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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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**IN RE RESISTORS ANTITRUST
LITIGATION**

Case No. 3:15-cv-03820-JD

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This Document Relates to:

**DECLARATION OF LARRY POLYAK
 IN SUPPORT OF INDIRECT
 PURCHASER PLAINTIFFS' MOTION
 FOR FINAL APPROVAL OF
 SETTLEMENTS WITH ALL
 DEFENDANTS**

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All Indirect Purchaser Actions

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Date: December 12, 2019

Time: 10:00 a.m.

Place: Courtroom 11, 19th Floor
Hon. James Donato

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1 I, Larry Polyak, declare as follows:

2 1. I am an individual over the age of 18. I have personal knowledge of the matters
3 stated herein and, if called upon, I could and would competently testify thereto.

4 2. I am a co-founder of Microsystems Development Technologies, Inc., one of the
5 class plaintiffs for the Indirect Purchaser Plaintiffs (“IPP’s”) in the above-entitled action. I have
6 been authorized to provide this declaration on behalf of Microsystems Development
7 Technologies, Inc.

8 3. I am a class representative in *In re Resistors Antitrust Litigation*, No. 15-cv-
9 03820-JD, filed in the United States District Court for the Northern District of California. I
10 submit this declaration on behalf of myself and the settlement class, in support of IPPs’ motion
11 for final approval of the settlements with Defendants: (1) Panasonic Corporation and Panasonic
12 Corporation of North America (together, “Panasonic”); (2) KOA Corporation and KOA Speer
13 Electronics, Inc. (together, “KOA”); (3) ROHM Co. Ltd. and ROHM Semiconductor U.S.A.,
14 LLC (together, “ROHM”); (4) Kamaya Electric Co., Ltd. and Kamaya Inc. (together,
15 “Kamaya”); and (5) Hokuriku Electric Industry Co. and HDK America, Inc. (together, “HDK”)
16 (collectively, “Settling Defendants”) and in support of their Motion for Attorneys’ Fees,
17 Reimbursement of Expenses, and Class Representative Service Awards (ECF No. 548).

18 4. To pursue this matter effectively, I hired lawyers with extensive experience
19 litigating antitrust class actions on behalf of consumers. Prior to serving as a class representative,
20 I was not asked to condition, nor did I condition, my participation upon receiving an incentive
21 award. Additionally, I was not asked to condition, nor did I condition, my approval of any of the
22 settlements upon the promise or expectation of receiving an incentive award.

23 5. As a class representative, I understand that it is my responsibility to be informed
24 about the work performed by my attorneys on the case and make my own judgment about the
25 fairness of any settlement proposed by the lawyers.

26 6. I also understand that in evaluating the fairness of the settlement, I am required to
27 consider the interests of all members of the Class, as well as my own.

1 7. Over the past four years, I have diligently performed my duties as a Class
2 Representative to assist counsel in prosecuting this case, investing significant time and effort to
3 fulfill my role. To that end, I have read the operative complaint on file and generally understand
4 the nature of the claims asserted, as well as the bases for them. Throughout this litigation, I have
5 remained informed about the status of the case by communicating with my attorneys about
6 litigation strategies, reviewing periodic update correspondence from my counsel, and becoming
7 apprised of key case documents. Since the outset of the litigation, I have also diligently retained
8 all papers or electronic information that could be relevant to the litigation and provided these to
9 my attorneys.

10 8. Throughout the case I have also assisted in responding to discovery. This
11 included reviewing discovery requests from defendants, discussing them with my counsel,
12 reviewing proposed responses, making any corrections, and signing off on the responses. I also
13 spent a significant amount of time locating purchase receipts and pulling transactional data and
14 the other documents requested by the defendants in this litigation.

15 9. In total, I estimate that I have spent about 30-40 hours performing all of the
16 above-described duties on behalf of the class over the past four years. My attorneys have not
17 made any promises regarding compensation for my service, and I willingly agreed to participate
18 in this case with no guarantee of personal benefit. I believe that the time, effort, and information
19 I provided helped to make the settlements possible and therefore ask that the Court approve my
20 service award in the amount of \$2,500. I believe such an award is reasonable in light of the
21 assistance provided and poses no risk of undermining my ability to adequately represent the
22 Class.

23 I declare under penalty of perjury, under the laws of the United States of America, that
24 the foregoing is true and correct. Executed on 10/22, 2019 in San Jose,
25 California.

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27 LARRY POLYAK
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