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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE LITHIUM ION BATTERIES
ANTITRUST LITIGATION

Case No. 13-md-02420 YGR
MDL No. 2420

This Documents Relates to:
ALL DIRECT PURCHASER ACTIONS

**ORDER REQUESTING CLARIFICATION
RE: MOTION FOR ORDER AUTHORIZING
DISTRIBUTION OF REMAINING
SETTLEMENT FUNDS**

Re: Dkt. No. 2754

The Direct Purchaser Plaintiffs have filed a motion for an order authorizing distribution of the remaining settlement funds in this action. (Dkt. No. 2754.) The motion papers were posted on the settlement website and no objections have been submitted to the Court or Settlement Administrator overseeing the distribution.

Having closely considered the papers, the Court requests clarification on the total amount remaining for *pro rata* distribution. Page four of the motion includes a chart summarizing the accounting of the remaining settlement fund. The subtotal appears to include the first two rows in the chart, which is listed as a subtotal of \$778,521.56. However, adding up the values in the first two rows (\$11,352.49 and \$777,169.07) results in \$788,521.56 (a \$10,000.00 difference). The chart further indicates that the difference between the subtotal (\$778,521.56) and the unpaid and future administration costs (\$136,968.96) is \$651,552.60. Again, that number appears to be incorrect since the difference would be \$641,552.60.

In light of the foregoing, the Direct Purchaser Plaintiffs are directed to clarify the calculation and/or arithmetic and the proper amounts for the record in writing on the docket by no

1 later than January 4, 2023. To the extent there is any error in the motion papers, a revised proposed
2 order reflecting the proper accounting shall be submitted to the Court.

3 Additionally, since no objections have been timely filed, and pursuant to Federal Rule of
4 Civil Procedure 78(b) and Civil Local Rule 7-1(b), the Court finds that the motion is appropriate
5 for decision without oral argument. Therefore, the hearing set for January 10, 2023 is hereby
6 **VACATED.**

7 **IT IS SO ORDERED.**

8 Dated: December 28, 2022


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE