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

IN RE CAPACITORS ANTITRUST  
LITIGATION

Master File No. 3:17-md-02801-JD  
Civil Action No. 3:14-cv-03264-JD

THIS DOCUMENT RELATES TO:  
DIRECT PURCHASER CLASS ACTION

~~PROPOSED~~ ORDER AUTHORIZING  
DISTRIBUTION OF THIRD ROUND  
SETTLEMENT FUNDS

This matter is before the Court on Direct Purchaser Class’s Motion for an Order Authorizing Distribution of Settlement Funds (the “Motion”), MDL ECF No. 1486, in connection with the Class’s settlements with Nichicon Corporation and Nichicon (America) Corporation (together, “Nichicon”); and Rubycon Corporation and Rubycon America Inc. (together, “Rubycon”) (Nichicon and Rubycon collectively, the “Settling Defendants”; the Settlements, collectively “Round 3 Settlements” or “Third Round Settlements”). *See* MDL ECF No. 497.

On February 21, 2020 the Court granted final approval of the Round 3 Settlements (the “Final Approval Order”). MDL ECF No. 1154. The Court determined in its Final Approval Order that due and adequate notice of the settlements was provided to the Settlement Class. *Id.*, at ¶ 7, 8. The Round 3 Settlements are now final. The Round 3 Settlement funds have been deposited in an escrow account and have accrued interest which is included in the Round 3 Settlement funds to be distributed to the Class.

1 On January 28, 2021, the Court adopted the Special Master’s Report and  
2 Recommendations Regarding Valuation of Incorporated Capacitors Claims (the “Valuation R&R,”  
3 MDL ECF No. 1440). MDL ECF No. 1475. Consistent with the Court’s guidance, Class Counsel  
4 gave notice to all Settlement Class members of their right to supplement their claims in relation to  
5 the Settlements, including claims for incorporated capacitors. Three Class members supplemented  
6 their claims with claims for incorporated capacitors. There are no pending disputes or objections in  
7 relation to the Round 3 Settlements. Having considered the Motion and papers filed in support  
8 thereof, and after a duly noticed hearing, it is hereby ORDERED that:

9 1. The Court authorizes the distribution of all Round 3 Settlement funds to members  
10 of the Settlement Class that timely submitted valid claim forms on or before April 15, 2019 as well  
11 as those who submitted late claims but were otherwise eligible for payment (including claims for  
12 incorporated capacitors), as determined by the Claims Administrator, Rust Consulting, Inc.; and  
13 the Joseph Saveri Law Firm, Inc., Lead Class Counsel for Direct Purchaser Class, according to the  
14 Audit Standards described in the Motion and set forth in Paragraph 4 of the Declaration of Kendall  
15 S. Zylstra, dated March 11, 2021.

16 2. The Claims Administrator may deduct and pay its requested outstanding  
17 administration fees and expenses, and estimated future work in administering the settlement fund  
18 to completion, in the amount of \$189,848.96 and distribute the remainder to Settlement Class  
19 members that submitted valid claim forms that have passed the audit standards according to the  
20 allocation plan for distributing settlement proceeds, as approved by the Court in the Final Approval  
21 Order, and consistent with the Court’s Order adopting the Special Master’s Valuation R&R.

22 3. The Court authorizes the *pro rata* distribution of all Round 3 Settlement funds to  
23 Settlement Class members who submitted claims based on valid purchases of capacitors, after  
24 making the payments as set forth in Paragraph 2 above.

25 **IT IS SO ORDERED.**

26 Dated: April 14, 2021

27   
HON. JAMES DONATO  
United States District Judge