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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**IN RE TRANSPACIFIC PASSENGER
AIR TRANSPORTATION ANTITRUST
LITIGATION**

Civil Case No. 3:07-cv-05634-CRB

MDL No. 1913

**This Document Relates to:
ALL ACTIONS**

**DECLARATION OF JOEL BOTZET RE
CLAIMS ADMINISTRATION AND
REQUESTS FOR EXCLUSIONS**

Hearing Date: September 14, 2018
Judge: Hon. Charles R. Breyer
Time: 10:00 a.m.
Courtroom: 6, 17th Floor

1 JOEL BOTZET, declares and states that:

2 1. I am a Program Manager for Rust Consulting, Inc. ("Rust Consulting"), the
3 Court-appointed Claims Administrator for the class action settlements in this case. My business
4 address is 625 Marquette Avenue, Suite 900, Minneapolis, Minnesota 55402-2469. My business
5 telephone number is (612) 359-2035. I am over twenty-one (21) years of age and am authorized
6 to make this declaration on behalf of Rust Consulting and myself. I make this Declaration
7 pursuant to 28 U.S.C. § 1746.

8 2. Rust Consulting has extensive experience in class action matters, having provided
9 settlement administration services in class action lawsuits affecting millions of class members in
10 cases involving employment, consumers, banking and financial services, property, insurance,
11 securities and products liability, among its more than 6,000 projects.

12 3. Except as otherwise stated, I am fully familiar with and have personal knowledge
13 of the matters stated in this declaration and am competent to testify about them if called upon to
14 do so.

15 4. I submit this Declaration to provide the Court and the parties to the above-
16 captioned action with information regarding the Claims Administration and Requests for
17 Exclusions.

18 **Settlement Website**

19 5. Rust Consulting created and continues to maintain the Settlement Website. The
20 following internet address was reserved: www.AirlineSettlement.com. The internet address
21 appeared in the Short Form and Long Form Notices. The Settlement Website became operational
22 in all languages on February 10, 2015 and has been operational, able to accept claims, at all
23 times since February 10, 2015. The Settlement Website contains a copy of the Short Form
24 Notice, the Long Form Notice, and the following Court documents: Amended Order Granting
25 Plaintiffs' Motion for Approval of Notice Program, Claim Form, and Plan of Allocation;
26 Settlement Agreement between Plaintiffs and Cathay Pacific Airways, LTD.; Amended
27 Settlement Agreement between Plaintiffs and Japan Airlines Company, LTD.; Settlement
28 Agreement between Plaintiffs and Malaysian Airline System Berhad; Settlement Agreement

1 between Plaintiffs and Qantas Airways Limited; Settlement Agreement between Plaintiffs and
2 Singapore Airlines Limited; Amended Settlement Agreement between Plaintiffs and Societe Air
3 France; Settlement Agreement between Plaintiffs and Thai Airways International Public Co.,
4 LTD.; Amended Settlement Agreement between Plaintiffs and Vietnam Airlines Company
5 Limited; Plaintiffs' Consolidated Class Action Complaint; Plaintiffs' Notice of Motion for an
6 Award of Attorneys' Fees, Reimbursement of Expenses, and Class Representative Incentive
7 Awards, Memorandum of Point and Authorities in Support Thereof; Proposed Order Granting
8 Plaintiffs' Motion for an Award of Attorneys' Fees, Reimbursement of Expenses, and Class
9 Representative Incentive Awards; Declaration of Steven N. Williams and Exhibits; Declaration
10 of Christopher L. Lebsack in Support of Motion for Attorneys' Fees and Reimbursement of
11 Expenses; Plaintiffs' Notice of Motion and Motion for Final Approval of Settlements with
12 Defendants Societe Air France, Cathay Pacific Airways Limited, Japan Airlines International
13 Company, LTD., Malaysian Airline System Berhad, Qantas Airways Limited, Singapore
14 Airlines Limited, Thai Airways International Public Co., LTD. and Vietnam Airlines
15 Corporation, and Memorandum in Support Thereof; Order Granting Motion for Final Approval
16 and Granting Motion for Fees, Final Judgment of Dismissal with Prejudice as to Defendant
17 Japan Airlines Company, LTD.; Final Judgment of Dismissal with Prejudice as to Defendant
18 Societe Air France; Final Judgment of Dismissal with Prejudice as to Defendant Cathay Pacific
19 Airways Limited; Final Judgment of Dismissal with Prejudice as to Defendant Malaysian Airline
20 System Berhad; Final Judgment of Dismissal with Prejudice as to Defendant Qantas Airways
21 Limited; Final Judgment of Dismissal with Prejudice as to Defendant Singapore Airlines
22 Limited; Final Judgment of Dismissal with Prejudice as to Defendant Thai Airways International
23 Public Co., LTD.; Final Judgment of Dismissal with Prejudice as to Defendant Vietnam Airlines
24 Corporation; Plaintiffs' Notice of Motion and Motion for Preliminary Approval of Settlements
25 with Defendants Philippine Airlines, Inc., Air New Zealand Limited, and China Airlines, LTD.,
26 and Memorandum and Points and Authorities in Support Thereof; Stipulation and Order
27 Regarding Entry of Final Judgments of Dismissal With Respect to the Settling Defendants;
28 Declaration of Christopher L. Lebsack in Support of Plaintiffs' Motion for Preliminary Approval

