

1 Joseph M. Alioto (No. 42680)  
ALIOTO LAW FIRM  
2 225 Bush Street, Suite 1615  
San Francisco, CA 94104  
3 Telephone: (415) 434-8900  
Facsimile: (415) 434-9200  
4 E-mail: jmalimoto@aliotolaw.com

Francis O. Scarpulla (No. 41059)  
ZELLE HOFMANN VOELBEL & MASON LLP  
44 Montgomery Street, Suite 3400  
San Francisco, CA 94104  
Telephone: (415) 693-0700  
Facsimile: 415) 693-0770  
E-mail: fscarpulla@zelle.com

5 *Co-Lead Class Counsel for the*  
6 *Indirect Purchaser Plaintiffs*

7 Jack W. Lee (SBN 71626)  
MIMAMI TAMAKI LLP  
360 Post Street, 8th Floor  
8 San Francisco, California 94108  
Telephone: (415) 788-9000  
9 Facsimile: (415) 398-3887  
Email: jlee@minamitamaki.com

10 *Liaison Counsel for the*  
11 *Indirect Purchaser Plaintiffs*

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

15 IN RE: TFT-LCD (FLAT PANEL)  
16 ANTITRUST LITIGATION

Case No. 3:07-md-1827 SI  
MDL No. 1827

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18 This Document Relates To:  
19 ALL INDIRECT PURCHASER ACTIONS  
20 *State of Missouri, et al. v. AU Optronics*  
*Corporation, et al.,*  
21 Case No. 10-cv-03619 SI; and  
22 *State of Florida v. AU Optronics*  
*Corporation, et al.,*  
23 Case No. 10-cv-3517 SI.  
24 *State of New York v. AU Optronics*  
*Corporation, et al.,*  
25 Case No. 11-cv-0711.  
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**DECLARATION OF JACK W. LEE IN  
SUPPORT OF INDIRECT PURCHASER  
PLAINTIFFS' AND STATES ATTORNEYS  
GENERAL'S JOINT MOTION FOR  
INTERIM REIMBURSEMENT OF  
EXPENSES**

Date: May 18, 2012  
Time: 9:00 a.m.  
Dept.: Courtroom 10, 19th Floor  
Judge: The Hon. Susan Illston

1 I, JACK W. LEE, hereby declare as follows:

2 1. I am a member in good standing of the State Bar of California and the Northern  
3 District of California, and am the Liaison Counsel for the Indirect Purchaser Plaintiffs in this  
4 matter. I make this Declaration in Support of the Indirect Purchaser Plaintiffs' and States  
5 Attorneys General's Motion for Interim Reimbursement of Expenses (the "Motion"). I have  
6 personal knowledge of the facts in this Declaration and, if called as a witness, I could and would  
7 testify competently to the matters stated herein.

8 2. In order to finance this litigation, Class Counsel established a litigation cost fund  
9 (the "Litigation Cost Fund") maintained by my firm. Class Counsel have collected regular  
10 monetary contributions from certain law firms representing the Class and placed these funds in the  
11 Litigation Cost Fund. Most litigation costs and expenses incurred by the IPPs have been paid out  
12 of this Litigation Cost Fund. Individual law firms have also paid for certain litigation costs and  
13 expenses separately. Class Counsel have advanced and incurred well over \$8 million in reasonable  
14 and necessary costs in prosecuting this case.

15 3. The Indirect Purchaser Plaintiffs ("IPPs") and their counsel ("Class Counsel") seek  
16 interim reimbursement of \$7,509,134.53 for litigation costs and expenses incurred through  
17 December 2011. Attached hereto as Exhibit A is a list of litigation costs and expenses for which  
18 the IPPs seek reimbursement at this time. These costs and expenses include specifically those  
19 associated with expert economists and consultants, the electronic document database, depositions  
20 and court reporters, mediation, the Special Masters, and translators and interpreters. These  
21 expenses are reflected on the books and records of my firm and other Class Counsel. These books  
22 and records are prepared from expense vouchers, check records, and other source materials and  
23 represent an accurate recordation of the expenses incurred.

