAPIRO LLP         715 Hearst Avenue, Suite 202         Berkeley, CA 94710         716 Telephone: (510) 725-3000         Facsimile: (510) 725-3001         steve@bhsslaw.com         6         275 Battery Street, 29th Floor         San Franciso, CA 94111-3339         7         7         7         7         7         8         7         7         7         7         7         7         7         7         8         7         7         7         7         7         7         7         8         7         7         8         7         8         7         8         7         7         8         7         8         7         8         7         8         9         8         9					
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6       275 Battery Street, 29h Floor         San Francisco, CA 94111-3339         7       Telephone: (415) 956-1008         8       ecabraser@lehb.com         9       Adam J. Zapala (SBN 245748)         COTCHETT, PITRE & McCARTHY, LLP         840 Malcolm Road, Suite 200         Burlingame, CA 94010         11       Telephone: (650) 697-6000         Facsimile: (650) 697-6000         Facs	5	Elizabeth J. Cabraser (083151)	& DEDNETEIN I	L D	
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I, JOSEPH O'DANIEL, declare as follows:

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2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("TOKIN").

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 JOSEPH O'DANIEL DECL. ISO IPPS' MOT. FOR ATTYS'
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4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted three hours and 27 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent about 2.5 hours reviewing it for errors.

7. In total, I estimate that I have spent about 40 hours performing all of the abovedescribed duties on behalf of the class over the past six years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlement possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

9. I believe that the proposed settlements achieve significant recovery for the Class and is an excellent result considered in light of the risks associated with a complex and costly trial. I recognize the uncertainty of success on any or all of the claims presented in this litigation if this case were to go to trial. I understand that after these settlements were reached, this Court denied class certification. This denial highlights the risks that plaintiffs face in collective actions such as this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not be financially prudent given my damages in this case versus the resources available to the international defendants who formed this cartel. The proposed settlements also permit an immediate recovery to class members without the risk, delay, and expense of trial.

 immediate recovery to class members without the risk, delay, and expense of trial

 JOSEPH O'DANIEL DECL. ISO IPPS' MOT. FOR ATTYS'

 FEES, COSTS AND SERVICE AWARDS – Case No. 4:13-md 

10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 12, 2019, in Lee's Summit, Missouri.

JOSEPH O'Daniel

JOSEPH O'DANIEL DECL, ISO IPPS' MOT, FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-

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Case 4:13-md-02420	-YGR Document	2487-7	Filed 04/23/19	Page 92 of 120
Steve W. Berman ( <i>Pro</i> HAGENS BERMAN S 715 Hearst Avenue, Su	SOBOL SHAPIRO I	LLP		
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Facsimile: (510) 725-3 steve@hbsslaw.com	6001			
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LIEFF CABRASER H 275 Battery Street, 29t	h Floor	STEIN, L	LP	
San Francisco, CA 941 Telephone: (415) 956-	1000			
Facsimile: (415) 956-1 ecabraser@lchb.com	008			
Adam J. Zapala (SBN	245748)			
COTCHETT, PITRE & 840 Malcolm Road, Su	iite 200	þ		
Burlingame, CA 94010 Telephone: (650) 697-0	6000			
Facsimile: (650) 697-0 azapala@cpmlegal.com	n			
Indirect Purchaser Pla	00			
Interim Co-Lead Class	Counsel			
	UNITED ST.	ATES DIS	STRICT COURT	
	NORTHERN D	ISTRICT	OF CALIFORN	IA
	OAK	LAND DI	IVISION	
IN RE LITHIUM ION ANTITRUST LITIGA			Case No. 13-N	ID-02420 YGR (DMR)
ANTIKOST LITICA	non,		MDL No. 2420	)
				ON OF PLAINTIFF TOM
This Documents Relate	es to:		PURCHASER	PORT OF INDIRECT PLAINTIFFS' MOTION
ALL ACTIONS			FOR ATTORN AND SERVIC	IEYS' FEES, EXPENSES E AWARDS
			Date: July 16,	2019
			Time: 2:00pm Judge: Hon. Y Court: Courtro	vonne Gonzalez Rogers oom 1, 4th Floor

I, TOM PHAM, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN Corporation ("TOKIN").

3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

4. Over the past 6 and 1/2 years, I have diligently performed my duty to assist counsel in prosecuting this case, investing significant time and effort to fulfill my role as a class representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update correspondence from my counsel and key case documents. Since the outset of the litigation, I have also diligently retained all papers or electronic information that could be relevant to the litigation and provided these to my attorneys.

