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Class Counsel

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MATTHEW EDWARDS, et al., individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

NATIONAL MILK PRODUCERS
FEDERATION, aka COOPERATIVES
WORKING TOGETHER; DAIRY FARMERS
OF AMERICA, INC.; LAND O'LAKES, INC.;
DAIRYLEA COOPERATIVE INC.; and
AGRI-MARK, INC.,

Defendants.

Case No. 11-CV-04766-JSW

[consolidated with 11-CV-04791-JSW
and 11-CV-05253-JSW]

**UNOPPOSED AMENDED
DISTRIBUTION SCHEDULE AND
~~PROPOSED~~ ORDER
AS MODIFIED**

WHEREAS on July 17, 2017, the Court entered a schedule for the distribution of settlement funds to class members (Dkt. No. 492);

WHEREAS three objectors thereafter filed a total of four appeals (Nos. 17-16456, 17-16459, 17-16541, 17-16924);

WHEREAS the appeals have now been fully resolved;

WHEREAS counsel for Plaintiffs consulted with counsel for Defendants regarding the below revised distribution schedule and they consented to its entry;

WHEREAS Plaintiffs request entry of the below revised distribution schedule, as further detailed in the declaration of Chris Whipps, CEO of Sipree, Inc., d/b/a DigitalPay:

Event	Date for Completion
Allow further appeal period to pass	July 26, 2021
Warm Up DigitalPay emails claimants an initial notice (a “warm up”) that communicates payment is soon coming and provides a date range of when payee will see payment. This email sets expectations and reinforces credibility of the payment to be received.	August 27 to September 14, 2021 If entry of the Court’s order re distribution is later than July 26, 2021, these dates will be adjusted accordingly.
Phase I: Payment Notification and Receipt DigitalPay issues payments (“payment notification”) to claimants via email. From this communication, claimants will be able to select where they would like to receive funds. This action transfers funds from the settlement fund to the possession of the payee. Paper Checks Issued Claims administrator KCC to mail paper checks on September 27 with 60-day expiration.	September 20 to October 14, 2021
Payment Expiration All digital payments issued in Phase I will expire (each digital payment will expire 14 days from the rolling notification; the vast majority of payments taken will occur in a ~72-hour window from notification). While a payment is active—but has	October 28, 2021

1	not yet been taken—payees will receive two emails	
2	to remind them they have funds waiting.	
3	Reissue digital payments as necessary on November	November 29, 2021
4	15 and allow a further two weeks for expiration.	
5	Report Results of Phase I	December 15, 2021
6	Claims administrator DigitalPay to identify and	
7	report funds that have not yet been taken by payees.	
8	Phase II: Push Distribution	January 5, 2021
9	Claims administrator DigitalPay securely delivers a	2022
10	digital debit card “push distribution” to all payees	
11	who did not act on the payment they were issued in	
12	Phase I. This card is the named property of the	
13	payee and delivers live funds. No bank account is	
14	required to use this card. This final phase delivers	
15	funds to all entitled claimants and takes the	
16	settlement balance to \$0 (except for outstanding	
17	physical checks issued by KCC).	
18	Claims administrator KCC to reissue checks with	
19	30-day expiration to those who did not cash 60 days	
20	from first issuance.	
21	Final Reporting	February 24, 2022
22	Claims administrator DigitalPay to provide final	
23	report regarding the disbursement of the settlement	
24	funds.	
25	Claims administrator KCC to identify and report	
26	checks that have not been cashed 30 days from re-	
27	issuance.	
28	Any remaining funds will be distributed to the	
	Attorneys General for the Class jurisdictions for use	
	in prosecuting consumer antitrust claims.	

THEREFORE Plaintiffs respectfully request that the Court enter the order below, approving this amended schedule. Upon entry, counsel will update the class website with the schedule.

Respectfully submitted,

DATED: July 19, 2021

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Class Counsel

The unopposed amended distribution schedule set forth above IS SO ORDERED. Counsel shall update the class website with the amended schedule. IT IS SO ORDERED:

Dated the 20th day of July 2021


The Honorable Jeffrey S. White