24 4. Although Class Counsel have also incurred additional out-of-pocket expenses that  
25 are commonly associated with complex class action litigation, such as court costs and filing fees,  
26 service of process, photocopies, postage and couriers, bank fees, computer research, witness fees,  
27 travel, meals, and lodging, they do not request reimbursement for these expenses as this time.

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1           5. Defendants have denied liability and vigorously litigated this matter through class  
2 certification, summary judgment, *Daubert* motions, and the completion of expert and fact  
3 discovery.

4           6. Class Counsel retained Janet Netz, Ph.D. of ApplEcon, LLC and William Comanor,  
5 Ph.D. of Economic Associates, to analyze 1) the global TFT-LCD market, 2) the alleged TFT-LCD  
6 price-fixing conspiracy that is the subject of this litigation, 3) the impact of the price-fixing  
7 conspiracy on U.S. consumers, and 4) damages to the IPP Class. Dr. Netz and Dr. Comanor  
8 performed extensive work in connection with class certification proceedings, preparation of merits  
9 reports on liability and damages, expert discovery, and trial preparation. Dr. Netz and her staff  
10 spent more than 30,000 hours on this case and have charged \$4,654,834.10 for their work through  
11 December 2011. Dr. Comanor and his staff have devoted over 1,500 hours to this matter and  
12 charged Class Counsel in the amount of \$601,898.24 through December 2011. Dr. Netz and Dr.  
13 Comanor submitted their expert reports on May 25, 2011 and their reply reports on August 22,  
14 2011. They have also sat for multiple depositions in this matter.

15           7. Class Counsel have incurred substantial costs in working with other expert  
16 economists and consultants to analyze 1) the characteristics of the TFT-LCD industry and the  
17 conspiracy, 2) whether the conspiracy had an economic impact on prices of TFT-LCD panels, 2)  
18 the pass through of overcharges by direct purchasers to the IPP class, and 3) whether formulaic  
19 methods existed to determine the amount of these overcharges, and the rate at which they were  
20 passed through to the IPP class.

21           8. More than 180 depositions have been taken in this case. Many of these depositions  
22 were multiple days. Class Counsel have incurred costs of \$500,827.73 for court reporters and  
23 transcripts for depositions through December 2011. These depositions were necessary to obtain  
24 information from key witnesses and experts regarding liability, defenses and damages. Further,  
25 most of the witnesses deposed by Class Counsel required the services of professional interpreters  
26 during their depositions.

27           9. Class Counsel have paid \$5,060.95 for transcripts of Court proceedings before this  
28

1 Court through December 2011. These transcripts were necessary to review Court proceedings and  
2 to ensure that Class Counsel followed the Court's specific requests.

3 10. Defendants have produced in discovery more than 7.8 million documents, totaling  
4 more than 40 million pages. Class Counsel loaded these documents into a web-based electronic  
5 document management system for review and analysis. This document management system  
6 allowed Class Counsel to review, analyze, and code these documents for use at depositions, in  
7 numerous motions, and in preparation for trial. Class Counsel were able to do this work from their  
8 respective offices because they had access to the database. Class Counsel have incurred costs of  
9 \$1,083,623.39 in creating, maintaining, and servicing the electronic document database. Because  
10 millions of pages of documents produced in this matter were in Chinese, Japanese, or Korean,  
11 Class Counsel were required to expend significant resources to translate these documents. Third  
12 party vendors and technical staff have been utilized in the translation, analysis, and electronic  
13 coding of these documents produced by Defendants. The IPPs have incurred costs of \$88,525.98  
14 for interpreter and translator costs through December 2011.

15 11. Class Counsel have been required to pay for the services of private Special Masters  
16 for discovery disputes as an out-of-pocket expense. Class Counsel have paid a total of \$47,084.60  
17 in Special Master fees through December 2011.

18 12. The parties have incurred significant costs for the services of several highly  
19 qualified mediators who successfully negotiated the Proposed Settlements in this matter. These  
20 mediators include Professor Eric D. Green, the Hon. Daniel Weinstein (Ret.), and Jonathan B.  
21 Marks, Esq. The mediators have conducted over 15 mediation sessions, as well as numerous calls  
22 and conference calls with the parties. Class Counsel have paid a total of \$248,781.32 in mediator  
23 costs through December 2011.