5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 TOM PHAM DECL. ISO IPPS' MOT. FOR ATTYS' FEES,
 COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420 YGR

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# Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 94 of 120

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted 4 hours and 42 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent about 2 hours reviewing it for errors.

7. In total, I estimate that I have spent about 40 hours performing all of the abovedescribed duties on behalf of the class over the past 6 and 1/2 years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

20 9. I believe that the proposed settlement achieves significant recovery for the Class and is an excellent result considered in light of the risks associated with a complex and costly trial. I 21 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this case were to go to trial. I understand that after these settlements were reached, this Court denied 23 24 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 25 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 26 be financially prudent given my damages in this case versus the resources available to the 27 international defendants who formed this cartel. The proposed settlements also permit an 28 immediate recovery to class members without the risk, delay, and expense of trial. TOM PHAM DECL. ISO IPPS' MOT. FOR ATTYS' FEES, -2-

COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420-YGR 010330-11 960279V1

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10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 10, 2019, in [Huntington Beach, CA].

TOM PHAM DECL. ISO IPPS' MOT. FOR ATTYS' FEES, -3-COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-GR 010330-11 960279V1

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	Case 4:13-md-02420-YGR Document 2487-	7 Filed 04/23/19 Page 97 of 120		
1 2 3 4 5 6 7 8 9 10 11 12 13	Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001 steve@hbsslaw.com Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNSTEIN 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415) 956-1000 Facsimile: (415) 956-1008 ecabraser@lchb.com Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, LLP 840 Malcolm Road, Suite 200 Burlingame, CA 94010 Telephone: (650) 697-6000 Facsimile: (650) 697-6000 Facsimile: (650) 697-6077 azapala@cpmlegal.com	ν, LLP		
14	Interim Co-Lead Class Counsel			
15	UNITED STATES DISTRICT COURT			
16 17	NORTHERN DISTRICT OF CALIFORNIA			
18		D DIVISION		
19 20	IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR) MDL No. 2420		
20 21 22 23 24 25 26 27 28	This Documents Relates to: ALL ACTIONS	DECLARATION OF PLAINTIFF PIYA ROBERT ROJANASATHIT IN SUPPORT OF INDIRECT PURCHASER PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, EXPENSES AND SERVICE AWARDS Date: July 16, 2019 Time: 2:00pm Judge: Hon. Yvonne Gonzalez Rogers Court: Courtroom 1, 4th Floor DATE ACTION FILED: Oct. 3, 2012		
	010330-11 960280∨1			

### I, PIYA ROBERT ROJANASATHIT, declare as follows:

1.I am an individual over the age of 18. I have personal knowledge of the mattersstated herein and, if called upon, I could and would competently testify thereto.

2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("TokIN").

3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

4. Over the past 7 years, I have diligently performed my duty to assist counsel in
prosecuting this case, investing significant time and effort to fulfill my role as a class
representative. Throughout this litigation, I have remained informed regarding the status of the
litigation by communicating with my attorneys, including reviewing periodic update
correspondence from my counsel and key case documents. Since the outset of the litigation, I have
also diligently retained all papers or electronic information that could be relevant to the litigation
and provided these to my attorneys.

5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 ROBERT ROJANASATHIT DECL. ISO IPPS' MOT. FOR
 ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No.
 4:13-md-02420-YGR
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4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted 5 hours and 18 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent 2 hours reviewing it for errors.

7 In total, I estimate that I have spent about 27-33 hours performing all of the abovedescribed duties on behalf of the class over the past 7 years. My attorneys have not made any
promises regarding compensation for my service, and I willingly agreed to participate in this case
with no guarantee of personal benefit. I believe that the time, effort, and information I provided
helped to make the settlements possible. I ask that the Court approve my service award in the
amount of \$10,000.

12 8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and 13 TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all 14 terms of the proposed settlements, as it affects me and the members of the Class. Based upon this 15 reading and my discussions with Class Counsel, I understand that these defendants agree to pay 16 \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that 17 there will be no reversion of unclaimed funds to any defendant. To the extent that money is not 18 able to be reasonably distributed to class members, IPPs propose that the money escheat to state 19 governments.

