

IN RE OPTICAL DISK DRIVE  
PRODUCTS ANTITRUST LITIGATION

Case No. 3:10-md-02143-RS

Must Be Postmarked  
No Later Than  
March 7, 2016

**ODDA3**



**PROOF OF CLAIM**

You are encouraged to file your claim online at  
[www.ODDDirectPurchaserAntitrustSettlement.com](http://www.ODDDirectPurchaserAntitrustSettlement.com).

If you choose to use this form, please type or neatly print all information.

ODDA3--  
<<FirstName>> <<LastName>>  
<<Addr1>> <<Addr2>>  
<<City>>, <<State>> <<Zip>>

**PART 1: IMPORTANT INFORMATION**  
**GENERAL INSTRUCTIONS**

Please note that you may file your claim online at [www.ODDDirectPurchaserAntitrustSettlement.com](http://www.ODDDirectPurchaserAntitrustSettlement.com). If you choose to do so, please disregard this paper claim form. This proof of claim form ("Claim Form") must be completed and returned by Class Members who seek payment from the Settlements. The claim must be postmarked or submitted online no later than March 7, 2016. If you fail to mail a timely, properly addressed Claim Form or timely submit your claim online, your claim may be rejected and you may be precluded from any recovery from the Settlements. Completed Claim Forms should be mailed to the Claims Administrator at:

*In re Optical Disk Drive Antitrust Litigation*  
c/o Gilardi & Co. LLC  
P.O. Box 808054  
Petaluma CA 94975-8054

or submitted online at: [www.ODDDirectPurchaserAntitrustSettlement.com](http://www.ODDDirectPurchaserAntitrustSettlement.com)

If you have inquiries regarding your claim, please call 1-888-270-0759 or email [info@ODDDirectPurchaserAntitrustSettlement.com](mailto:info@ODDDirectPurchaserAntitrustSettlement.com).

Members of the Class who did not timely and validly seek exclusion from the Settlement Class will be bound by the judgments entered approving these Settlements as to Defendants and the Releasees regardless of whether they submit a Claim Form.

**PART 2:**  
**CLAIMANT INFORMATION**

First Name                       
M.I.  Last Name

Company

Primary Address

Continuation of Primary Address

City                       
State   Zip Code

Telephone number     -     -      
Foreign Code    Telephone Number (International):     -     -

Email Address

Person to contact if there are questions regarding this claim:



FOR CLAIMS PROCESSING ONLY	OB <input type="text"/>	CB <input type="text"/>	<input type="radio"/> DOC <input type="radio"/> LC <input type="radio"/> REV	<input type="radio"/> RED <input type="radio"/> A <input type="radio"/> B
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## DEFINITIONS

A) "Class Period" or "Class Periods" means January 1, 2004 through December 31, 2011 for the HLDS settlement, and January 1, 2004 through January 1, 2010 for the Panasonic and NEC settlements.

B) "Defendant" or "Defendants" means the following entities which are named as Defendants in this action:

Sony Corporation, Sony Optiarc Inc., NEC Corporation, Sony NEC Optiarc Inc., Sony Optiarc America Inc. (FKA Sony NEC), Sony Computer Entertainment America, Inc., Sony Electronics Inc., LG Electronics, Inc., LG Electronics USA, Inc., Hitachi, Ltd., Hitachi-LG Data Storage, Inc., Hitachi-LG Data Storage Korea, Inc., Toshiba Corporation, Toshiba America Information Systems, Inc., Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Toshiba Samsung Storage Technology Corp., Toshiba Samsung Storage Technology Corp. Korea, Lite-On IT Corp. of Taiwan, Koninklijke Philips Electronics N.V., Philips & Lite-On Digital Solutions Corp., Philips & Lite-On Digital Solutions USA, Inc., BenQ Corporation, BenQ America Corporation, TEAC Corporation, TEAC America, Inc., Quanta Storage Inc., Quanta Storage America, Inc., Panasonic Corporation, Panasonic Corporation of North America. "Defendant" or "Defendants" shall also include named co-conspirators Pioneer Corporation, Pioneer North America, Inc., Pioneer Electronics (USA) Inc., and Pioneer High Fidelity Taiwan Co., Ltd.

C) "Settlement Class" or "Settlement Classes" means:

For the HLDS settlement: "All individuals and entities who, during the period from January 1, 2004 through December 31, 2011, purchased Optical Disk Drives and Optical Disk Drive Devices in the United States directly from the Defendants, their subsidiaries, or their affiliates. Excluded from the Class are Defendants and their parents, subsidiaries, affiliates, and all governmental entities."

For the Panasonic and NEC settlements: "All individuals and entities who, during the period from January 1, 2004 until at least January 1, 2010 purchased one or more Optical Disk Drives or a laptop or desktop computer incorporating an ODD in the United States directly from the Defendants, their subsidiaries, or their affiliates. Excluded from the Class are Defendants and their parents, subsidiaries, affiliates, and all governmental entities."

D) "Releasees" shall refer jointly and severally, individually and collectively to all defendants listed above and their respective past and present parents, subsidiaries, affiliates, officers, directors, employees, agents, attorneys, servants, representatives (and the parents', subsidiaries', and affiliates' past and present officers, directors, employees, agents, attorneys, servants, and representatives), and the predecessors, successors, heirs, executors, administrators, and assigns of each of the foregoing.