1 of Settlements with Defendants Philippine Airlines, Inc., Air New Zealand Limited, and China
2 Airlines, LTD.; Settlement Agreement Between Plaintiffs and Air New Zealand Limited;
3 Settlement Agreement Between Plaintiffs and China Airlines, LTD; Proposed Order Granting
4 Preliminary Approval of Settlements with Defendants Philippine Airlines, Inc., Air New
5 Zealand, and China Airlines, LTD.; Order Granting Motions for Preliminary Approval;
6 Stipulation and Order Setting Final Approval Hearing and Setting Interim Deadlines RE:
7 Preliminary Approval of Settlements with Defendants Philippine Airlines, Inc., Air New Zealand
8 Limited, China Airlines, LTD., and EVA Airways Corporation; Settlement Agreement Between
9 Plaintiffs and EVA Airways Corporation; Settlement Agreement Between Plaintiffs and
10 Philippine Airlines, Inc.; Plaintiffs' Notice of Motion and Motion for an Award of Attorneys'
11 Fees, Reimbursement of Expenses and Class Representative Incentive Awards, and
12 Memorandum of Points and Authorities in Support Thereof; Declaration of Christopher L.
13 Lebsock in Support of Motion for Attorneys' Fees and Reimbursement of Expenses; and
14 Declaration of Adam J. Zapala in Support of Motion for Attorneys' Fees and Reimbursement of
15 Expenses.

16 6. The Settlement Website is currently available in four languages (English,
17 Japanese, Simplified Chinese, and Traditional Chinese)¹ and provides the toll-free number,
18 mailing address for the Claims Administrator, contact information for Class Counsel and
19 Commonly Asked Questions and Answers. A printer-friendly version of the Long Form Notice,
20 as well as a Claim Form, is available for download. Through August 25, 2018, there have been
21 approximately 966,451 unique visitors to the Settlement Website.

22 **Telephone Support**

23 7. A toll-free telephone support line providing 24-hour service via an Interactive
24 Voice Response system was established for receiving questions and requests for the notice
25
26

27 ¹ On June 25, 2018, the Settlement Website was modified to provide information in four
28 languages instead of the original 10 languages based on visitor traffic.

1 package. The toll-free number is 1-800-439-1781, and it currently provides recorded information
2 in four languages (English, Japanese, Simplified Chinese, and Traditional Chinese).²

3 8. The telephone support line became operational on February 5, 2015 and has been
4 in operation at all times since February 5, 2015. The toll-free number appeared in the Short Form
5 Notice, the Long Form Notice and the Settlement Website. Through August 25, 2018, there have
6 been approximately 9,585 calls to the telephone support line.

7 **Mailing of the Notice Package**

8 9. Rust Consulting received the approved text for the Claim Form from counsel and
9 prepared drafts of the materials for mailing to Settlement Class Members. Rust Consulting
10 received approval from the Parties for all mailed notice packages that consist of the Claim Form
11 and the Long Form Notice. Attached as Exhibit A is a true and correct paper copy of the mailed
12 notice package. The notice package has been and will continue to be mailed on a rolling basis in
13 response to requests from Settlement Class Members via telephone and mailed correspondence.
14 Through August 25, 2018, 1,593 requests for the notice package have been received, and Rust
15 has mailed out the requested notice packages.

16 **Incoming Mail**

17 10. Rust Consulting established a Post Office box, P.O. Box 2209, Faribault,
18 Minnesota 55021-1609, for receipt of all mail. Mail received at the Post Office boxes is collected
19 and processed daily.

20 **Exclusion and Objection Requests**

21 11. As of August 29, 2018, Rust has received one (1) Request for exclusion in
22 connection with the PAL, ANZ, CAL, and EVA Settlements that reflected a postmark date prior
23 to the August 30, 2018 deadline. The name of the individual who submitted the Request for
24 Exclusion to this round of settlements is attached hereto as Exhibit B.

25
26
27 ² Similarly, on June 25, 2018, the U.S. toll-free number was modified to provide information in
28 four languages instead of the original 10 languages and the non-U.S. toll-free numbers were
closed down based on call traffic.

1 12. As of August 25, 2018, Rust has received one (1) objection in connection with
2 this round of settlements. The objector, Bruce Wheatley, filed a claim on March 6, 2015 via the
3 website. An electronic copy of the claim submitted by Mr. Wheatley is attached hereto as Exhibit
4 C.

5 I declare under penalty of perjury under the laws of the United States that the foregoing is
6 true and correct. Executed in Minneapolis, Minnesota this 29 day of August 2018.