9. I believe that the proposed settlements achieve significant recovery for the Class and 20 21 is an excellent result considered in light of the risks associated with a complex and costly trial. I 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 23 case were to go to trial. I understand that after these settlements were reached, this Court denied 24 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 25 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 26 be financially prudent given my damages in this case versus the resources available to the 27 international defendants who formed this cartel. The proposed settlements also permit an 28 immediate recovery to class members without the risk, delay, and expense of trial. ROBERT ROJANASATHIT DECL. ISO IPPS' MOT. FOR -2-ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4 13-md-02420-YGR 010330-11 960280V1

### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 100 of 120

10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 16, 2019, in [San Carlos, CA].

M. M.M.M. DIVA ROBERT ROJANASATHIT

ROBERT ROJANASATHIT DECL. ISO IPPS' MOT. FOR - 3 -ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960280V1 Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 101 of 120

	Case 4:13-md-02420-YGR Document 2487-	7 Filed 04/23/19	Page 102 of 120	
1	Store W. Downey (Dec U. V)			
1 2	Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202			
3	Berkeley, CA 94710 Telephone: (510) 725-3000			
4	Facsimile: (510) 725-3001 steve@hbsslaw.com			
5	Elizabeth J. Cabraser (083151)	LID		
6	LIEFF CABRASER HEIMANN & BERNSTEIN 275 Battery Street, 29th Floor San Francisco, CA 94111-3339	, LLP		
7	Telephone: (415) 956-1000 Facsimile: (415) 956-1008			
8	ecabraser@lchb.com			
9	Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, LLP			
10	840 Malcolm Road, Suite 200 Burlingame, CA 94010 Telephone: (650) 697-6000 Facsimile: (650) 697-0577			
11				
12	azapala@cpmlegal.com			
13	Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel			
14	Intertin Co Leud Cluss Counsel			
15	UNITED STATES DISTRICT COURT			
16	NORTHERN DISTRICT OF CALIFORNIA			
17	OAKLAND DIVISION			
18	IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR)		
19		MDL No. 2420	)	
20 21		DECLARATIO	ON OF PLAINTIFF	
21	This Documents Relates to:	BRADLEY SE	LDIN IN SUPPORT OF	
22	ALL ACTIONS	MOTION FOR	ATTORNEYS' FEES, ND SERVICE AWARDS	
23		Date: July 16,	, 2019	
25		Time: 2:00pm Judge: Hon. Y	vonne Gonzalez Rogers	
26		Court: Courtro	oom 1, 4th Floor	
27		DATE ACTIO	N FILED: Oct. 3, 2012	
28				
	010330-11 960285V1			

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### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 103 of 120

I, BRADLEY SELDIN, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this declaration, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN Corporation ("TOKIN").

3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

4. Over the past six years, I have diligently performed my duty to assist counsel in prosecuting this case, investing significant time and effort to fulfill my role as a class representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update correspondence from my counsel and key case documents. Since the outset of the litigation, I have also diligently retained all papers or electronic information that could be relevant to the litigation and provided these to my attorneys.

 5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 BRADLEY SELDIN DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-

### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 104 of 120

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4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted 4 hours and 25 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent 1.5 hours reviewing it for errors.

7. In total, I estimate that I have spent about 50-55 hours performing all of the abovedescribed duties on behalf of the class over the past six years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

20 9. I believe that the proposed settlements achieve significant recovery for the Class and 21 is an excellent result considered in light of the risks associated with a complex and costly trial. I 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 23 case were to go to trial. I understand that this Court denied class certification. This denial 24 highlights the risks that plaintiffs face in collective actions such as this. I believe that litigation of 25 this case on my own behalf, and not on behalf of a class, would not be financially prudent given 26 my damages in this case versus the resources available to the international defendants who formed 27 this cartel. The proposed settlements also permit an immediate recovery to class members without

28 the risk, delay, and expense of trial. BRADLEY SELDIN DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420-YGR 010330-11 960285V1

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### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 105 of 120

10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 10, 2019, in Miami Beach, FL.

