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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 **IN RE: CAPACITORS ANTITRUST**
12 **LITIGATION**

MASTER FILE NO. 14-cv-03264-JD

13
14 **This Document Relates to:**
15 **ALL INDIRECT PURCHASER**
16 **ACTIONS**

DECLARATION OF ERIC SCHACHTER
REGARDING DISSEMINATION OF
NOTICE OF SETTLEMENTS

1 I, Eric Schachter, declare as follows:

2 1. I am a Vice President of A.B. Data, Ltd.'s Class Action Administration Company
3 ("A.B. Data"), whose principal offices are in Milwaukee, Wisconsin.

4 2. I submit this Declaration in connection with the class action notice administration
5 proceedings related to the above-captioned action (the "Action") per the terms of this Court's
6 Order Granting IPPs' Motion to Approve Program to Provide Class Notice and to Set Schedule
7 for Final Approval dated January 30, 2017 (the "Notice Program Approval Order"). ECF No.
8 1457. I have personal knowledge of the facts set forth herein and, if called as a witness, could and
9 would testify competently thereto.

10 3. This Declaration details the steps that were taken to implement notice of the class
11 settlements per the terms of the Preliminary Approval Order. Those steps included the following:

- 12 a. Mailing the Short-Form Notice via U.S. Mail to potential members of the
13 Settlement Classes;
- 14 b. Publishing the Short-Form Notice via print and digital media;
- 15 c. Providing email notice through email "blasts";
- 16 d. Advertising through "banner" ads on designated websites;
- 17 e. Establishing a case-specific website for the Settlements; and
- 18 f. Disseminating a news release via Business Wire to announce the proposed
19 Settlements.

20 **DISSEMINATION OF DIRECT-MAIL NOTICE**

21 4. Pursuant to the Notice Program Approval Order, A.B. Data was responsible for
22 providing direct notice of the Settlements to all members of the Settlement Classes who could be
23 reasonably identified.

24 5. On or about March 9, 2017, A.B. Data received a data set from IPP counsel that
25 included the names and addresses of potential members of the Settlement Classes. A.B. Data
26 electronically processed the data to remove duplicates and standardize mailing addresses. As a
27 result, names and mailing addresses for 488,072 potential members of the Settlement Classes (the
28

1 “Direct Mail List”) were identified. A.B. Data then updated the mailing addresses for the Direct
 2 Mail List using the National Change of Address (“NCOA”) system maintained by the United
 3 States Postal Service (“USPS”) in an effort to improve deliverability rates.

4 6. On April 3, 2017, A.B. Data caused the Short-Form Notice, formatted as a
 5 postcard, to be mailed via First-Class Mail, postage prepaid, to the 488,072 potential members of
 6 the Settlement Classes on the Direct Mail List. A true and correct copy of the Short-Form Notice
 7 postcard is attached to this Declaration as Exhibit A.

8 **PUBLICATION OF THE SHORT-FORM NOTICE**

9 7. Pursuant to the Notice Program Approval Order, A.B. Data submitted the Short-
 10 Form Notice to the periodicals indicated in the table below for publication on the dates noted:

11 Publication	12 Publication	13 E-Newsletter Publication Date
14 <i>The Wall Street Journal</i>	April 3, 2017	N/A
15 <i>Electronic Design</i>	April 2017 Edition	N/A
<i>Nuts and Volts</i>	April 2017 Edition	Wednesdays in April 2017: April 5, 12, 19, 26

16 Proofs of each of these publications are attached as portions of Exhibit B.

17 **EMAIL BLASTS**

18 8. Pursuant to the Notice Program Approval Order, A.B. Data was to provide notice
 19 through email blasts to the “opt-in” subscribers of Penton Publications and EE Times.

20 9. A.B. Data effectuated two email blasts that were disseminated to 50,000 opt-in
 21 subscribers to Penton Publications and 41,000 opt-in subscribers to EE Times.

