

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

## **If You Directly Bought An Optical Disk Drive Or An Optical Disk Drive Device, A Class Action Settlement May Affect You.**

Optical Disk Drive Devices include devices incorporating Optical Disk Drives such as desktop computers, mobile/laptop computers, videogame consoles, CD players/recorders, DVD players/recorders, and Blu-Ray disc players/recorders.

*A Federal Court authorized this Notice. This is not a solicitation from a lawyer.*

• **Why did I get this notice?** You or your company may have directly purchased an Optical Disk Drive or an Optical Disk Drive Device between **January 1, 2004 – December 31, 2011**. A direct purchaser is a person or business who bought an Optical Disk Drive or an Optical Disk Drive Device directly from one or more of the Defendants, affiliates, or subsidiaries. A direct purchaser is NOT a person or company who purchased an Optical Disk Drive or an Optical Disk Drive Device from a wholesaler or a retail store. If you are a direct purchaser, you have the right to know about the litigation and about your legal rights and options. The Court in charge of the case is the United States District Court for the Northern District of California, and the case is called *In re Optical Disk Drive Antitrust Litigation*, MDL No. 2143. The people who sued are called Plaintiffs and the companies they sued are called Defendants.

• On October 3, 2014 the Court denied Plaintiffs' motion for class certification, and Plaintiffs filed a Petition for Permission to Appeal Pursuant to Rule 23(f). On January 14, 2015 the Ninth Circuit Court of Appeals denied Plaintiffs' petition for permission to appeal the order denying class certification.

• Some Defendants in the Direct Purchaser *Optical Disk Drive Antitrust Litigation* have settled their claims ("Settling Defendants"). A settlement was reached with Hitachi-LG Data Storage, Inc., Hitachi-LG Data Storage Korea, Inc., LG Electronics, Inc., LG Electronics USA, and Hitachi, Ltd. (collectively, "HLDS") for \$26,000,000. The HLDS settlement released claims asserted in the Second Consolidated Direct Purchaser Class Action Complaint. Subsequently, a settlement was reached with Panasonic Corporation and Panasonic Corporation of North America (collectively, "Panasonic") for \$5,750,000. Finally, a settlement was reached with NEC Corporation ("NEC") for \$6,000,000 (plus up to an additional \$150,000 for notice costs). The Panasonic and NEC settlements released claims asserted in the Third Consolidated Direct Purchaser Class Action Complaint. The Court has finally approved each of the settlements with Settling Defendants and the settlement proceeds are ready to be distributed to qualified claimants. Attached to this Notice is a proof of claim form ("Claim Form") that has been approved by the Court. All Claim Forms must be postmarked or submitted online no later than June 22, 2015. Claims may be submitted online at **[www.ODDDirectPurchaserAntitrustSettlement.com](http://www.ODDDirectPurchaserAntitrustSettlement.com)**. Additional Claim Forms may be obtained at **[www.ODDDirectPurchaserAntitrustSettlement.com](http://www.ODDDirectPurchaserAntitrustSettlement.com)**, by calling 1-888-270-0759, or writing to ODD Direct Settlement, P.O. Box 808054, Petaluma, CA 94975-8054. Please do not contact the Court about claim administration.

• Class Counsel's Motion for Attorneys' Fees, Costs, and Incentive Awards is on file with the Court and available at **[www.ODDDirectPurchaserAntitrustSettlement.com](http://www.ODDDirectPurchaserAntitrustSettlement.com)**. Class Counsel have asked the Court for attorneys' fees not exceeding one-third (33.3%) of the Settlement Fund plus reimbursement of their costs and expenses, in accordance with the provisions of the Settlement Agreements. Class Counsel have also asked for incentive awards for the named plaintiffs. The Court has set a hearing on Class Counsel's Motion for Attorneys' Fees, Costs, and Incentive Awards for May 14, 2015 at 1:30 p.m. in Courtroom 3. Any comments or objections to Plaintiffs Motion for Attorneys' Fees, Costs, and Incentive Awards must be filed with the Court (Honorable Richard Seeborg, United States District Court, Northern District of California, 450 Golden Gate Avenue, Courtroom 3, 17th floor, San Francisco, CA 94102) on or before April 13, 2015.

Dated: March 23, 2015

BY ORDER OF THE COURT

**For More Information: Call 1-888-270-0759 or Visit [www.ODDDirectPurchaserAntitrustSettlement.com](http://www.ODDDirectPurchaserAntitrustSettlement.com)**

**CLAIMS MAY BE FILED ONLINE AT  
[www.ODDDirectPurchaserAntitrustSettlement.com](http://www.ODDDirectPurchaserAntitrustSettlement.com)**