



**I. ACTIVITIES IN THE REPORTING PERIOD.**

**A. APPROVAL OF TWENTY-NINTH IRF DISTRIBUTION REQUEST.**

1. On November 13, 2024, the Special Master filed the *Special Master's Request for Approval of Twenty-Ninth Distribution of Individual Restitution Fund* [Docket No. 211] (the "Twenty-Ninth IRF Distribution Request"), seeking Court-approval for: (i) a twenty-ninth distribution from the IRF to compensate one (1) eligible Claim; and denial of one (1) ineligible Claim.

2. Consistent with the procedures set forth in the Minutes of July 25, 2019 Conference with Special Master (the "July 2019 Minutes Order") [Docket No. 110], the Special Master notified the affected Claimants: (i) of their point award and the monetary value of the award (if any); (ii) of the filing of the Twenty-Ninth IRF Distribution Request; and (iii) that such Claimants may object to the Twenty-Ninth IRF Distribution Request by submitting a written response to the Special Master on or before December 10, 2024 (the "Objection Deadline").

3. As the Court is aware, there are two conditions that must be met for Claimants with compensable Claims to receive payment from the IRF. First, all Claimants must execute and submit to the Special Master the Court-approved release agreement (a "Release"). Additionally, if any Claimant was represented by counsel, such counsel must execute and submit to the Special Master a fee rider (a "Fee

Rider”) acknowledging and agreeing to abide by the restriction on attorney’s fees set forth in the IRF Methodology Order. [Docket No. 78, Page ID 2219].

4. On January 8, 2025, the Court entered an order granting the Special Master’s Request. *See Order Granting Special Master’s Request For Approval Of Twenty-Ninth Distribution Of Individual Restitution Fund* [Docket No. 214]. Accordingly, the Special Master will begin processing and making these payments, subject to the Modified Points Schedule and 2024 Point Value, on a rolling basis following receipt of the necessary documentation.

5. Since the Twenty-Ninth Distribution Request, the Special Master has administered, reviewed, analyzed, and evaluated six (6) additional Claims. As outlined in the Special Master’s Thirtieth Claim Approval Request filed contemporaneously herewith, the Special Master recommends disallowing four (4) of those claims as ineligible and allow two (2) of those claims for a combined amount of 6,150 points and \$1,377,600.00.

## **II. GOING FORWARD EFFORTS.**

### **A. BDO THIRD ANNUAL AGREED-UPON PROCEDURES.**

6. In August 2024, BDO USA LLP (“BDO”), the independent auditors previously retained by the Special Master, commenced work on the agreed-upon procedures on the payment of claims and expenses for the period beginning January 1, 2023 and ending December 31, 2023. The Special Master and his team are

working diligently to provide BDO the requested claim and expense payment information so that BDO may complete the agreed-upon procedures report. The Special Master submitted BDO's report to Chambers earlier this week. As stated in BDO's Independent Accountant's Report, the Special Master is pleased to report that no exceptions were noted in BDO's review.

**B. DISTRIBUTION OF REMAINING RESTITUTION FUNDS.**

7. The Restitution Order sets forth the timeline for the Special Master to distribute the IRF Restitution Funds which was amended by the Court's order of February 28, 2022 as follows:

Upon the later of (a) eight years after entry of the plea in this case (the time currently estimated by the defendant for the recall of its defective products to be completed), or (b) the date upon which such recall is complete, any funds remaining of the \$125,000,000 in restitution monies provided for in this paragraph shall be paid to the United States. However, upon reaching either date, the Special Master may request a reasonable extension in light of unresolved or anticipated claims, as circumstances warrant.

Order Amending Restitution Order [Docket No. 161], at ¶ 1. Upon the later of these two events occurring, the Special Master is required to return undistributed funds to the United States. Eight years "after entry of the plea in this case" is February 27, 2025, as the Plea Agreement is dated February 27, 2017. *See* Rule 11 Plea Agreement [Docket No. 23].

8. Following multiple communications with executives from Reorganized Takata and numerous other OEM representatives, it is the Special Master's

understanding that the Takata PSAN inflator recall is not anticipated to be completed for at least another two years. While the Special Master believes that the turnover requirement in the Restitution Order will not be triggered on February 27, 2025 because of the ongoing recall, in an abundance of caution, the Special Master requested that the Court grant a three-year extension of the Individual Restitution Fund's term through February 27, 2028.

9. On January 10, 2025, the Court entered an order amending paragraph 4 of the Restitution Order as requested. Order Amending Restitution Order [Docket No. 213] (“Upon the later of (a) *eleven years* after entry of the plea in this case (the time currently estimated by the defendant for the recall of its defective products to be completed), or (b) the date upon which such recall is complete, any funds remaining of the \$125,000,000 in restitution monies provided for in this paragraph shall be paid to the United States....”) (emphasis added).

### **C. CLAIM EVALUATION AND PROCESSING EFFORTS.**

10. The Special Master and his team continue to receive claims for compensation from the IRF and TATCTF (in his capacity as Trustee of that Trust) and will continue the process of reviewing, evaluating, and distributing funds on account of claims. The Special Master and his team will also continue to evaluate the claims data and recall completion rate data in connection with any future point-value evaluations. The Special Master and his claims evaluation team remain

committed to completing its initial evaluation of Claims within thirty (30) days of the Special Master's receipt thereof.

**CONCLUSION**

11. The Special Master will continue to perform his responsibilities and duties consistent with the Appointment Order and all other directives of this Court.

Dated: January 22, 2025

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'E. D. Green', written over a horizontal line.

Eric D. Green, Special Master