7
8 
9 _____
Joel Botzet

Exhibit A

TRANSPACIFIC AIR SETTLEMENT
PO BOX 2209
FARIBAULT MN 55021-1609
USA

FOR OFFICIAL USE ONLY

02

Page 1 of 4



- UAA - <<SequenceNo>>

<<Name1>>

<<Name2>>

<<Name3>>

<<Name4>>

<<Address1>>

<<Address2>>

<<City>> <<State>> <<Zip10>>

<<CountryName>>

TRANSPACIFIC AIR TRANSPORTATION SETTLEMENT CLAIM FORM

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

Provided that the Court finally approves the Settlements, you must complete and submit a Claim Form online or mail a paper Claim Form to benefit from the Settlements. If you filed a claim in the previous settlements and want to supplement your original Claim Form with an updated number of tickets you want to claim, you will need to complete and submit a new Claim Form. The deadline to submit a Claim Form is **December 31, 2018**.

Claim Forms may be submitted online at www.AirlineSettlement.com or by mail to: Transpacific Air Settlement, P.O. Box 2209, Faribault, MN 55021-1609.

A. Class Member Information

Name: _____

Person to Contact in Regard to this Claim: _____

Street Address: _____

City: _____ State: _____ Country: _____ Zip: _____ - _____

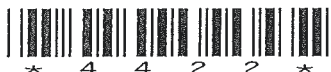
Daytime Telephone Number: (_____) _____

Email Address: _____

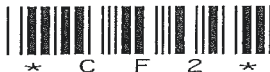
Were your purchases for business purposes? ☐ Yes ☐ No

B. Class Definition

You are included in one or more of the Settlement Classes (listed on next page) if you bought a ticket for air travel from one of the Defendants or Co-Conspirators (listed on next page); the ticket included at least one flight segment originating in the U.S. to Asia or Oceania (Australia, New Zealand or the Pacific Islands); and your purchase was made at any time between January 1, 2000 and December 1, 2016. The Settlement Classes do not include governmental entities; Defendants and any officers, directors, employees and immediate families; and defendants in the lawsuits and any parent, subsidiary, or affiliate.



* 4 4 2 2 *



* C F 2 *





Settlement Classes:

ANZ Settlement Class:

All persons and entities that purchased passenger air transportation originating in the United States that included at least one flight segment to Asia or Oceania, from Defendants or their alleged co-conspirators, or any predecessor, subsidiary, or affiliate thereof, at any time between January 1, 2000 and December 1, 2016.

EVA/China Airlines Settlement Class:

All persons and entities that purchased passenger air transportation originating in the United States that included at least one flight segment to Asia or Oceania, from Defendants, or any predecessor, subsidiary, or affiliate thereof, at any time between January 1, 2000 and December 1, 2016.

PAL Settlement Class:

All persons and entities that purchased passenger air transportation originating in the United States that included at least one flight segment to Asia or Oceania, from Defendants or their co-conspirators, or any predecessor, subsidiary, or affiliate thereof, at any time between January 1, 2000 and December 1, 2016.

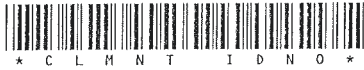
Pursuant to the proposed plan of allocation (available at www.AirlineSettlement.com), eligible claims will receive a pro rata share of the applicable settlement funds for each class in which the claim(s) qualify. Only eligible claims for U.S. originating travel (one-way or roundtrip) will be compensated.

Defendants:

Air France; Air New Zealand; All Nippon Airways; Cathay Pacific Airways; China Airlines; Lufthansa; EVA Airways; Japan Airlines; Malaysian Airlines; Philippine Airlines; Qantas Airways; Singapore Airlines; Thai Airways; and Vietnam Airlines.

Co-Conspirators

American Airlines; Asiana Airlines; British Airways; Continental Airlines; Delta Airlines; Korean Air Lines; KLM Royal Dutch Airlines; Northwest Airlines; Scandinavian Airlines System; Swiss International; United Airlines; and Virgin Atlantic Airways.



- <<SequenceNo>>

C. Purchase Information

Enter the total number of tickets purchased from a Defendant or Co-Conspirator that included at least one flight segment originating in the U.S. to Asia or Oceania (Australia, New Zealand or the Pacific Islands) from January 1, 2000 through December 1, 2016.

Column 1	Column 2
Airline that sold you ticket for travel	Number of Tickets that were Purchased for One-Way or Roundtrip Travel Originating in the United States
Air France	
Air New Zealand	
All Nippon Airways ("ANA")	
American Airlines	
Asiana Airlines	
British Airways	
Cathay Pacific Airways	
China Airlines ¹	
Continental Airlines	
Delta Airlines	
Lufthansa	
EVA Airways	
Japan Airlines ("JAL")	
KLM Royal Dutch Airlines	
Korean Airlines	
Malaysian Airlines	
Northwest Airlines	
Philippine Airlines	
Qantas Airways	
Scandinavian Airlines System ("SAS")	
Singapore Airlines	
Swiss International	
Thai Airways	
United Airlines	
Vietnam Airlines	
Virgin Atlantic Airways	

¹ China Airlines is the airline based in Taiwan. It should not be confused with Air China, based in the People's Republic of China.



* C L M N T I D N O * - <<SequenceNo>>

D. Proof Requirements

All claims are subject to audit and may require proof of purchase in the future.

E. Sign and Date Your Claim Form

I (we) declare under penalty of perjury, that the information in this Claim Form is true and correct to the best of my knowledge and that I purchased the number of tickets claimed above from January 1, 2000 to December 1, 2016. I understand that my Claim Form may be subject to audit, verification and Court review.

Signature

Title (if applicable)

Date

U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

**If You Bought an Airline Ticket between the U.S.
and Asia, Australia, New Zealand, or the Pacific Islands,
You Could Receive Money from Class Action Settlements.**

A Federal Court authorized this notice. This is not a solicitation.

- Lawsuits involving the price of transpacific airline tickets have been settled with Air New Zealand Limited ("ANZ"), China Airlines, Ltd. ("China Airlines"), EVA Airways Corporation ("EVA"), and Philippine Airlines, Inc. ("PAL") (collectively, "Settling Defendants"). The lawsuits were brought on behalf of consumers who bought a ticket for air travel that included at least one flight segment originating in the U.S. to Asia or Oceania at any time between January 1, 2000 and December 1, 2016.
- This is the second Notice in this case. Separate settlements were previously reached with eight Defendants. Settlements totaling \$49,900,000 (plus an additional \$750,000 to help pay a portion of the cost of notice and administration) have now been reached with four more Settling Defendants. The lawsuit is continuing against the remaining defendant (the "Non-Settling Defendant"). This Notice provides details of the proposed Settlements with the Settling Defendants and your rights in these lawsuits.
- The Settling Defendants have also agreed to certain cooperation in the litigation against the Non-Settling Defendant.
- For additional information, important documents, and case updates, visit the website AirlineSettlement.com.

YOUR LEGAL RIGHTS AND OPTIONS IN THESE SETTLEMENTS	
SUBMIT A CLAIM	This is the only way to receive a payment.
EXCLUDE YOURSELF	You will not receive a payment from the Settlements, but you will keep any rights you currently have to separately sue Defendants for the conduct that is the subject of these lawsuits.
OBJECT TO THE SETTLEMENTS	Write to the Court explaining why you have an objection to the Settlements.
GO TO THE HEARING	Ask to speak in Court about the Settlements.
DO NOTHING	You will not receive a cash recovery from the Settlements and you will give up any rights you currently have to separately sue Defendants for the conduct that is the subject of the lawsuits.

These rights and options – **and the deadlines to exercise them** – are explained in this Notice.

CALL TOLL FREE 1-800-439-1781 OR VISIT WWW.AIRLINESETTLEMENT.COM

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION	Page 3
1. What is this Notice about?	
2. What are the lawsuits about?	
3. What is a class action?	
WHO IS INCLUDED	Page 3
4. How do I know if I am included in the classes?	
5. Who is not included in the classes?	
6. Who are the Defendants and Alleged Co-Conspirators?	
7. Why are there Settlements but the lawsuit is continuing?	
THE SETTLEMENTS' BENEFITS	Page 5
8. What do the Settlements provide?	
9. How much money will I receive?	
HOW TO GET BENEFITS	Page 5
10. How do I get benefits?	
11. When will I get benefits?	
REMAIN IN THE CLASSES	Page 6
12. What am I giving up if I stay in the classes?	
EXCLUDE YOURSELF FROM THE CLASSES.....	Page 6
13. How do I get out of the classes?	
14. If I don't exclude myself, can I sue for the same thing later?	
15. If I exclude myself, can I still get benefits?	
OBJECT TO OR COMMENT ON THE SETTLEMENTS	Page 6
16. How do I object to or comment on the Settlements?	
17. What is the difference between excluding myself from the classes and objecting to the Settlements?	
THE LAWYERS REPRESENTING YOU.....	Page 7
18. Do I have a lawyer representing me?	
19. How will the lawyers be paid?	
THE FAIRNESS HEARING	Page 7
20. When and where will the Court decide whether to approve the Settlements?	
21. Do I have to come to the hearing?	
22. May I speak at the hearing?	
GET MORE INFORMATION.....	Page 8
23. Where can I get more information?	

BASIC INFORMATION

1. What is this Notice about?

This Notice is to inform you about settlements with multiple Defendants (the “Settlements”) that may affect your rights, before the Court decides whether to approve the Settlements.

The United States District Court for the Northern District of California presides over this case. The case is called *In re Transpacific Passenger Air Transportation Antitrust Litigation*, MDL No. 1913. The people that sued are called Plaintiffs, and the companies they sued are called the Defendants (*see* Question 6).

2. What are the lawsuits about?

The lawsuits claim that thirteen Defendants and their alleged co-conspirators agreed to fix the prices of airline tickets for travel between the United States and Asia/Oceania. As a result, ticket purchasers may have paid more than was necessary. The Defendant airlines deny they did anything wrong, and the Defendants who have agreed to settle the case have done so with no admission of liability. One of the Defendants—All Nippon Airways Company, Limited—has pled guilty to fixing the prices of certain discounted tickets for transpacific air transportation sold in the United States from at least as early as April 1, 2000 until at least April 1, 2004.

Settlements were previously reached in 2015 with eight Defendants. Settlements have now been reached with four more Defendants. This group of Defendants is called “Settling Defendants” and includes the following airlines: Air New Zealand Limited (“ANZ”), China Airlines, Ltd. (“China Airlines”), EVA Airways Corporation (“EVA”), and Philippine Airlines, Inc. (“PAL”). The lawsuit is ongoing against the remaining Defendant airline, All Nippon Airways Company, Limited.

For a full list of Defendants, *see* Question 6 below. This list is also available on the Settlement Website, www.AirlineSettlement.com.

3. What is a class action?

In a class action, one or more people called class representatives sue on behalf of a group or a “class” of people who have similar claims. In a class action, the court resolves the issues for all class members, except for those who exclude themselves from the class. In this case, there are several classes described in the settlement agreements.

WHO IS INCLUDED

4. How do I know if I am included in the classes?

The specific details on class membership are provided below for each Settlement Class:

ANZ Settlement Class:

All persons and entities that purchased passenger air transportation originating in the United States that included at least one flight segment to Asia or Oceania, from Defendants or their alleged co-conspirators, or any predecessor, subsidiary, or affiliate thereof, at any time between January 1, 2000 and December 1, 2016.

EVA/China Airlines Settlement Class:

All persons and entities that purchased passenger air transportation originating in the United States that included at least one flight segment to Asia or Oceania, from Defendants, or any predecessor, subsidiary, or affiliate thereof, at any time between January 1, 2000 and December 1, 2016.

PAL Settlement Class:

All persons and entities that purchased passenger air transportation originating in the United States that included at least one flight segment to Asia or Oceania, from Defendants or their co-conspirators, or any predecessor, subsidiary, or affiliate thereof, at any time between January 1, 2000 and December 1, 2016.

5. Who is not included in the classes?

The classes do not include:

- Governmental entities;
- Defendants and any officers, directors, employees and immediate families; and
- Former defendants in the lawsuits and any parent, subsidiary, or affiliate.

6. Who are the Defendants and Alleged Co-Conspirators?

The Settling Defendants are:

- Air New Zealand Limited;
- China Airlines, Ltd. (Taiwan);¹
- EVA Airways Corporation; and
- Philippine Airlines, Inc.

The alleged Defendants and Co-Conspirators are:

- American Airlines, Inc.;
- Asiana Airlines, Inc.;
- British Airways, Plc.;
- Continental Airlines, Inc.;
- Delta Airlines, Inc.;
- Deutsche Lufthansa AG;
- The International Air Transport Association;
- Korean Airlines, Ltd.;
- KLM Royal Dutch Airlines;
- Northwest Airlines Corporation;
- Scandinavian Airlines System;
- Swiss International AG;
- United Airlines, Inc.; and
- Virgin Atlantic Airways, Ltd.

The following airlines previously agreed to settlements and the Court has given final approval to these settlements:

- Cathay Pacific Airways Limited;
- Japan Airlines International Company, Ltd.;
- Malaysian Airline System Berhad;
- Qantas Airways Limited;
- Singapore Airlines Limited;
- Societe Air France;
- Thai Airways International Public Co., Ltd.; and
- Vietnam Airlines Company Limited.

The Non-Settling Defendant is:

- All Nippon Airways Company, Limited (Non-Settling Defendant)

¹ Air China Limited, an airline based in the People's Republic of China, is neither a Defendant nor a Co-Conspirator.

7. Why are there Settlements but the lawsuit is continuing?

Settlements were previously reached with eight of the Defendant airlines. The Settling Defendants in these Settlements are ANZ, China Airlines, EVA, and PAL. The remaining Non-Settling Defendant has **not** agreed to settle so the lawsuit continues against it. The Non-Settling Defendant is All Nippon Airways Company, Limited.

Additional money may become available in the future as a result of a trial or future settlements. Alternatively, the litigation may be resolved in favor of the Non-Settling Defendant and no additional money may become available. There is no guarantee as to what will happen.

THE SETTLEMENTS' BENEFITS**8. What do the Settlements provide?**

The Court has already approved eight settlements totaling \$39,502,000. There are four new Settlements being presented to the Court for approval.

Settlement Amounts: Each Defendant airline's contribution to the settlement fund is:

Company	Contribution
ANZ	\$400,000
China Airlines	\$19,500,000
EVA	\$21,000,000
PAL	\$9,000,000
Total	\$49,900,000²

Any interest earned will be added to the settlement fund. The Settling Defendants have also agreed to certain cooperation with the Class Counsel to prosecute the claims against the Non-Settling Defendant. It is possible that any money left after paying members of the classes will be donated to charities approved by the Court. More details are in the settlement agreements, available at www.AirlineSettlement.com.

9. How much money will I receive?

At this time, it is unknown how much each eligible member of the classes will receive. In order to receive a payment, you will need to file a valid claim form. To save time and money, payments will be made at the conclusion of the case.

Pursuant to the proposed plan of allocation, eligible claims will receive a pro rata share of the applicable settlement funds for each class in which the claim(s) qualify. However, based on the claims that have already been filed, it is estimated that the average payment could be in the range of \$8.50 per eligible ticket claimed. This does not include amounts that will be paid on any future settlement or judgment involving ANA. The claims administrator received a large number of claims just before a claims deadline concerning an earlier round of settlements, and these claims have not yet been subjected to audit. As a result, the number of claimed tickets that are determined to be eligible may be reduced, and the corresponding amount of compensation to be allocated among the remaining eligible claims will increase. These Settlement Classes are not releasing claims for Asia/Oceania originating travel as part of the settlement agreements.

HOW TO GET BENEFITS**10. How do I get benefits?**

Provided that the Court finally approves the Settlements, you must complete and submit a Claim Form online or mail a paper Claim Form to benefit from the Settlements. If you filed a claim in the previous settlements and want to supplement your original Claim Form with an updated number of tickets you want to claim, you will need to complete and submit a new Claim Form. The deadline to submit a Claim Form is **December 31, 2018**. For additional information regarding completing a Claim Form, visit www.AirlineSettlement.com or call 1-800-439-1781.

² ANZ, China Airlines, and EVA have agreed to provide an additional \$250,000 each to cover the costs associated with providing this notice and partially fund the cost of administering the Settlements.

11. When will I get benefits?

Disbursement of the Settlement Funds will be made at the end of the case.

REMAIN IN THE CLASSES

12. What am I giving up if I stay in the classes?

Unless you exclude yourself, you will give up your right to sue the Settling Defendants for any claims described in the releases. You also will be bound by any decisions by the Court relating to the lawsuit and Settlements.

In return for paying the settlement amounts, the Settling Defendants will be released for certain claims relating to the facts underlying these lawsuits. The settlement agreements describe the releases, so read them carefully. If you have any questions, you can talk to Class Counsel listed in Question 18 for free or you can talk to your own lawyer if you have questions about what this means. The settlement agreements and the specific releases are available at www.AirlineSettlement.com.

EXCLUDE YOURSELF FROM THE CLASSES

13. How do I get out of the classes?

To exclude yourself from one or more of the classes, you must send a letter (a "Request for Exclusion") by mail. It must include:

- Your name, address, and telephone number;
- A statement that you want to be excluded from a Settlement class or several of the Settlement classes and an indication of which Settlement class(es) you are excluding yourself from (*e.g.*, "I/we hereby request that I/we be excluded from all of the proposed Settlement classes OR [indicate which Settlement class or classes you are seeking to exclude yourself from] in the *In re Transpacific Passenger Air Transportation Antitrust Litigation*"); and
- Your signature.

Your Request for Exclusion must be postmarked no later than **August 30, 2018**, to:

Transpacific Air Settlement Exclusions
P.O. Box 2209
Faribault, MN 55021-1609

14. If I don't exclude myself, can I sue for the same thing later?

No. Unless you exclude yourself, you will remain in the classes and give up any right to separately sue the Settling Defendants for the claims released by the settlement agreements.

15. If I exclude myself, can I still get benefits?

No. If you exclude yourself, you may not make a claim, and you will not be eligible to receive money from the Settlements.

OBJECT TO OR COMMENT ON THE SETTLEMENTS

16. How do I object to or comment on the Settlements?

If you have objections to any aspect of the Settlements, you may express your views to the Court by writing to the address below. It must include your:

- Name, address, and telephone number;
- The case name and number (*In re Transpacific Passenger Air Transportation Antitrust Litigation*, N.D. Cal. Case No. 3:07-cv-05634-CRB);
- Proof of membership in the Settlement classes;
- The name, address, and telephone number of any lawyer assisting you;
- Specific details surrounding your objection; and
- Your signature.

CALL TOLL FREE 1-800-439-1781 OR VISIT WWW.AIRLINESETTLEMENT.COM

You can ask the Court to deny approval of the Settlements by filing an objection. You can't ask the Court to order a larger settlement; the Court can only approve or deny the Settlements. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object.

Any comment or objection must be postmarked no later than **August 30, 2018** and mailed to these two addresses:

COURT	CLASS COUNSEL
Clerk's Office United States District Court for the District of Northern California 450 Golden Gate Avenue San Francisco, CA 94102	Transpacific Air Settlement Objections P.O. Box 2209 Faribault, MN 55021-1609

17. What is the difference between excluding myself from the classes and objecting to the Settlements?

If you exclude yourself from the classes, you are telling the Court that you don't want to participate in the Settlements. Therefore, you will not be eligible to receive any benefits from the Settlements, and you will not be able to object to the Settlements. Objecting to the Settlements simply means telling the Court that you don't like something about the Settlements. Objecting does not disqualify you from making a claim nor does it make you ineligible to receive a payment.

THE LAWYERS REPRESENTING YOU

18. Do I have a lawyer representing me?

The Court has appointed the following law firms as Class Counsel to represent you and all other members of the classes:

Cotchett, Pitre & McCarthy LLP San Francisco Airport Office Center 840 Malcolm Road, Suite 200 Burlingame, CA 94010	Hausfeld, LLP 44 Montgomery Street Suite 3400 San Francisco, CA 94104
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If you have any questions about the Settlements, you can talk to Class Counsel or you can retain your own lawyer at your own expense.

19. How will the lawyers be paid?

You do not need to separately pay Class Counsel. Class Counsel have not requested attorneys' fees or reimbursement of costs at this time. Class Counsel will request a fee award in connection with the final approval of the Settlements. With respect to the settlement agreements described in this Notice, Class Counsel's fee request will not exceed one-third of the settlement amounts. Class Counsel has also asked the Court to approve an incentive award for an additional class representative in an amount not to exceed \$7,500 for the time and effort she has spent prosecuting the litigation. Class Counsel will submit their motion for fees and costs at least 35 days prior to the final approval hearing.

THE FAIRNESS HEARING

20. When and where will the Court decide whether to approve the Settlements?

The Court will hold a Fairness Hearing on **September 14, 2018 at 10:00 a.m.**, at the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, Courtroom 6, 17th Floor. The hearing may be moved to a different date or time without additional notice, so check www.AirlineSettlement.com for current information. At the Fairness Hearing, the Court will consider whether these Settlements are fair, reasonable, and adequate. If there are objections or comments, the Court will consider them at that time. After the hearing, the Court will decide whether to grant final approval to each of the Settlements. We do not know how long these decisions will take.

21. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to come at your own expense. If you send an objection or comment, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also retain a lawyer to appear on your behalf at your own expense.

22. May I speak at the hearing?

If you send an objection or comment on the Settlements as described in Question 16, you will have the right to speak at the Fairness hearing. You cannot speak at the hearing if you exclude yourself from the classes.

GET MORE INFORMATION

23. Where can I get more information?

This Notice summarizes the Settlements. You can get more information about the Settlements at www.AirlineSettlement.com, by calling 1-800-439-1781, or by writing to Transpacific Air Settlement, P.O. Box 2209, Faribault, MN 55021-1609.

You can also get copies of the official Court file by accessing the Court docket in this case:

- Through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or
- By visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THESE SETTLEMENTS OR THE CLAIM PROCESS.

Exhibit B

TRANSPACIFIC AIR PASSENGER EXCLUSION REQUESTS

SEQ	Name1	Name2	Exclusion Request Timely
1	Elaine K Gano		Yes

Exhibit C

Must Be Postmarked
No Later Than
September 19, 2015

FOR OFFICIAL USE ONLY

03

Page 1 of 4



TRANSPACIFIC AIR TRANSPORTATION SETTLEMENT CLAIM FORM

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

Provided that the Court finally approves the Settlements, you must complete and submit a Claim Form online or mail a paper Claim Form. The earliest deadline to submit a Claim Form is **September 19, 2015**, but you will have 120 days after the Settlements become final and effective to file your claim. Claim Forms may be submitted online at www.AirlineSettlement.com or by mail to: Transpacific Air Settlement, P.O. Box 2209, Faribault, MN 55021-1609, USA.

A. Class Member Information

Name: Bruce Wheatley

Person to Contact in Regard to this Claim: Bruce Wheatley

Street Address: 15885 NW 16th Ct

City: Pembroke Pines

State: FL

Zip: 33028

Daytime Telephone Number: (954) 850-9480

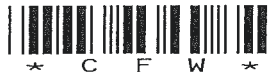
Email Address: GYNAE@AOL.COM

Were your purchases for business purposes? ☐ Yes ☐ No

B. Class Definition

You are included in one or more of the Settlement Classes (listed on next page) if you bought a ticket for air travel from one of the Defendants or Co-Conspirators (listed on next page); the ticket included at least one flight segment between the U.S. and Asia or the U.S. and Oceania (Australia, New Zealand or the Pacific Islands); your purchase was made between January 1, 2000 and the Effective Date,¹ and you were not reimbursed for your purchase by someone else. The Settlement Classes do not include: Purchases on Korean Air Lines, Ltd. and/or Asiana Airlines, Inc., between the U.S. and the Republic of Korea (except for the settlement with Thai Airways, which does not contain this limitation); governmental entities; Defendants and any officers, directors, employees and immediate families; and former defendants in the lawsuits and any parent, subsidiary, or affiliate.

¹ The Effective Date is the date all of the following conditions have been met: (a) the Court has entered Judgment; and (b) the time for appeal has expired, or if an appeal occurs, the Judgment has been affirmed and no further appeals are possible.





