

1 Adam J. Zapala (245748)  
Elizabeth T. Castillo (280502)  
2 **COTCHETT, PITRE & McCARTHY, LLP**  
840 Malcolm Road  
3 Burlingame, CA 94010  
4 Phone: (650) 697-6000  
5 Fax: (650) 697-0577  
6 azapala@cpmlegal.com  
ecastillo@cpmlegal.com

Michael P. Lehmann (77152)  
Christopher L. Lebsock (184546)  
Seth R. Gassman (311702)  
**HAUSFELD LLP**  
600 Montgomery Street, Suite 3200  
San Francisco, CA 94111  
Phone: (415) 633-1908  
Fax: (415) 358-4980  
mlehmann@hausfeld.com  
clebsock@hausfeld.com  
sgassman@hausfeld.com

7 *Co-Lead Counsel for Plaintiffs*

8  
9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISION**

12 **IN RE TRANSPACIFIC PASSENGER**  
13 **AIR TRANSPORTATION**  
14 **ANTITRUST LITIGATION**

Civil Case No. 3:07-cv-05634-CRB  
MDL No. 1913

15 **This Document Relates To:**  
16 **ALL ACTIONS**

**PLAINTIFFS' ADMINISTRATIVE MOTION**  
**TO CORRECT DECLARATION OF JOEL**  
**BOTZET RE: CLAIMS ADMINISTRATION**  
**AND DISTRIBUTION OF NET**  
**SETTLEMENT FUND (ECF NO. 1322-1)**

1 **I. INTRODUCTION**

2 Pursuant to Rule 7-11 of the Local Rules of Practice in Civil Proceedings before the  
3 United States District Court of the Northern District of California, Plaintiffs hereby submit the  
4 following motion for administrative relief, requesting that the Court grant this motion to correct  
5 the Declaration of Joel K. Botzet Re: Claims Administration and Distribution of Net Settlement  
6 Fund (ECF No. 1322-1) (“Botzet Declaration”) submitted in support of Plaintiffs’ Motion for  
7 Authorization to Distribute Net Settlement Funds (ECF No. 1322) (“Distribution Motion”). The  
8 Botzet Declaration inadvertently excluded two valid claims from its settlement distribution and  
9 calculation. This motion seeks to provide the most updated settlement distribution statistics to the  
10 Court through the submission of the Corrected Declaration of Joel K. Botzet (“Corrected Botzet  
11 Declaration”). The Corrected Botzet Declaration attaches Exhibits A through D. Exhibits A and  
12 B do not contain any corrections. Exhibits C and D include corrections resulting from the  
13 inclusion of the two valid claims.

14 **II. DISCUSSION**

15 On January 1, 2022, Plaintiffs filed the Distribution Motion, which provided information  
16 regarding claims processing and the allocation and distribution of the Net Settlement Funds to the  
17 Settlement Classes and sought the Court’s authorization for said distribution (ECF No. 1322). On  
18 February 3, 2022, the Court entered an order granting the Distribution Motion (ECF No. 1327).  
19 On March 2, 2022, the Court-appointed claims administrator, Rust Consulting, Inc. (“Rust”),  
20 informed Lead Counsel that it inadvertently excluded two valid claims from its settlement  
21 distribution and calculation. Corrected Botzet Decl. ¶ 4. Rust conducted a review of all invalid  
22 claims again to ensure no other valid claims were inadvertently excluded. *Id.* The value of the  
23 two valid claims is \$37,244.27 and \$25.17, respectively. *Id.*

24 These two claims at issue are among the 96,133 claims submitted for payment from net  
25 settlement funds of over \$104 million. Botzet Decl, Ex. D; Corrected Botzet Decl., Ex. D. By  
26 including these claims, the number of valid claims increases from 61,768 to 61,770 and the  
27  
28

1 amount of the initial distribution remains largely the same.<sup>1</sup> Botzet Decl. ¶ 24; Corrected Botzet  
 2 Decl. ¶ 24. Given the relatively small value of the two claims at issue vis-à-vis the net settlement  
 3 funds (*i.e.*, they represent <0.04% or a fraction of one percent of the Net Settlement Funds),  
 4 including them in the settlement distribution and calculation modestly changes the statistics  
 5 previously provided to the Court (*e.g.*, the average payment decreases from \$1,689.99 to  
 6 \$1,689.93; the median payment decreases from \$43.53 to \$43.52). Botzet Decl, Ex. D; Corrected  
 7 Botzet Decl., Ex. D. The modest changes to the statistics are provided in the Corrected Botzet  
 8 Declaration. *See, generally*, Corrected Botzet Decl.

9 As the two claims at issue are valid, Lead Counsel requests the Court grant this  
 10 administration motion to correct the Botzet Declaration. The inclusion of these claims will not  
 11 affect the timing of distribution, which Lead Counsel and Rust anticipate will occur on or before  
 12 March 17, 2022. Lead Counsel will post this administrative motion, the Corrected Botzet  
 13 Declaration and exhibits thereto, and the Court's order on this motion to the settlement website  
 14 (airlinesettlement.com) to provide the most updated settlement distribution statistics to the  
 15 Settlement Classes.

### 16 **III. CONCLUSION**

17 For the foregoing reasons, Plaintiffs request the Court grant this administrative motion to  
 18 correct the Botzet Declaration to include the two valid claims and update the settlement  
 19 distribution and calculation statistics.

21 Dated: March 8, 2022

Respectfully submitted,

22 /s/ Adam J. Zapala

/s/ Christopher L. Lebsock

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600 Montgomery Street, Suite 3200

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 27 <sup>1</sup> The net settlement funds total \$104,388,254.38. Botzet Decl. ¶ 24; Corrected Botzet Decl. ¶ 24.  
 28 By including the two claims at issue, the amount of the initial distribution modestly changes from  
 \$104,387,133.10 to \$104,387,320.59 due to rounding to the nearest cent when calculating the *pro*  
*rata* share per qualified claim. *Id.*

1 Phone: (650) 697-6000  
2 Fax: (650) 697-0577  
3 azapala@cpmlegal.com  
4 ecastillo@cpmlegal.com

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Phone: (415) 633-1908  
Fax: (415) 358-4980  
mlehmann@hausfeld.com  
clebsock@hausfeld.com  
sgassman@hausfeld.com

5 *Co-Lead Counsel for Plaintiffs*  
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