

1 R. Alexander Saveri (173102)
rick@saveri.com
2 Geoffrey C. Rushing (126910)
grushing@saveri.com
3 Matthew D. Heaphy (227224)
mheaphy@saveri.com
4 SAVERI & SAVERI, INC.
706 Sansome Street
5 San Francisco, CA 94111
Telephone: (415) 217-6810
6 Facsimile: (415) 217-6813

7 *Lead Counsel for Direct Purchaser Plaintiffs*

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

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

Master File No. 07-CV-5944-JST

MDL No. 1917

14 This Document Relates to:

**DECLARATION OF DEREK SMITH RE:
15 PAYMENTS TO APPROVED CLAIMANTS
16 FROM THE NET SETTLEMENT FUNDS**

17 *ALL DIRECT PURCHASER ACTIONS*
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1 I, Derek Smith, declare as follows:

2 1. I am employed by KCC Class Action Services, LLC, the successor company of
3 Gilardi & Co. LLC (collectively “KCC”), located at 1 McInnis Parkway, Suite 250, San Rafael,
4 California. KCC was hired by Class Counsel as the Settlement Administrator in this matter. I am
5 over 21 years of age and am not a party to this action. Except as otherwise stated, I have personal
6 knowledge of the facts set forth herein and, if called as a witness, could and would testify
7 competently thereto.

8 2. I make this declaration in connection with Direct Purchaser Plaintiffs’ Notice of
9 Post-Distribution Accounting following the initial distribution of the Net Settlement Funds to
10 approved claimants.

11 3. On July 20, 2022, KCC issued check payments to 1,834 class members who filed
12 valid claims in the amounts outlined on Exhibit D to the *Declaration of Rachel Christman Re*
13 *Claims Processing and Distribution of the Net Settlement Funds*, filed March 31, 2022 (ECF No.
14 6005-1), and approved by the Court’s Order Granting Direct Purchaser Plaintiffs’ Motion for Order
15 Authorizing Distribution of Settlement Funds, entered May 26, 2022 (ECF No. 6018). The
16 aggregate amount of payments issued was \$142,318,494.27; all payments were issued as paper
17 checks. Two hundred seven payments¹ in the aggregate amount of \$134,703,301.43 were sent via
18 UPS overnight mail with tracking, and 1,627 payments² in the aggregate amount of \$7,615,192.84
19 were mailed via First Class US Mail. The largest payment amount was \$16,840,421.47 (maximum
20 recovery per claimant), and the smallest payment amount was \$10.00 (minimum recovery per
21 claimant). The average (mean) recovery per claimant was \$77,600.05, and the median recovery per
22 claimant was \$28.00.

23 4. As of the date of this declaration, 1,465 checks in the aggregate amount of
24 \$142,230,086.21 have been cashed, leaving 369 checks in the aggregate amount of \$88,408.06
25 uncashed (0.06% of the total amount issued). The initial void date of all checks was November 17,
26 2022. However, in order to ensure the fullest distribution of the settlement funds as possible to

27 ¹ All payments over \$500,000.00 USD as well as 193 payments sent to third party filing firms.

28 ² All remaining payments under \$500,000.00 USD.

1 approved class members, KCC conducted extensive outreach and reissued check payments upon
2 request, including the following:

- 3 - KCC responded to requests from approved class members to reissue check payments;
- 4 - KCC followed up on 181 checks returned as undeliverable by using third party address
5 searches and email outreach if an email address was provided by the class member;
- 6 - KCC followed up on uncashed checks with emails sent to all claimants with uncashed
7 checks whose email addresses were available; and
- 8 - KCC also followed up on all uncashed checks over \$1,000 by phone call, where phone
9 numbers were available, and using additional contact information located by internet
10 searches.

11 5. As a result of this outreach, approximately 133 checks were reissued. The last re-
12 issued check had a void date of October 10, 2023 and went uncashed. The largest uncashed check
13 is \$49,980.20, and the smallest uncashed check is \$10.00. The average (mean) uncashed check is
14 \$239.59, and the median uncashed check is \$22.35.

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16 I declare under penalty of perjury that the foregoing is true and correct and that this
17 declaration was executed this 30th day of October 2023.

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21 _____
22 DEREK SMITH
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