Settlement Classes:

JAL Settlement Class:

All persons and entities that purchased passenger air transportation that included at least one flight segment between the United States and Asia or Oceania from Defendants, or any predecessor, subsidiary, or affiliate thereof, at any time between January 1, 2000 and the Effective Date.

Air France/Singapore Airlines/Vietnam Airlines Settlement Class:

All persons and entities that purchased passenger air transportation that included at least one flight segment between the United States and Asia or Oceania from Defendants or their co-conspirators, or any predecessor, subsidiary or affiliate thereof, at any time between January 1, 2000 and the Effective Date.

Thai Airways Settlement Class:

All persons and entities that purchased passenger air transportation that included at least one flight segment between the United States and Asia or Oceania from Defendants, or any predecessor, subsidiary or affiliate thereof, at any time between January 1, 2000 and the Effective Date.

Malaysian Air Settlement Class:

All persons and entities that purchased passenger air transportation that included at least one flight segment between the United States and Asia/Oceania from Defendants or their co-conspirators, or any predecessor, subsidiary or affiliate thereof, at any time between January 1, 2000 and the Effective Date.

Cathay Pacific Airways/Qantas Settlement Class:

All persons and entities that purchased passenger air transportation that included at least one flight segment between the United States and Asia or Oceania from Defendants, or any predecessor, subsidiary or affiliate thereof, at any time between January 1, 2000 and the Effective Date.

Eligible claims will receive a pro rata share of the applicable settlement funds for each class in which the claim(s) qualify as follows: For the JAL Settlement Class, all claims for U.S. originating travel (one-way or roundtrip) and Asia/Oceania originating travel (one-way or roundtrip) will be compensated. With respect to the other Settlement Classes, only eligible claims for U.S. originating travel (one-way or roundtrip) will be compensated. These Settlement Classes, with the exception of JAL's, are not releasing claims for Asia/Oceania originating travel as part of the settlement agreements.

Defendants:

Air France; Air New Zealand; All Nippon Airways; Cathay Pacific Airways; China Airlines; Lufthansa; EVA Airways; Japan Airlines; Malaysian Airlines; Philippine Airlines; Qantas Airways; Singapore Airlines; Thai Airways; and Vietnam Airlines.

Co-Conspirators

American Airlines; Asiana Airlines; British Airways; Continental Airlines; Delta Airlines; Korean Air Lines; KLM Royal Dutch Airlines; Northwest Airlines; Scandinavian Airlines System; Swiss International; United Airlines; and Virgin Atlantic Airways.



C. Purchase Information

Enter the total number of tickets purchased from a Defendant or Co-Conspirator where at least one flight segment was between the U.S. and Asia or Oceania (Australia, New Zealand or the Pacific Islands) from January 1, 2000 through the Effective Date.

Column 1	Column 2	Column 3
Airline that sold you ticket for travel	Total Number of Tickets Purchased for travel between the U.S. and Asia/Oceania	Number of Tickets Identified in Column 2 that were Purchased for One-Way or Roundtrip Travel Originating in the United States
Air France		
Air New Zealand		
All Nippon Airways ("ANA")		
American Airlines		
British Airways		
Cathay Pacific Airways		
China Airlines ²		
Continental Airlines		
Delta Airlines		
Lufthansa		
EVA Airways		
Japan Airlines ("JAL")		
KLM Royal Dutch Airlines		
Malaysian Airlines		
Northwest Airlines		
Philippine Airlines	11	11
Qantas Airways		
Scandinavian Airlines System ("SAS")		
Singapore Airlines		
Swiss International		
Thai Airways		
United Airlines		
Vietnam Airlines		
Virgin Atlantic Airways		

² China Airlines is the airline based in Taiwan. It should not be confused with Air China, based in the People's Republic of China.

**C. Purchase Information (continued)**

With respect to claims concerning travel on Asiana Airlines and/or Korean Airlines where at least one flight segment was between the U.S. and Asia or Oceania (Australia, New Zealand or the Pacific Islands) from January 1, 2000 through the Effective Date, you must also fill out the following section:

Column 1	Column 2	Column 3	Column 4	Column 5
Airline that sold you ticket for travel	Total Number of Tickets Purchased for travel between the U.S. and Asia/Oceania	Number of Tickets Identified in Column No. 2 that were Purchased for One-Way or Roundtrip Travel Originating in the United States	Number of Tickets Identified in Column No. 3 where the Republic of Korea was the destination	Number of Tickets Identified in Column No. 2 that were Purchased for One-Way or Roundtrip Travel Originating in the Republic of Korea
Asiana Airlines				
Korean Airlines				

D. Proof Requirements

All claims are subject to audit and may require proof of purchase in the future.

E. Sign and Date Your Claim Form

I (we) declare under penalty of perjury, that the information in this Claim Form is true and correct to the best of my knowledge and that I purchased the number of tickets claimed above from January 1, 2000 to the Effective Date. I understand that my Claim Form may be subject to audit, verification and Court review.

/s/ Bruce Wheatley
Signature

Title (if applicable)

3 / 6 / 15
Date