

1 **Michael K. Kelley** OSB No. 853782  
email: [Kelley@hk-law.com](mailto:Kelley@hk-law.com)  
2 **Michael G. Neff**, OSB No. 925360  
email: [mneff@hk-law.com](mailto:mneff@hk-law.com)  
3 **HAGLUND KELLEY LLP**  
200 SW MARKET Street, Suite 1777  
4 Portland, Oregon 97201  
Phone: (503) 225-0777  
5 Fax: (503) 225-1257  
Special Assistant Attorneys General for Plaintiff

6 **Tim D. Nord, OSB No. 882800**  
7 email: [Tim.D.Nord@doj.state.or.us](mailto:Tim.D.Nord@doj.state.or.us)  
Special Counsel  
8 Department of Justice  
1162 Court Street NE  
9 Salem, OR 97301-4096  
Telephone: (503) 934-4400  
10 Fax: (503) 378-5017

11 Attorneys for Plaintiff State of Oregon  
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15 IN THE UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)

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

Case No. Master File No. 3:07-md-1827 SI

**DECLARATION OF TIM D. NORD IN  
SUPPORT OF MOTION FOR ORDER  
GRANTING APPROVAL OF FINAL  
PLAN OF DISTRIBUTION AND FINAL  
JUDGMENT OF DISMISSAL**

19 This Document Relates to Individual  
Case No. 3:10-cv-4346 SI

20 STATE OF OREGON, *ex rel* Ellen F.  
21 Rosenblum, Attorney General,

22 Plaintiff,

23 v.

24 AU OPTRONICS CORPORATION,  
et al.,

25 Defendants.  
26

Judge: Honorable Susan Illston

1 I, Tim D. Nord, declare as follows:

2 1) I make this declaration in support of the Oregon Attorney General's and  
3 All Defendants' Joint Notice of Motion and Motion for Order Granting Approval of  
4 Final Plan of Distribution and Entry of Final Judgment of Dismissal with Prejudice.  
5 This declaration is based upon my personal knowledge and upon information provided  
6 by staff of the Oregon Department of Justice, and if called on to do so, I could and  
7 would testify competently thereto.

8 2) I am an attorney licensed to practice in the State of Oregon, an Assistant  
9 Attorney General and Special Counsel in the Civil Enforcement Division of the Oregon  
10 Department of Justice.

11 COMPLETION OF NOTICE PLAN FOR OREGON POLITICAL SUBDIVISIONS

12 3) Pursuant to the Notice Plan<sup>1</sup> described in the Declaration of Jennifer M.  
13 Keough of Garden City Group, LLC in Support of Motion for Approval of Settlements,  
14 DOJ sent the Short Form Notice by U.S. mail to 1596 political subdivisions. The  
15 contact information for some of these recipients was compiled and used to provide legal  
16 notice in *In re DRAM Antitrust Lit.*, M 06-04333 (N.D. Cal. Jan. 17, 2014). Contact  
17 information for additional political subdivisions was gathered from additional sources  
18 and incorporated into the list of recipients. Notices returned as undeliverable were re-  
19 mailed after further investigating the address of the recipient. Ultimately notices to 29  
20 political subdivisions were unable to be delivered due to the inability to find a contact  
21 for the political subdivision. Additionally, AAG Mathew Schrupf called and spoke  
22 with representatives of the following associations that represent local government  
23 entities and thereafter forwarded by email as directed by the respective representatives  
24 a brief description of the settlement for inclusion in any mailing or newsletter the

25 \_\_\_\_\_  
26 <sup>1</sup> Unless otherwise defined herein, all capitalized terms shall have the same  
meaning as set forth in the Declaration of Jennifer M. Keough of Garden City Group,  
LLC in Support of Motion for Approval of Settlement, filed September 25, 2015.

1 association might send, and a copy of the Short Form Notice: the Association of  
2 Oregon Counties, the League of Oregon Cities, the Oregon School Boards Association  
3 and the Special Districts Association of Oregon.

4 ALLOCATION OF SETTLEMENT FUNDS

5 4) As shown in the statements from U.S. Bank attached as Exhibit A, the  
6 current approximate Settlement Fund balance is \$21,515,000.

