

1 Francis O. Scarpulla (41059)
Craig C. Corbitt (83251)
2 Judith A. Zahid (215418)
Patrick B. Clayton (240191)
3 Qianwei Fu (242669)
Heather T. Rankie (268002)
4 ZELLE HOFMANN VOELBEL & MASON LLP
44 Montgomery Street, Suite 3400
5 San Francisco, CA 94104
Telephone: (415) 693-0700
6 Facsimile: (415) 693-0770
fscarpulla@zelle.com

7 Joseph M. Alioto (42680)
8 Theresa D. Moore (99978)
ALIOTO LAW FIRM
9 225 Bush Street, 16th Floor
San Francisco, CA 94104
10 Telephone: (415) 434-8900
Facsimile: (415) 434-9200
11 *jmalioto@aliotolaw.com*

12 *Co-Lead Class Counsel for Indirect-Purchaser Plaintiffs*

13
14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN FRANCISCO DIVISION**

17 IN RE TFT-LCD (FLAT PANEL)
18 ANTITRUST LITIGATION

) Case No. 3:07-MD-1827 SI
) MDL No. 1827
)

19 _____
20 This Document Relates to:
21 Indirect-Purchaser Class Action

) **INDIRECT-PURCHASER PLAINTIFFS'**
) **RESPONSE TO OBJECTIONS TO IPP**
) **ATTORNEYS' FEE MOTION**

) Hearing Date: November 29, 2012
) Time: 3:30 p.m.
) Courtroom: 10, 19th Floor

)
) The Honorable Susan Illston
)

1 The 11 objections to the Proposed Settlements include objections directed at the motion for
2 attorneys' fees and incentive awards filed by Class Counsel for the IPPs. The objections regarding
3 the IPP attorneys' fees and incentive awards motion are: Forman (Dkt. 6680), Cashion et al. (Dkt.
4 6814), Erwin et al. (Dkt. 6932), Keena (Dkt. 6935), Maxwell (Dkt. 6936), Chesser et al. (Dkt.
5 6991), and Corporate Broadcast Company (Dkt. 6993).

6 As demonstrated in the concurrently-filed IPPs' and Settling States' Joint Response to
7 Objections, the objections are without merit, and none of the objections state a basis for denying
8 final approval to the Proposed Settlements. With respect to approval of the IPP attorneys' fees and
9 incentive award motion, the Special Master has issued a report and recommendation to the Court
10 recommending that the requested 28.5% amount for attorneys' fees to IPP Class Counsel be
11 granted, and also recommending that the requested incentive awards to IPP class representatives
12 be granted. *See* Dkt. 7127. The Special Master's report and recommendation contains a detailed
13 and thorough analysis that applies the relevant Ninth Circuit case law to the facts of this case, and
14 endorses an upward departure to 28.5% from the benchmark 25% for IPP Class Counsel attorneys'
15 fees. *See* Dkt. 7127 at pp. 4 – 15 (examining 12 factors in making a recommendation on the IPP
16 Class Counsel fee request). The Special Master, as part of his analysis, considered and rejected the
17 objections to the IPP attorneys' fees and incentive awards motion.

18 The IPPs respectfully request that the Court adopt the recommendation of the Special
19 Master as to the aggregate percentage of the fund awarded as attorneys' fees and to the incentive
20 awards to the IPP class representatives.¹

21
22 Dated: November 15, 2012

ZELLE HOFMANN VOELBEL & MASON LLP

23
24 By: /s/ Francis O. Scarpulla

25 Francis O. Scarpulla

26
27 ¹ Certain IPP Class Counsel may seek further review from the Special Master regarding the
28 allocation to individual firms of the overall 28.5% attorneys' fee award, but this additional review
of the firm-by-firm allocation does not affect the Special Master's analysis and recommendation as
to the overall fee amount to be awarded to IPP Class Counsel.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Francis O. Scarpulla (41059)
Craig C. Corbitt (83251)
Judith A. Zahid (215418)
Patrick B. Clayton (240191)
Qianwei Fu (242669)
Heather T. Rankie (268002)
ZELLE HOFMANN VOELBEL & MASON LLP
44 Montgomery Street, Suite 3400
San Francisco, CA 94104
Telephone: (415) 693-0700
Facsimile: (415) 693-0770
fscarpulla@zelle.com

Co-Lead Class Counsel for Indirect-Purchaser Plaintiffs

Dated: November 15, 2012

ALIOTO LAW FIRM

By: /s/ Joseph M. Alioto
Joseph M. Alioto

Joseph M. Alioto (42680)
Theresa D. Moore (99978)
ALIOTO LAW FIRM
225 Bush Street, 16th Floor
San Francisco, CA 94104
Telephone: (415) 434-8900
Facsimile: (415) 434-9200
jmalioto@aliotolaw.com

Co-Lead Class Counsel for Indirect-Purchaser Plaintiffs

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTESTATION

Pursuant to General Order No. 45, § X(B), regarding signatures, I attest that I have obtained the concurrence in the filing of this document from all signatories.

Dated: November 15, 2012

/s/ Francis O. Scarpulla

Francis O. Scarpulla

3240619v1