BRADLEY SELDIN

BRADLEY SELDIN DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420-YGR 010330-11 960285V1

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	Case 4:13-md-02420-YGR Document 2487-	7 Filed 04/23/19 Page 107 of 120	
1 2	Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202		
3	Berkeley, CA 94710 Telephone: (510) 725-3000		
4	Facsimile: (510) 725-3001 steve@hbsslaw.com		
5	Elizabeth J. Cabraser (083151)		
6	LIEFF CABRASER HEIMANN & BERNSTEIN 275 Battery Street, 29th Floor	, LLP	
7	San Francisco, CA 94111-3339 Telephone: (415) 956-1000		
8	Facsimile: (415) 956-1008 ecabraser@lchb.com		
9	Adam J. Zapala (SBN 245748)		
10	COTCHETT, PITRE & McCÁRTHY, LLP 840 Malcolm Road, Suite 200 Burlingame, CA 94010		
11	Telephone: (650) 697-6000 Facsimile: (650) 697-0577		
12	azapala@cpmlegal.com		
13	Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel		
14	Inter in Co-Lead Class Courisei		
15	UNITED STATES DISTRICT COURT		
16	NORTHERN DISTRICT OF CALIFORNIA		
17	OAKLAND DIVISION		
18	IN RE LITHIUM ION BATTERIES	Case No. 13-MD-02420 YGR (DMR)	
19	ANTITRUST LITIGATION,	MDL No. 2420	
20		DECLADATION OF DIADITIEF	
21	This Documents Relates to:	DECLARATION OF PLAINTIFF DONNA SHAWN IN SUPPORT OF INDIRECT PURCHASER PLAINTIFFS'	
22	ALL ACTIONS	MOTION FOR ATTORNEYS' FEES, EXPENSES AND SERVICE AWARDS	
23		Date: July 16, 2019	
24 25		Time: 2:00pm Judge: Hon. Yvonne Gonzalez Rogers	
23 26		Court: Courtroom 1, 4th Floor	
20		ALEX M. ARABANI M. MANAGAMPATANI NA MARINI KAMPANA MANAGANA	
27		DATE ACTION FILED: Oct. 3, 2012	
27 28		DATE ACTION FILED: Oct. 3, 2012	
		DATE ACTION FILED: Oct. 3, 2012	

#### Case 4:13-md-02420-YGR Document 2487-7 Filed 04/23/19 Page 108 of 120

I, DONNA SHAWN, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("TOKIN").

3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

4. Over the past 4 years, I have diligently performed my duty to assist counsel in prosecuting this case, investing significant time and effort to fulfill my role as a class representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update correspondence from my counsel and key case documents. Since the outset of the litigation, I have also diligently retained all papers or electronic information that could be relevant to the litigation and provided these to my attorneys.

5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 DONNA SHAWN DECL. ISO IPPS' MOT. FOR ATTYS' FEES,
 COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420 YGR
 O10330-11 960286V1

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted five hours and 20 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent three hours reviewing it for errors.

7. In total, I estimate that I have spent about 40-50 hours performing all of the abovedescribed duties on behalf of the class over the past 4 years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlement possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

9. I believe that the proposed settlements achieve significant recovery for the Class and is an excellent result considered in light of the risks associated with a complex and costly trial. I recognize the uncertainty of success on any or all of the claims presented in this litigation if this case were to go to trial. I understand that after these settlements were reached, this Court denied class certification. This denial highlights the risks that plaintiffs face in collective actions such as this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not be financially prudent given my damages in this case versus the resources available to the international defendants who formed this cartel. The proposed settlements also permit an immediate recovery to class members without the risk, delay, and expense of trial.

DONNA SHAWN DECL. ISO IPPS' MOT. FOR ATTYS' FEES, -2 - COSTS AND SERVICE AWARDS – Case No. 4:13-md-02420-

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10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 15, 2019, in Rochester Hills, MI.

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DONNA SHAWN DECL. ISO IPPS' MOT. FOR ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960286V1

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# **EXHIBIT 22**

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Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001 steve@hbsslaw.com Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNSTE 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415) 956-1000 Facsimile: (415) 956-1008 ecabraser@lchb.com Adam J. Zapala (SBN 245748) COTCHETT, PITPE & McCAPTHY, LLP	ZIN, LLP
COTCHETT, PITRE & McCARTHY, LLP 840 Malcolm Road, Suite 200 Burlingame, CA 94010	
Telephone: (650) 697-6000 Facsimile: (650) 697-0577	
azapala@cpmlegal.com	
Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel	
UNITED STATES DISTRICT COURT	
NORTHERN DISTRICT OF CALIFORNIA	
OAKLAND DIVISION	
IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR) MDL No. 2420
This Documents Relates to: ALL ACTIONS	DECLARATION OF PLAINTIFF DAVID TOLCHIN IN SUPPORT OF INDIRECT PURCHASER PLAINTIFFS MOTION FOR ATTORNEYS' FEES, EXPENSES AND SERVICE AWARDS
	Date: July 16, 2019 Time: 2:00pm Judge: Hon. Yvonne Gonzalez Rogers Court: Courtroom 1, 4th Floor
	DATE ACTION FILED: Oct. 3, 2012
010330-11 960290V1	

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I, DAVID TOLCHIN, declare as follows:

I am an individual over the age of 18. I have personal knowledge of the matters 1. stated herein and, if called upon, I could and would competently testify thereto.