24 13. As detailed in the Preliminary Approval Motion, Class Counsel have implemented a  
25 Notice Program to inform members of the IPP Class of the Settlements and the dates associated  
26 with objection and final approval. Dkt # 4424. Pursuant to the Court's Order granting preliminary  
27 approval of the Settlements, Class Counsel began implementing the Notice Program and

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1 publishing notice of the Settlements on February 13, 2012. No objection has been received to date  
2 regarding the terms of the proposed Settlements.

3 14. The Indirect Purchaser Plaintiffs' Motion for Interim Reimbursement of Expenses  
4 will be made publicly through the Court's ECF system no less than 30 days prior to the deadline  
5 for class members to object to, or opt out of, the Settlements, and shall be posted on the IPPs'  
6 settlement website at <https://lcdclass.com>.

7 I declare under penalty of perjury that the foregoing is true and correct.

8 Executed on this 14th day of March, 2012, at San Francisco, California.

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MINAMI TAMAKI LLP

/s/ JACK W. LEE  
JACK W. LEE

Liaison Counsel for the Indirect Purchaser Plaintiffs

# EXHIBIT A

## EXHIBIT A

In re TFT-LCD (Flat Panel) Antitrust Litigation  
 Indirect Purchaser Plaintiffs' Counsel Expense Report  
 Inception through December 31, 2011

<b>COURT REPORTING FEES</b>	
Court Reporting Fees	\$5,060.95
<b>SUBTOTAL</b>	<b>\$5,060.95</b>

<b>DEPOSITION TRANSCRIPTS</b>	
Barkley Court Reporters	\$401,293.91
Watson Court Reporters	\$50,421.27
GJS Group, Inc.	\$17,343.57
TSG Reporting, Inc.	\$7,576.25
Atkinson Baker, Inc.	\$6,688.80
Alderson Reporting Company, Inc.	\$3,896.60
Legalink, Inc.	\$2,900.35
James M. Trapskin & Associates, Inc.	\$2,587.10
Rosenberg & Associates, Inc.	\$2,209.75
Ralph Rosenberg Court Reporters, Inc.	\$1,535.96
Seattle Deposition Reporters, LLC	\$1,267.60
Griffin & Associates Court Reporters	\$826.25
Flynn Legal Services	\$687.10
Jay E. Suddreth & Associates, Inc.	\$641.10
Vowell & Jennings, Inc.	\$444.40
Sweeney Court Reporting Services	\$352.72
Court Reporters Associates	\$155.00
<b>SUBTOTAL</b>	<b>\$500,827.73</b>

<b>DOCUMENT DEPOSITORY</b>	
Autonomy Zantaz	\$1,083,623.39
<b>SUBTOTAL</b>	<b>\$1,083,623.39</b>

<b>EXPERT ECONOMISTS &amp; CONSULTANTS</b>	
ApplEcon, Inc.	\$4,654,834.10
Economic Associates	\$601,898.24
Other Experts Economists & Consultants	\$278,498.22
<b>SUBTOTAL</b>	<b>\$5,535,230.56</b>

<b>MEDIATION</b>	
JAMS, Inc. (Judge Weinstein)	\$130,267.07
Resolutions, LLC	\$87,494.25
MarksADR, LLC	\$24,970.00
ADR Services, Inc.	\$5,375.00
JAMS, Inc. (mediation facility rental)	\$675.00
<b>SUBTOTAL</b>	<b>\$248,781.32</b>

<b>DISCOVERY SPECIAL MASTER</b>	
JAMS, Inc.	\$47,084.60
<b>SUBTOTAL</b>	<b>\$47,084.60</b>

<b>TRANSLATORS / INTERPRETERS</b>	
Translation by Design	\$36,242.53
Consortra Translations	\$32,859.15
L.A. Institute of Translation & Interpretation	\$14,384.43
Law Offices of Wang & Wang (Translation)	\$2,055.89
Transperfect Translation, Ltd.	\$1,925.00
Yoko Yamamoto (Interpreter)	\$555.50
Wen-Wen Liu (Interpreter)	\$503.48
<b>SUBTOTAL</b>	<b>\$88,525.98</b>

<b>TOTAL</b>	<b>\$7,509,134.53</b>
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