22 **BANNER ADS CAMPAIGN**

23 10. Beginning on April 3, 2017, and running through May 2, 2017, A.B. Data
 24 coordinated for internet banner ads to appear on the following websites: electronicdesign.com;
 25 machinedesign.com; sourceesb.com; mwrf.com; powerelectronics.com;
 26 hydraulicspneumatics.com; nutsvolts.com; passivecomponentmagazine.com; eetimes.com; and
 27 ebnonline.com. Banner ads were also placed through the Getintent network, targeting consumers
 28

1 who are most likely to be purchasers of capacitors. A sample of the internet banner ads is attached
2 to this Declaration as Exhibit C.

3 11. More than 27.3 million banner views (or digital impressions) were generated
4 during the banner ads campaign.

5 **CREATION AND MAINTENANCE OF THE SETTLEMENT WEBSITE**

6 12. On April 3, 2017, A.B. Data established the case-specific website
7 www.capacitorsindirectcase.com for this Action (the “Website”) and posted the Long-Form
8 Notice for viewing and download on the Website. The Website provides general information
9 about the Settlements and also allows visitors to view and download the NEC TOKIN Settlement
10 Agreement, the Nitsuko Settlement Agreement, the Okaya Settlement Agreement, the Motion for
11 Preliminary Approval Order, the Proposed Order, the Declaration of Steve Williams Regarding
12 Preliminary Approval, the Motion to Approve Notice Program, the Proposed Order Approving
13 Notice Program, the Declaration of Steve Williams Regarding Notice Program, the Declaration of
14 Linda Young Regarding Notice Program, the Order Approving Class Notice, the Indirect
15 Purchaser Plaintiffs’ Notice and Motion for an Award of Attorneys’ Fees and Reimbursement of
16 Expenses, the [Proposed] Order Granting Indirect Purchaser Plaintiffs’ Motion for an Award of
17 Attorneys’ Fees and Reimbursement of Expenses, and the Declaration of Steven N. Williams
18 Regarding Motion for an Award of Attorneys’ Fees and Reimbursement of Expenses.

19 13. The Website also allows potential members of the Settlement Classes to register
20 with the Notice Administrator by providing their names, email addresses, and mailing addresses
21 in order to receive additional notices and updates about the Settlements and the Action. As of the
22 date of this Declaration, there have been 6,512 such registrations made via the Website.

23 **TELEPHONE HOTLINE**

24 14. On April 3, 2017, A.B. Data established a case-specific toll-free number, 1-866-
25 217-4245, with an interactive voice response (“IVR”) system and live operators. The automated
26 attendant answers calls and presents callers with a series of choices in response to basic questions.

1 If callers require further assistance, they have the option of transferring their calls to a live
2 operator during business hours.

3 **DISSEMINATION OF NEWS RELEASE**

4 15. Pursuant to the Preliminary Approval Order, A.B. Data, on April 3, 2017,
5 disseminated, via Business Wire, a nationwide news release announcing the proposed
6 Settlements. Proof of this dissemination is attached as part of Exhibit D.

7 **CONCLUSION**

8 16. The Notice Program as directed by Class Counsel and ordered by the Court was
9 carefully crafted with multiple layers of notice including: significant Direct Mail Notice;
10 publication of the notice in publications designed to reach class members; email blasts and
11 internet banner advertisements; outreach through earned media and a settlement website.

12 17. It is my opinion that the reach of the target audience and the number of exposure
13 opportunities to the notice information are adequate and reasonable under the circumstances. The
14 overall Notice Program adheres to the standards employed by AB Data for such programs to
15 effectively reach members of settlement groups or classes. It is my opinion that the notice
16 program and the notice provided to the classes was the best notice practicable under the
17 circumstances; that it fully complied with Federal Rule of Civil Procedure 23 and provided
18 constitutionally sufficient notice to the Classes.

19
20 I declare under penalty of perjury under the laws of the United States that the foregoing is
21 true and correct.

22 Executed this 26th day of June 2017 in Milwaukee, Wisconsin.

23
24 
25 Eric Schachter