7 5) As described in the Motion for Order Granting Approval of Final Plan of  
8 Distribution and Entry of Final Judgment of Dismissal with Prejudice, after distribution  
9 of approved attorney fees and expenses (\$4,800,198), and administrative expenses for  
10 costs of publication incurred during the opt-out phase; 26 percent of the remaining  
11 available settlement proceeds shall be segregated and distributed to the State of Oregon  
12 and its political subdivisions. The remaining 74 percent of the fund shall be held by  
13 U.S. Bank for distribution to natural persons at the Attorney General's direction. All  
14 subsequent notice and claims administration fees will be deducted from this portion of  
15 the Settlement Fund.

16 DISTRIBUTION TO STATE AND POLITICAL SUBDIVISIONS

17 6) In preparation for distribution of settlement funds to the State of Oregon  
18 and its political subdivisions, the DOJ has gathered data regarding the number of full  
19 time equivalent employees ("FTE") for the State and each political subdivision.

20 7) The DOJ obtained data for each of the years 2002 – 2008 in order to  
21 obtain the most complete data set possible in case the data from any single year did not  
22 include data for all relevant entities.

23 8) Regarding the State of Oregon, the DOJ obtained employment  
24 information for the State of Oregon for each of the years 2002 – 2008 from the Oregon  
25 Department of Administrative Services, which has FTE data regarding most agencies of  
26

1 the State. Employment information for additional State of Oregon agencies was  
2 obtained by directly contacting those agencies.

3 9) To obtain FTE data regarding political subdivisions, DOJ obtained data  
4 from the U.S. Census Bureau (Census Bureau) for each of the years 2002 - 2008. The  
5 data includes the number of full time equivalent employees for individual political  
6 subdivisions within the State of Oregon. The data is publicly available from the Census  
7 Bureau website and identifies the political subdivision by name:  
8 [http://www.census.gov/govs/apes/historical\\_data.html](http://www.census.gov/govs/apes/historical_data.html). The Census Bureau's  
9 methodology for compiling the data is described in reports available on the website and is  
10 summarized here: The Census Bureau compiles data regarding state and local  
11 governments pursuant to 13 U.S.C. § 161 by issuing questionnaires to state and local  
12 governments. In 2002 and 2007, the Census Bureau issued questionnaires to each of the  
13 50 states, the District of Columbia, and all known political subdivisions, numbering  
14 approximately 85,000 to 90,000 nationwide and including counties, municipalities,  
15 townships, special districts and school districts. For years other than 2002 and 2007, the  
16 Census Bureau compiled data by issuing questionnaires to a subset of the political  
17 subdivisions. Among the information the responding political subdivisions provided was  
18 the number of full-time employees as well as the total hours worked by part-time  
19 employees. To derive the number of full-time equivalent employees, the U.S. Census  
20 Bureau divided the total hours worked by part-time employees by the standard number of  
21 hours for full-time employees in the political subdivision and added the result to the  
22 number of full-time employees.

23 10) The DOJ compiled the data obtained from the Census Bureau with the  
24 names and addresses of political subdivisions to which the DOJ sent notices. For the  
25 69 political subdivisions for which the Census Bureau did not have data, the DOJ is  
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1 mailing requests that the political subdivisions provide the number of full-time  
2 equivalent employees for each of the years 2002 – 2008.

3 11) The portion allocated to the State of Oregon and its political subdivisions  
4 will be distributed among the State and political subdivisions pro-rata based on the  
5 number of full-time equivalent employees as determined by the following method:

6 a) The number of full-time equivalent employees for each political  
7 subdivision shall be the number of full-time equivalent employees  
8 reported for the year 2002, unless no such data is available for 2002,  
9 in which case, the number will be that reported for the next  
10 successive calendar year for which data is available.

11 b) If no data regarding the number of full-time equivalent employees is  
12 available for a particular political subdivision, the number to be used  
13 shall be zero. In addition, based upon either the census data or  
14 responsive information from the political subdivision, the Attorney  
15 General will limit eligibility to entities entitled to \$100 or more.

16 DISTRIBUTION TO NATURAL PERSONS

17 12) Distribution to natural persons will be made *pro rata* based upon the  
18 products purchased. The Attorney General intends not to require documentation for the  
19 first two items claimed. Based upon the calculations Mark Meitzen contained in his  
20 declaration, payments will not exceed the average per-unit: \$60 for an LCD monitor,  
21 \$50 or a notebook and \$100 for a television.

