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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re DYNAMIC RANDOM ACCESS  
MEMORY (DRAM) ANTITRUST  
LITIGATION

Case No. M-02-1486-PJH  
MDL No. 1486

This Document Relates to:  
ALL INDIRECT PURCHASER ACTIONS and  
*The State of California v. Infineon Technologies  
AG,*  
*State of New York v. Micron Technology Inc.,*  
*State of California et al. v. Samsung Electronics  
Co., Ltd.,*  
*State of California v. Winbond Electronics Co.,*  
*Petro Computer Systems, Inc. v. Hitachi, Ltd.,*  
*Petro Computer Systems, Inc. v. Mitsubishi  
Electric Corporation,*  
*Petro Computer Systems, Inc. v. Toshiba  
Corporation,*  
*State of California v. Toshiba Corporation,*  
*State of California et al., v. Mitsubishi  
Corporation,*  
*State of California v. Hitachi, Ltd.*

Case No. C 06-4333 PJH  
Case No. C 06-6436 PJH  
Case No. C 07-1347 PJH  
Case No. C 07-2589 PJH  
Case No. C 12-5213 PJH  
Case No. C 12-5214 PJH  
Case No. C 12-5215 PJH  
Case No. C 12-5230 PJH  
Case No. C 12-5229 PJH  
Case No. C 12-5231 PJH

**CO GPF GF 'FINAL ORDER GRANTING  
GOVERNMENT PURCHASER CLASSES'  
MOTION FOR APPROVAL TO  
DISTRIBUTE REMAINING  
GOVERNMENT PURCHASER  
SETTLEMENT FUNDS VIA CY PRES**

1           The Government Purchaser Classes, through Class Counsel Emilio E. Varanini, have jointly  
2 moved this Court to:

3           (1) Grant final approval to Class State California’s proposed *cy pres* recipients. Class  
4 State California also requests that the Court grant approval to disburse any residual *cy pres* funds  
5 to Class State California proposed *cy pres* recipients after all disbursements, the *cy pres*  
6 administrator’s fees have been paid, and any costs have been reimbursed.

7           (2) Grant final approval to Class State New Mexico’s proposed *cy pres* recipients.

8           (3) Grant final approval to Class State Ohio’s revised list of proposed *cy pres* recipients.

9           (4) Grant final approval to Class State Commonwealth of Pennsylvania’s list of  
10 proposed *cy pres* recipients.

11           ~~A hearing was held on 18 April 2018, and~~ These matters having come before the Court to  
12 determine whether to approve as a final matter Class State California’s, New Mexico’s and  
13 Commonwealth of Pennsylvania’s proposed *cy pres* recipients, and Class State Ohio’s proposed  
14 changes to their previously submitted *cy pres* recipients. No objections were raised as to the  
15 proposed *cy pres* recipients of the Government Purchaser Settlement Classes’ proposed *cy pres*  
16 recipients. ~~No objectors appeared at the hearing.~~

17           In reviewing the Indirect Purchaser’s and Government Settlement Classes Settlement Class  
18 Certification motions, Special Master Charles B. Renfrew (ret.) also reviewed Class State  
19 California’s, New Mexico’s, Ohio’s, and Commonwealth of Pennsylvania’s distribution plans in  
20 his Report and Recommendation of Special Master: Part I.

21           The Special Master found that State Class California’s proposed distribution plan was fair  
22 and reasonable and was also preferable to a pure direct distribution plan or a pure *cy pres* plan.  
23 California committed to ensure that the safeguards that it set out as part of its best practices and  
24 that are required as part of the Ninth Circuit’s *Nachshin* will be followed. The Court adopted and  
25 fixed the Plan for Distribution for Class State California that the Special Master recommended.

26           The Special Master found that Class State New Mexico’s proposed distribution plan as to  
27 its political subdivisions and its colleges and universities to be fair and reasonable and  
28

1 recommended its adoption to the Court. The Court adopted and fixed the Plan for Distribution for  
2 Class State New Mexico that the Special Master recommended.

3 The Special Master found that Class State Ohio’s proposed distribution plan “already  
4 complies with the principles set out by the Ninth Circuit’s *Nachshin* and by the California  
5 General.” This Court adopted and fixed the Plan for Distribution for Class State Ohio  
6 recommended by the Special Master.

