

CANADA

PROVINCE DE QUÉBEC
DISTRICT DE MONTRÉAL(CHAMBRE DES ACTIONS COLLECTIVES)
COUR SUPÉRIEURE

N°: 500-06-000251-047

OPTION CONSOMMATEURS*Représentante*

-et-

CLAUDETTE CLOUTIER*Personne Désignée*

c.

INFINEON TECHNOLOGIES AG ET AL.*Défenderesses*

-et-

FONDS D'AIDE AUX ACTIONS COLLECTIVES

-et-

RICEPOINT ADMINISTRATION INC.*Mises en cause*

-et-

BELLEAU LAPOINTE, S.E.N.C.R.L., ayant son siège social
au 306, Place d'Youville, bureau B-10, en les ville et
district judiciaire de Montréal, province de Québec,
H2Y 2B6*Avocats de la Représentante***SWORN AFFIDAVIT**

I, BRETT PARKER, having my professional address at 1480 Richmond St., in the City of London, in the County of Middlesex, in the province of Ontario SWEAR THAT:

1. I am a project manager at RicePoint Administration ("RicePoint"), formerly NPT RicePoint Class Action Services, the court appointed administrator in respect of the Canadian national DRAM settlement distribution process. As such, I have knowledge of the matters to which I hereinafter depose except where stated to be on information and belief, in which case I verily believe them to be true.
2. I have been involved in the administration of seven class action claims processes over the last three years, many of which provided benefits to end consumers.
3. The purpose of this affidavit is to provide the Court with final results on the distribution of the DRAM settlement funds.

Summary of Distribution Results

4. The first distribution of the settlement funds was to simplified End Consumer claims, all of which were entitled to \$20. The cheques were mailed on December 11, 2015. A total of 880,788 cheques totalling \$17,615,760 were mailed with a 6 month stale date of June 11, 2016. Of the 880,788 cheques mailed, 818,628 were cashed leaving 62,160 uncashed. The uncashed funds from the first distribution equalled \$1,243,200. Table 1 below is a breakdown of the simplified End Consumer distribution.

5. The second distribution was made to the remaining simplified End Consumer claims, all standard End Consumer claims, Manufacturing claims and other DRAM purchasers. The cheques were mailed on July 13, 2016. A total of 34,621 cheques totalling \$28,899,804.55 were mailed with a 6 month stale date of January 13, 2017. Of the 34,621 cheques mailed, 32,037 were cashed leaving 2,584 uncashed. The uncashed funds from the second distribution equalled \$85,708.75. Table 2 below is a breakdown of the second distribution.

6. The third distribution was made available to any simplified End Consumer claims that did not cash their initial cheque. In order to be issued a replacement cheque in the third distribution a claimant was required to respond to an email link with their address information. The cheques were mailed on September 16, 2016. A total of 21,070 replacement cheques totalling \$421,400 were mailed with a stale date of January 13, 2017. Of the 21,070 cheques mailed, 16,461 were cashed leaving 4,609 uncashed. Table 1 below is a breakdown of the first and third distribution to simplified End Consumers.

Table 1

Distribution	Distribution Amount	Date of Issue	# Cheques Issued	Cheques Cashed	# Cheques Cashed	Cheques Outstanding	# Cheques Outstanding
First	\$17,615,760.00	Dec. 11, 2015	880,788	\$16,372,560.00	818,628	\$1,243,200.00	62,160
Third (replacement)	\$421,400.00	Sept. 16, 2016	21,070	\$329,220.00	16,461	\$92,180.00	4,609

Note: Of 880,788 simplified End Consumer claims 95% cashed their settlement benefits.

Table 2

Distribution	Distribution Amount	Date of Issue	# Cheques Issued	Cheques Cashed	# Cheques Cashed	Cheques Outstanding	# Cheques Outstanding
Second	\$28,899,804.55	July 13, 2016	34,621	\$28,814,095.80	32,037	\$ 85,708.75	2,584

Note: Of 34,621 cheques 93% of cheques cashed representing 99.7% of settlement benefits.

7. The total number of cheques distributed in the first, second and third distribution is 936,479 cheques.

8. The remaining settlement funds after distribution is \$923,289.56. A final funds reconciliation of the DRAM administration is attached as **Exhibit "A"** to this affidavit.

9. RicePoint deems all its services have been fulfilled and seeks discharge as Claims Administrator.

10. Once approved by the Courts RicePoint will transfer the remaining settlement funds to the beneficiaries identified by court order.

11. All the facts in this Affidavit are true.

And I have signed:



Brett Parker

Solemnly affirmed before me
at London, Ontario, this 24th day of January 2018



Commissioner for oaths for
the province of Ontario

Colin Dale Procnier
Commissioner, etc.,
Province of Ontario,
for RicePoint Administration Inc.
Expires July 13, 2020

In Trust for: DRAM Class Action Administration

Funds Analysis

As at January 24, 2018

Future Anticipated Receipts & Disbursements

	<i>Actual to Date</i>	<i>Projected Receipts</i>	<i>Future Disbursements</i>	<i>Actual plus Future Total</i>
Fund Receipts				
Settlement Amounts	\$ 79,470,000.00			\$ 79,470,000.00
Interest Earned in Trust	2,139,244.46			\$ 2,139,244.46
Interest Earned in Trust @ RP	48,195.37			\$ 48,195.37

Total Fund Receipts 81,657,439.83 - 81,657,439.83

Fund Disbursements

Settlement Distribution - Positive Pay	16,372,560.00			16,372,560.00
Settlement Distribution - Standard	28,814,095.80			28,814,095.80
Settlement Distribution - Supplemental	329,220.00			329,220.00
Bank Service Charges	6,072.95			6,072.95
Case Specific Expenses	2,271,186.38		56,185.02	2,327,371.40
Class Administration Fees	230,961.20		104,611.45	335,572.65
Notice Costs	3,067,512.26			3,067,512.26
Class Counsel Fees & Disbursements	28,391,365.14		13,069.88	28,404,435.02
Plaintiff Honorarium	10,000.00			10,000.00
Interest on Income Taxes	36,986.03			36,986.03
Taxes on Funds Held in Trust	1,025,383.20		4,940.96	1,030,324.16

Total Funds Disbursed \$ 80,555,342.96 \$ 178,807.31 \$ 80,734,150.27

Funds Available \$ 1,102,096.87 \$ - \$ 178,807.31 \$ 923,289.56

Per Proposal:	
Class Administration Fees (\$336,875 + HST)	\$ 380,668.75
Case Specific Expenses (2,098,491 + HST)	\$ 2,371,294.83