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Counsel for Defendant Apple Inc.

18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**
20 **SAN JOSE DIVISION**

21 IN RE: MACBOOK KEYBOARD
22 LITIGATION

Case No. 5:18-cv-02813-EJD

JOINT STIPULATION AND ~~PROPOSED~~
CLASS PAYMENT ORDER

Hon. Edward J. Davila

27 Pursuant to Section 3.4.6 of the Settlement Agreement (Dkt. No. 410-1) and Civil Local Rule 7-
28 12, Plaintiffs and Defendant Apple Inc., by and through their respective counsel, stipulate as follows:

1 WHEREAS, on May 25, 2023, the Court granted final approval of the Class Action Settlement
2 in this action (Dkt. No. 455);

3 WHEREAS, the Court-appointed administrator, JND Legal Administration (“JND”), has now
4 substantially completed the claim review and deficiency notice process required by section 3.4 of the
5 Settlement Agreement;

6 WHEREAS, pursuant to the section 3.4.3-3.4.5, JND has made the following claim payment
7 calculations:

	Total Class Members	Payment Value	Group Total
Group 1	63,069	\$395	\$24,912,255
Group 1 Future Reserve	300	\$395	\$118,500
Group 2	64,686	\$125	\$8,085,750
Group 3	4,773	\$50	\$238,650
Late Claim Reserve	293	<i>Varied</i>	\$41,725
Duplicate Claim Reserve	817	<i>Varied</i>	\$267,635
			\$33,664,515

16 WHEREAS, the payment cap for Group 1 Claims is \$395, Group 2 is \$125, and Group 3 is \$50,
17 which means all eligible Class Members will receive the maximum payment under the Settlement;

18 WHEREAS, the Settlement Administrator has reserved \$41,725 to pay late claims¹ and
19 \$267,635 to pay disputed duplicate claims;²

21 ¹ Pursuant to section 3.5.4 of the Settlement Agreement, the parties conferred and agreed to pay
22 individual late claims. The Settlement Administrator is completing the deficiency process for the late
23 claims and will endeavor to make final determinations within 30 days of the deadline for the Claimants
to respond to the deficiency notice.

24 ² There are 1,619 claims where more than one person claimed a Class Computer with the same serial
25 number or an individual submitted a claim for a Group 1 device where Apple’s records reflect a
26 different purchaser. The Settlement Administrator is adjudicating these disputed claims pursuant to
27 section 3.4.1 of the Settlement Agreement. After sending notice to the duplicate claimants, the
28 Settlement Administrator will make final determinations based upon Apple’s records and
documentation provided by the Claimants in response to the notice. The Settlement Administrator will
endeavor to make final determinations within 30 days of the deadline for the Claimants to respond to
the notice.

1 WHEREAS, the amount reserved for late and duplicate claims will not lower any of the claim
2 payment amounts identified in the chart above for any payment group;

3 WHEREAS, if additional money is left after payment to eligible Class members, the Parties
4 will follow the procedure in section 3.5.3 of the Settlement Agreement;

5 WHEREAS, pursuant to this District's Procedural Guidance for Class Action Settlements, the
6 parties will submit a post-distribution accounting within 21 days after settlement checks become stale;

7 NOW THEREFORE, the parties stipulate and respectfully request that, pursuant to section
8 3.4.6 of the Settlement Agreement, the Court order payments to eligible Class members in line with
9 the above chart.

10
11 Dated: June 26, 2024

Respectfully submitted,

GIRARD SHARP LLP

By: /s/ Simon S. Grille

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1 Dated: June 26, 2024

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14 *Counsel for Defendant Apple Inc.*

18 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

19
20 Dated: June 27, 2024



21 HON. EDWARD J. DAVILA

United States District Judge

ATTESTATION

I, Simon S. Grille, am the ECF user whose identification and password are being used to file this Joint Stipulation and [Proposed] Class Payment Order. I hereby attest under penalty of perjury that concurrence in this filing has been obtained from all counsel listed above.

Dated: June 26, 2024

/s/ Simon S. Grille
Simon S. Grille

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