7 The Special Master found that Class State Commonwealth of Pennsylvania’s proposed  
8 distribution to be fair and reasonable and recommended its approval to the Court. The Court  
9 adopted and fixed the Plan for Distribution for Class State the Commonwealth of Pennsylvania  
10 that the Special Master recommended.

11 The Court also adopted as a final matter the findings of fact, conclusions of law and  
12 recommendations contained in the Special Master’s Report, Part I, as to the process employed in  
13 arriving at and fixing, and the fairness, reasonableness and adequacy of the Plans of Distribution  
14 for the Settlement Classes.

15 The Court having carefully reviewed Class State California’s, New Mexico’s, Ohio’s and  
16 the Commonwealth of Pennsylvania’s proposed distribution plans and proposed *cy pres*  
17 recipients, good cause appearing therefore, it is:

18 ORDERED, ADJUDGED, AND DECREED:

19 1. The Court has jurisdiction over the subject matter of this litigation, all actions within  
20 this litigation, and Class States California, New Mexico, Ohio, and the Commonwealth of  
21 Pennsylvania.

22 2. The Court finds that Class State California’s implemented *cy pres* procedures were  
23 consistent with the Ninth Circuit’s *Nachshin* standards and the California Attorney General’s *cy*  
24 *pres* best practices. The Court therefore approves Class State California’s *cy pres* distributions to  
25 the following recipients in the amounts listed:

- 26 a. **Alameda County Social Services Agency:** Proposed grant of \$200,000 to  
27 enable the launch and expansion of innovative technology to serve over  
28 220,000 low-income, needy individuals and families in Alameda County,  
currently eligible yet un-enrolled in CalFresh (federally titled SNAP, or food  
stamp) benefits.

- 1           b.     **El Dorado County Elections Department:** LiveBallot Portal. Proposed grant  
2           of \$198,000 to be used for the deployment of a fully accessible, American  
3           Disabilities Act-compliant online balloting portal.
- 4           c.     **Sierra Nevada Conservancy (SNC): LIDAR/IS Demonstration Project:**  
5           Proposed grant of \$150,000 to be used for a two-year pilot project that will use  
6           airborne collected Light Detection and Ranging (LiDAR) and Imaging  
7           Spectroscopy (IS) data to assess forest and watershed condition and support  
8           forest management as part of the Watershed Improvement Program (WIP) in  
9           the Plumas National Forest administrative boundary (private and public lands).
- 10          3.     The Court approves Class State California’s request to distribute any residual *cy pres*  
11         funds to a Class State California proposed *cy pres* recipient after all disbursements, the *cy pres*  
12         administrator’s fees have been paid, and any costs associated with administration of the *cy pres*  
13         administrative, application, and management process have been reimbursed.
- 14          4.     The Court finds that Class State New Mexico’s implemented *cy pres* procedures  
15         were consistent with the Ninth Circuit’s *Nachshin* standards and the California Attorney  
16         General’s *cy pres* best practices. The Court therefore approves Class State New Mexico’s  
17         proposed *cy pres* distributions to the following recipients in the amounts listed:
- 18           a)     **City of Bloomfield Public Library:** Grant amount \$12,279.33 to be used for updated  
19           equipment/cabling and Wi-Fi installation enabling the city library for optimal use of the existing  
20           fiber optic loop.
- 21           b)     **Doña Ana County:** Grant amount \$30,000.00 to be used for development of a web  
22           application to handle the intake, processing and public dissemination of Inspection of Public  
23           Records Act (IPRA) requests.
- 24           c)     **Las Vegas Police Department:** Grant amount \$28,029.00 to be used for an electronic  
25           evidence management system. This will include software licenses, installation, and training.
- 26           d)     **Torrance County:** Grant amount \$42,525.00 to be used for public access states at  
27           customer service counters; implementation of online archival search program and marriage  
28           licensing software; and improvements to the emergency operations center CPU.
- e)     **Village of Edgewood:** Grant amount \$12,000.00 to be used for state of the art  
          equipment and wireless technology to provide free Wi-Fi to two public parks and a large open  
          space.