22 13) The initial claims period will be for not less than 90 days following the  
23 start of the additional claims notice efforts. The Attorney General will determine at the  
24 close of the initial claims period if further notice efforts should occur based upon the  
25 claims received. Following disbursements to natural persons, the residual amount will  
26

1 be distributed to the Oregon Department of Justice Protection and Education Revolving  
2 Account pursuant to ORS 646.775(5) and ORS 180.095.

3  
4 DATED this 8 day of April, 2016.

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6 Tim D. Nord  
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**CERTIFICATE OF SERVICE**

1  
2 I hereby certify that on the 11th day of April, 2016, I electronically filed the  
3 **DECLARATION OF TIM D. NORD** with the Clerk of the Court using the CM/ECF  
4 system, which will automatically send email notification to the parties and counsel of  
5 record.

6 HAGLUND KELLEY LLP

7  
8 By: s/Michael K. Kelley

9 Michael K. Kelley, OSB No. 853782

(Pro Hac Vice)

Email: [kelley@hk-law.com](mailto:kelley@hk-law.com)

10 Michael G. Neff, OSB No. 925360

(Pro Hac Vice)

Email: [mneff@hk-law.com](mailto:mneff@hk-law.com)

11 HAGLUND KELLEY LLP

12 200 S.W. Market Street, Suite 200

13 Portland, Oregon 97201

14 Telephone: (503) 225-0777

15 Facsimile: (503) 225-1257

Special Assistant Attorneys General for

Plaintiff State of Oregon

16 Tim D. Nord, OSB No. 882800

17 Email: [Tim.D.Nord@doj.state.or.us](mailto:Tim.D.Nord@doj.state.or.us)

Oregon Senior Assistant Attorney General

18 1162 Court Street, NE

Salem, OR 97301-4096

19 Telephone: (503) 943-4400

20 Facsimile: (503) 225-1257

21 Attorneys for Plaintiff State of Oregon

# **EXHIBIT A**





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**ACCOUNT NUMBER: 164299006**  
 STATE OF OREGON DEPT OF JUSTICE  
 (AU OPTRONICS CORPORATION)  
 SETTLEMENT ESCROW ACCOUNT

This statement is for the period from  
 February 1, 2016 to February 29, 2016

**MARKET VALUE SUMMARY**

	Current Period 02/01/16 to 02/29/16
<b>Beginning Market Value</b>	<b>\$4,247,990.85</b>
<b>Investment Results</b>	
Interest, Dividends and Other Income	- 1,770.27
Net Change in Investment Value	- 553.00
<b>Total Investment Results</b>	<b>- \$2,323.27</b>
<b>Ending Market Value</b>	<b>\$4,245,667.58</b>





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 0070004-00-00124-01 Page 2 of 6

**ACCOUNT NUMBER: 164299001**  
**STATE OF OREGON DEPT OF JUSTICE**  
**& CHIMEI INNOLUX CORPORATION**  
**(LDC JOINDER)**  
**SETTLEMENT ESCROW**

This statement is for the period from  
 February 1, 2016 to February 29, 2016

**MARKET VALUE SUMMARY**

	Current Period 02/01/16 to 02/29/16
<b>Beginning Market Value</b>	<b>\$1,636,405.97</b>
<b>Investment Results</b>	
Interest, Dividends and Other Income	- 630.38
Net Change in Investment Value	- 169.70
<b>Total Investment Results</b>	<b>- \$800.08</b>
<b>Ending Market Value</b>	<b>\$1,635,605.89</b>





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0073986-00-00124-01 Page 2 of 6

**ACCOUNT NUMBER: 164299002**  
**STATE OF OREGON DEPT OF JUSTICE**  
**& EPSON IMAGING DEVICES CORPORATION**  
**(LCD JOINER)**  
**SETTLEMENT ESCROW**

This statement is for the period from  
February 1, 2016 to February 29, 2016

**MARKET VALUE SUMMARY**

	<b>Current Period</b> <b>02/01/16 to 02/29/16</b>
<b>Beginning Market Value</b>	<b>\$104,873.11</b>
<b>Investment Results</b>	
Net Change in Investment Value	11.66
<b>Total Investment Results</b>	<b>\$11.66</b>
<b>Ending Market Value</b>	<b>\$104,884.77</b>





