

Appendix 8-4 Tables of Response Rate Levels

**TABLE I: RESPONSE RATES WHEN COMMON FUND DISTRIBUTED
PRO RATA AMONG THOSE FILING PROOFS OF CLAIM**

A. Antitrust Cases:	Total class mem- bers (potential claimants)	How notified	No of exclusions	No of claims filed	Claims filed as % of total class members
<i>Althoff's Inc v Sterling Faucet Co, No 71 C 2477 (ND Ill Oct 14, 1971), discussed in 1976 Am B Found Res J1317-18</i>	\$7,000*	By mail \$7,000 plumbing con- tractors	137	103	.28%
<i>Antibiotic Antitrust Actions, In re, 410 F Supp 706 (D Minn 1975) (6 states and consumer classes, settlement of \$39.6 million of which \$26.6 million was alloca- ted to the consumer settlement)</i>	In excess of 12 million consumers	Franked bulk mail notice to 12 million "oc- cupants" in each household, from tax roll lists in 6 states	Unknown	961,000 claims filed (totaling \$200 million in original purchase dollars, reduced to 61% of this amount after audit)	8.18%
<i>In re Armored Car Antitrust Litig, 645 F2d 488 (5th Cir 1981)</i>	175,000*	By mail 175,000 By publication 11 major US newspapers		8,000	4.57%

* Figure reflects number of notices sent to potential class members.

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A. Antitrust Cases:	Total class members (potential claimants)	How notified	No of exclusions	No of claims filed	Claims filed as % of total class members
<i>Butkus v Chicken Unlimited Enters Inc</i> , 15 Fed R Serv 2d (Callaghan) 1067, 1971 Trade Cas (CCH) ¶73,780 (ND Ill Nov 5, 1971), discussed in 1976 ABF Res J 1314-16	75*	By mail 75 current franchisees	43	18 (includes 4 who were no longer current franchisees at time of settlement)	24%
<i>Chicken Antitrust Litig. In re, 560 F Supp 957 (ND Ga Mar 7, 1980)</i>	218,900*	By mail 218,900 By publication 11 trade journals		2,404	1.1%
<i>Corona Constr Co v Ampress Brick Co, No 73 C 1082 (ND Ill Apr 26, 1973), discussed in 1976 ABF Res J 1313-14</i>	2,400*	By mail 2400 (direct purchasers) By publication Chicago Tribune Chicago Daily News		188	7.8%
<i>Dorey Corp v El duPont de Nemours & Co, No 74 Civ 8826 (SDNY 1975), 1975-2 Trade Cas (CCH) ¶60,576 (SDNY Oct 22, 1975)</i>	10,275*	By mail 10,275		1,700	16.5%

* Figure reflects number of notices sent to potential class members.

A. Antitrust Cases:	Total class members (potential claimants)	How notified	No of exclusions	No of claims filed	Claims filed as % of total class members
<i>Folding Carton Antitrust Litig. In re, 557 F Supp 1091 (ND Ill 1983)</i>	6,000*	By mail 6,000 (direct purchasers)		2,632	43.87%
<i>GC Wayside Lumber, Inc v Electric Fuse Mfrs Guild, No 78 C 2349 (EDNY Oct 26, 1982)</i>	27,000*	By mail 27,000		279	1.03%
<i>General Glass Co v Globe Glass & Trim Co, No 71 C 921 (ND Ill filed Feb 27, 1973), discussed in 1976 ABF Res J 1319</i>	301*	By mail 301	18	14	4.65%
<i>Gypsum Cases, In re, 386 F Supp 959 (ND Cal 1974)</i>	471,315	By mail 471,315 By publication 6 trade journals		72,000	15.3%
<i>Liebman v JW Petersen Coal & Oil Co, 63 FRD 684 (ND Ill 1974), discussed in 1976 Am B Found Res J 1310-12</i>	27,000*	By mail 27,000 (8,533 undeliverable) Report on Second Class Notice (no. unknown)		9,400 [8,000 (1st mailing) plus 1,400 (2d notice)]	34.8%

* Figure reflects number of notices sent to potential class members.

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A. Antitrust Cases:	Total class members (potential claimants)	How notified	No of exclusions	No of claims filed	Claims filed as % of total class members
Philadelphia Housing Authority v American Radiator & Standard Sanitary Corp, 322 F Supp 834 (ED Pa 1971) aff'd & modified, sub nom Ace Heating & Plumbing Co v Crane Co, 453 F2d 30 (3d Cir 1971)	243,000*	By mail 243,000 (est) contractors	565	1,765	72%
West Virginia v Chas Pfizer & Co, 440 F2d 1079 (2d Cir), cert denied, 404 US 871 (1971)	55,000 (Wholesaler Class)	By mail 1st Class (no. unknown) By publication every daily English & Spanish newspaper in each state	1,500	4,100	7.45%
Wiring Device Antitrust Litig. In re, MDL No 331 (EDNY Aug 6, 1981)	20,000*	By mail 20,000		1,398	6.99%
B. Securities Cases: Duban v Diversified Mortgage Investors, 87 FRD 33 (SDNY 1980)	65,000*	By mail and By publication 65,000 (est)	Unknown	9,277 [8,822 (timely), 455 (late)]	14.27%

* Figure reflects number of notices sent to potential class members.