1 f) **Village of Questa:** Grant amount \$17,267.00 to be used for website design for access  
2 to records information; public meeting software and equipment to provide more accurate and  
3 timely delivery of information; and data management, backup, and archival system to protect  
4 critical information.

5 g) **College of New Mexico:** Grant amount \$80,267.00 to be used for Blockchain  
6 utilization and development; training up to ten Deep Dive Coding instructors; implement  
7 Production Blockchain services cloud or infrastructure architecture; provide a development and  
8 production environment for service to government agencies.

9 5. The Court finds due cause to warrant a change in Ohio's previously submitted  
10 proposed *cy pres* recipients and therefore approves Class State Ohio's request to changes to its  
11 previously approved list of *cy pres* distributions.

12 6. The Court finds that Class State Ohio's implemented *cy pres* procedures were  
13 consistent with the Ninth Circuit's *Nachshin* standards and the California Attorney General's *cy*  
14 *pres* best practices. The Court therefore approves Class State Ohio's proposed *cy pres*  
15 distributions to the following recipients in the amounts listed:

16 a) **Organization:** Inspiring Minds

17 **Amount:** \$10,820.81

18 **Use of Funds:** To buy computers, tables, printers and other equipment as  
19 well as software and use licenses.

20 b) **Organization:** Big Brothers and Big Sisters of Northwestern Ohio

21 **Amount:** \$10,937.14

22 **Use of Funds:** To upgrade computer systems and technology. This  
23 includes buying new computers, computer memory upgrades, hard drives,  
24 backup drives, network adaptor(s), server(s), keyboards, monitors and  
25 software needed for the project.

26 c) **Organization:** Boys & Girls Club of Erie County – in association with the  
27 Ohio Alliance of Boys & Girls Clubs

28 **Amount:** \$10,820.81

**Use of Funds:** To buy new computers, copiers, laptops, netbooks,  
operating software for the computers, educational software, and internet  
access.

d) **Organization:** The Childhood League Center

**Amount:** \$21,641.63

**Use of Funds:** To buy computers, tablets, and printers.

- 1 e) **Organization:** Boys & Girls Club of Hamilton – in association with the Ohio  
2 Alliance of Boys & Girls Clubs  
3 **Amount:** \$10,937.14  
4 **Use of Funds:** To buy computers, copiers, laptops, net-books, operating  
5 software, educational software and internet access.

6 7. The Court finds that Class State Commonwealth of Pennsylvania’s implemented *cy*  
7 *pres* procedures were consistent with the Ninth Circuit’s *Nachshin* standards and the California  
8 Attorney General’s *cy pres* best practices. The Court therefore approves Class Commonwealth of  
9 Pennsylvania’s proposed \$2,214.88 in *cy pres* distributions to each of the following recipients:

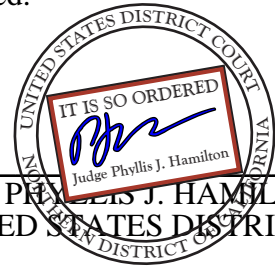
- 10 a) Cornell School District in Allegheny County.  
11 b) York School District in York County.  
12 c) New Kensington-Arnold School District in Westmoreland County.  
13 d) Reading School District in Berks County.  
14 e) Aliquippa School District in Beaver County.  
15 f) Farrell Area School District in Mercer County.  
16 g) Lancaster School District in Lancaster County.  
17 h) Greater Johnstown School District in Cambria County.  
18 i) Steelton-Highspire School District in Dauphin County.  
19 j) Chester-Upland School District in Delaware County.  
20 k) Shamokin Area School District in Northumberland County.  
21 l) Juniata County School District in Juniata County.  
22 m) Norwin School District in Westmoreland County.  
23 n) Lebanon School District in Lebanon County.  
24 o) Shippensburg Area School District in Cumberland County.  
25 p) Tamaqua Area School District in Schuylkill County.  
26 q) Dunmore School District in Lackawanna County.  
27 r) Crestwood School District in Luzerne County.  
28 s) Kiski Area School District in Westmoreland County.  
t) Charleroi Area School District in Washington County.

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The Government Purchaser Classes' motion is granted.

IT IS SO ORDERED.

DATED: ~~Crtk~~5."423: "



HON. PHYLLIS J. HAMILTON  
UNITED STATES DISTRICT JUDGE