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 0081127-00-00124-01 Page 2 of 6

ACCOUNT NUMBER: 164299007  
 STATE OF OREGON DEPT OF JUSTICE  
 & HANNSTAR DISPLAY  
 CORPORATION (LCD JOINDER)  
 SETTLEMENT ESCROW

This statement is for the period from  
 February 1, 2016 to February 29, 2016

**MARKET VALUE SUMMARY**

	Current Period 02/01/16 to 02/29/16
<b>Beginning Market Value</b>	<b>\$999,858.16</b>
<b>Investment Results</b>	
Interest, Dividends and Other Income	- 763.50
Net Change in Investment Value	- 421.63
<b>Total Investment Results</b>	<b>- \$1,185.13</b>
<b>Ending Market Value</b>	<b>\$998,673.03</b>





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ACCOUNT NUMBER: 164299000  
STATE OF OREGON DEPT OF JUSTICE  
& JAPAN DISPLAY EAST, INC.(F/K/A  
HITACHI DISPLAYS, LTD) LCD  
SETTLEMENT ESCROW

This statement is for the period from  
February 1, 2016 to February 29, 2016

**MARKET VALUE SUMMARY**

	Current Period 02/01/16 to 02/29/16
<b>Beginning Market Value</b>	<b>\$557,689.93</b>
<b>Investment Results</b>	
Net Change in Investment Value	60.28
<b>Total Investment Results</b>	<b>\$60.28</b>
<b>Ending Market Value</b>	<b>\$557,750.21</b>





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ACCOUNT NUMBER: 164299003  
 STATE OF OREGON DEPT OF JUSTICE  
 & LG DISPLAY CO., LTD AND  
 LG DISPLAY AMERICA, INC.  
 (LCD JOINDER)  
 SETTLEMENT ESCROW

This statement is for the period from  
 February 1, 2016 to February 29, 2016

**MARKET VALUE SUMMARY**

	Current Period 02/01/16 to 02/29/16
<b>Beginning Market Value</b>	<b>\$6,986,681.17</b>
<b>Investment Results</b>	
Interest, Dividends and Other Income	- 5,329.95
Net Change in Investment Value	- 2,941.37
<b>Total Investment Results</b>	<b>- \$8,271.32</b>
<b>Ending Market Value</b>	<b>\$6,978,409.85</b>





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ACCOUNT NUMBER: 164299005  
 STATE OF OREGON DEPT OF JUSTICE AND  
 SAMSUNG DISPLAY CO., LTD.  
 (LCD JOINDER) SETTLEMENT ESCROW

This statement is for the period from  
 February 1, 2016 to February 29, 2016

**MARKET VALUE SUMMARY**

	Current Period 02/01/16 to 02/29/16
<b>Beginning Market Value</b>	\$4,505,468.79
<b>Investment Results</b>	
Interest, Dividends and Other Income	- 3,193.52
Net Change in Investment Value	- 446.75
<b>Total Investment Results</b>	<b>- \$3,640.27</b>
<b>Ending Market Value</b>	<b>\$4,501,828.52</b>





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ACCOUNT NUMBER: 164299004  
STATE OF OREGON DEPT OF JUSTICE  
& SHARP CORPORATION  
(LCD JOINDER)  
SETTLEMENT ESCROW

This statement is for the period from  
February 1, 2016 to February 29, 2016

**MARKET VALUE SUMMARY**

	Current Period 02/01/16 to 02/29/16
<b>Beginning Market Value</b>	<b>\$1,951,267.57</b>
<b>Investment Results</b>	
Net Change in Investment Value	213.62
<b>Total Investment Results</b>	<b>\$213.62</b>
<b>Ending Market Value</b>	<b>\$1,951,481.19</b>







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**ACCOUNT NUMBER: 164299008**  
**STATE OF OREGON DEPT OF JUSTICE**  
**(TOSHIBA DEPOSIT) LCD**  
**SETTLEMENT ESCROW**

This statement is for the period from  
February 1, 2016 to February 29, 2016

**MARKET VALUE SUMMARY**

	Current Period 02/01/16 to 02/29/16
<b>Beginning Market Value</b>	<b>\$524,954.58</b>
<b>Ending Market Value</b>	<b>\$524,954.58</b>

**MARKET VALUE SUMMARY MESSAGES**

No activity qualifies for this statement period.