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2. I am a class representative in In re Lithium Ion Batteries Antitrust Litigation, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this affidavit, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN Corporation ("TOKIN").

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3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

4. 18 Over the past six years, I have diligently performed my duty to assist counsel in 19 prosecuting this case, investing significant time and effort to fulfill my role as a class 20 representative. Throughout this litigation, I have remained informed regarding the status of the litigation by communicating with my attorneys, including reviewing periodic update 22 correspondence from my counsel and key case documents. Since the outset of the litigation, I have 23 also diligently retained all papers or electronic information that could be relevant to the litigation 24 and provided these to my attorneys.

25 5. Throughout the case I have also assisted in responding to discovery. This included 26 reviewing discovery requests from defendants, discussing them with my counsel, reviewing 27 proposed responses, making any corrections, and signing off on the responses. In total, I assisted 28 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and DAVID TOLCHIN DECL. ISO IPPS' MOT. FOR ATTYS' FEES. -1-COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960290V1

4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

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6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted three hours and 40 minutes of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent two hours reviewing it for errors.

7. In total, I estimate that I have spent about 109 hours performing all of the abovedescribed duties on behalf of the class over the past six years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

20 9. I believe that the proposed settlements achieve significant recovery for the Class and 21 is an excellent result considered in light of the risks associated with a complex and costly trial. I 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 23 case were to go to trial. I understand that after these settlements were reached, this Court denied 24 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 25 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 26 be financially prudent given my damages in this case versus the resources available to the 27 international defendants who formed this cartel. The proposed settlements also permit an 28 immediate recovery to class members without the risk, delay, and expense of trial. DAVID TOLCHIN DECL, ISO IPPS' MOT, FOR ATTYS' FEES. - 2 -

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1	10. I believe the settlement agreements between the Settling Defendants and Class	
2	Counsel were reached at arms' length, and that the terms of the settlements reflect the independent	
3	evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based	
4	upon my understanding of the class claims asserted in this litigation, and my understanding of the	
5	terms of the settlement agreements, I believe the proposed settlements are fair, adequate and	
6	reasonable, and in the best interests of class members, and should therefore be granted final	
7	approval.	
8	I declare under penalty of perjury under the laws of the United States of America that the	
9	foregoing is true and correct.	
10	Executed April 10, 2019, in New York, NY.	
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# **EXHIBIT 23**

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Steve W. Berman ( <i>Pro Hac Vice</i> ) HAGENS BERMAN SOBOL SHAPIRO LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 Telephone: (510) 725-3000 Facsimile: (510) 725-3001 steve@hbsslaw.com Elizabeth J. Cabraser (083151) LIEFF CABRASER HEIMANN & BERNSTEIN 275 Battery Street, 29th Floor San Francisco, CA 94111-3339 Telephone: (415) 956-1000 Facsimile: (415) 956-1008 ecabraser@lchb.com Adam J. Zapala (SBN 245748) COTCHETT, PITRE & McCARTHY, LLP 840 Malcolm Road, Suite 200 Burlingame, CA 94010 Telephone: (650) 697-6000 Facsimile: (650) 697-6000	, LLP
azapala@cpmlegal.com Indirect Purchaser Plaintiffs Interim Co-Lead Class Counsel	
LINITED STATES DISTRICT COURT	
UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA	
OAKLAND DIVISION	
IN RE LITHIUM ION BATTERIES ANTITRUST LITIGATION,	Case No. 13-MD-02420 YGR (DMR) MDL No. 2420
This Documents Relates to: ALL ACTIONS	DECLARATION OF PLAINTIFF BRADLEY VAN PATTEN IN SUPPORT OF INDIRECT PURCHASER PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, EXPENSES AND SERVICE AWARDS Date: July 16, 2019 Time: 2:00pm
	Judge: Hon. Yvonne Gonzalez Rogers Court: Courtroom 1, 4th Floor DATE ACTION FILED: Oct. 3, 2012

I, BRADLEY VAN PATTEN, declare as follows:

1. I am an individual over the age of 18. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I am a class representative in *In re Lithium Ion Batteries Antitrust Litigation*, No. 13-md-02420, filed in the United States District Court for the Northern District of California. I submit this declaration, on behalf of myself and the settlement class, in support of plaintiffs' motion for attorneys' fees, expenses, and service awards and in support of final approval of the settlements with Panasonic Corp., Panasonic Corporation of North America, SANYO Electric Co., Ltd. and SANYO North America Corporation (collectively "Panasonic"), Samsung SDI Co., Ltd. and Samsung SDI America, Inc. (collectively "SDI"), Toshiba Corporation ("Toshiba"), and TOKIN Corporation ("TOKIN").

3. As a class representative, I understand that it is my responsibility to be informed of the work done by my attorneys on the case and make my own judgment about the fairness of any settlement proposed by the lawyers. I also understand that in evaluating the fairness of the settlements, I am required to consider the interests of all members of the Class, as well as my own. I am free to disagree with my attorneys about the merits of a settlement and make my views known to the court.

4. Over the past six years, I have diligently performed my duty to assist counsel in
prosecuting this case, investing significant time and effort to fulfill my role as a class
representative. Throughout this litigation, I have remained informed regarding the status of the
litigation by communicating with my attorneys, including reviewing periodic update
correspondence from my counsel and key case documents. Since the outset of the litigation, I have
also diligently retained all papers or electronic information that could be relevant to the litigation
and provided these to my attorneys.

5. Throughout the case I have also assisted in responding to discovery. This included
 reviewing discovery requests from defendants, discussing them with my counsel, reviewing
 proposed responses, making any corrections, and signing off on the responses. In total, I assisted
 counsel in responding to a total of 22 interrogatories, 37 requests for production of documents, and
 BRADLEY VAN PATTEN DECL. ISO IPPS' MOT. FOR
 ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No.

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4 requests for admission. I also spent a significant amount of time locating purchase receipts and the other documents requested by the defendants in this litigation.

6. I have also contributed to the discovery process by sitting for a deposition. In total, my deposition lasted 7.5 hours of record time, where I was questioned by counsel in this case. To ensure the accuracy of my transcript, I spent 1.5 hours reviewing it for errors.

7. In total, I estimate that I have spent about 48 hours performing all of the abovedescribed duties on behalf of the class over the past six years. My attorneys have not made any promises regarding compensation for my service, and I willingly agreed to participate in this case with no guarantee of personal benefit. I believe that the time, effort, and information I provided helped to make the settlements possible. I ask that the Court approve my service award in the amount of \$10,000.

8. I have reviewed the terms of the settlements with the Panasonic, SDI, Toshiba and TOKIN defendants, discussed those terms with my attorneys, and I am aware of and approve all terms of the proposed settlements, as it affects me and the members of the Class. Based upon this reading and my discussions with Class Counsel, I understand that these defendants agree to pay \$49 million into a fund to be distributed to the Settlement Class. I understand in general terms that. there will be no reversion of unclaimed funds to any defendant. To the extent that money is not able to be reasonably distributed to class members, IPPs propose that the money escheat to state governments.

20 9. I believe that the proposed settlements achieve significant recovery for the Class and 21 is an excellent result considered in light of the risks associated with a complex and costly trial. I 22 recognize the uncertainty of success on any or all of the claims presented in this litigation if this 23 case were to go to trial. I understand that after these settlements were reached, this Court denied 24 class certification. This denial highlights the risks that plaintiffs face in collective actions such as 25 this. I believe that litigation of this case on my own behalf, and not on behalf of a class, would not 26 be financially prudent given my damages in this case versus the resources available to the 27 international defendants who formed this cartel. The proposed settlements also permit an 28 immediate recovery to class members without the risk, delay, and expense of trial. BRADLEY VAN PATTEN DECL. ISO IPPS' MOT. FOR -2-ATTYS' FEES, COSTS AND SERVICE AWARDS - Case No. 4:13-md-02420-YGR 010330-11 960295V1

international defendants who formed this cartel. The proposed settlements also permit an immediate recovery to class members without the risk, delay, and expense of trial.

10. I believe the settlement agreements between the Settling Defendants and Class Counsel were reached at arms' length, and that the terms of the settlements reflect the independent evaluation of these Settling Defendants and Class Counsel of their respective best interests. Based upon my understanding of the class claims asserted in this litigation, and my understanding of the terms of the settlement agreements, I believe the proposed settlements are fair, adequate and reasonable, and in the best interests of class members, and should therefore be granted final approval.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed April 16, 2019, in [City, State].