E) "Optical Disk Drive" or "ODD" means any device which reads and/or writes data from and to an optical disk, including but not limited to, CD-ROMS, CD-recordable/rewritable, DVD-ROM, DVD-recordable/rewritable, Blu-Ray, Blu-Ray recordable/rewritable, HD-DVD, Super Multi-Drives and other combination drives. The term "Optical Disk Drives" or "ODDs" shall also include (a) a drive sold as a separate unit that is to be inserted into, or incorporated in, an electronic device; and (b) a drive sold that is to be attached to an electronic device through an external interface such as a Universal Serial Bus (USB) connection;

F) "Optical Disk Drive Device" or "ODD Device" means a device incorporating an ODD including but not limited to desktop computers, mobile/laptop computers, videogame consoles, CD players/recorders, DVD players/recorders, and Blu-Ray disc players/recorders.

G) "Class Members" means all members of the Settlement Classes who did not timely and validly elect to be excluded from the Settlement Classes certified by the Court.

H) "Net Settlement Fund" means the combined proceeds from the HLDS, Panasonic, and NEC settlements plus accrued interest minus all costs, attorneys' fees, expenses, and incentive awards.

### PART 3: SCHEDULE OF QUALIFYING PURCHASES

Report separately each purchase of an Optical Disk Drive or Optical Disk Drive Device directly from any Defendant during the Class Periods (attach additional pages if necessary). In order to qualify as a claim, your purchase(s) must have been billed to and/or shipped to a location in the United States. Foreign transactions where billing and shipping took place outside of the U.S. do not qualify. If you have submitted a request for exclusion from a Settlement Class in connection with the settlements, do not submit this Claim Form. Also, if you entered into a settlement with any Defendant for your purchase(s) from that defendant, or assigned or transferred your claim for any purchase(s), your Claim Form must not include, as part of your claim, any of those purchases. For example, if Class member A purchased \$10,000 from Defendant 1 and entered into a settlement with Defendant 1 for those purchases, that \$10,000 must not be included as part of Class member A's claim. Failure to include all purchases will reduce the amount of your payment. You DO NOT need to attach documentation. However, you must keep copies of your purchase order(s), invoice(s), or other documentation of your purchase(s) in case verification of your claim is necessary.

List each type of ODD or ODD Device purchased from each Defendant, the quantity of ODDs or ODD Devices purchased, the dollar amount (in U.S. dollars) of purchases of each type of Optical Disk Drive made directly from any Defendant during the Class Periods, and the date of each purchase. Amounts should be rounded to the nearest dollar. (Example: \$12,345.67 should be entered as \$12,346.) Do not include transportation charges, rebates, refunds, credits, etc.



Use only **one line** for *each type* of ODD or ODD Device purchased. Please use the following codes to notate the type of product you purchased: **A:** ODD; **B:** desktop computer; **C:** laptop computer; **D:** Sony PlayStation 2; **E:** Sony PlayStation 3; **F:** CD player/recorder; **G:** DVD player/recorder; or **H:** Blu-Ray player/recorder. If you cannot fit your purchases in the chart below, **please submit your claim online at [www.ODDDirectPurchaserAntitrustSettlement.com](http://www.ODDDirectPurchaserAntitrustSettlement.com)** or attach additional copies of this page.

Defendant from whom ODD or ODD Device was purchased	Type of ODD or ODD Device purchased (see codes above)	Quantity of that type of ODD or ODD Devices purchased	Total purchase amount in USD	Date purchased
Sony/NEC <sup>1</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
LG <sup>2</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
Hitachi/HLDS <sup>3</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
Toshiba <sup>4</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
Samsung <sup>5</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
TSST <sup>6</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
Lite-On <sup>7</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
Philips <sup>8</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
BenQ <sup>9</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
TEAC <sup>10</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
QSI <sup>11</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
Panasonic <sup>12</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>
Pioneer <sup>13</sup>	<input type="checkbox"/>	<input type="text"/>	<input type="text"/> .00	<input type="text"/>

The Claims administrator will review the information listed above for valid qualifying purchases. After the purchases are verified the Claims Administrator will: 1) assign a dollar value to each purchase (ODDs will be valued at 100% of their purchase price, and ODD Devices will be valued at a fixed amount as follows: desktop or laptop computer: \$32, Sony PlayStation 2: \$20, Sony PlayStation 3: \$73, CD player/recorder: \$15, DVD player/recorder: \$20, and each purchase of a Blu-Ray player/recorder: \$73; 2) Allocate the value of each purchase between the settlements reached with Settling Defendants (the settlements had varying and overlapping class definitions and class periods, so it is possible certain purchases will qualify for one settlement fund, but not the other); 3) Allocate the Net Settlement Fund on a *pro rata* basis based on the total dollar value of each class member's purchase(s) of ODDs and ODD Devices in proportion to the total dollar value of all valid claims filed.

- 1 "Sony/NEC" means Sony Corporation, Sony Optiarc Inc., NEC Corporation, Sony NEC Optiarc Inc., Sony Optiarc America Inc. (FKA Sony NEC), Sony Electronics Inc., and Sony Computer Entertainment America, Inc.
- 2 "LG" means LG Electronics, Inc. and LG Electronics USA, Inc.
- 3 "Hitachi" means Hitachi, Ltd., Hitachi-LG Data Storage, Inc., Hitachi-LG Data Storage Korea, Inc.
- 4 "Toshiba" means Toshiba Corporation and Toshiba America Information Systems, Inc.
- 5 "Samsung" means Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.
- 6 "TSST" means Toshiba Samsung Storage Technology Corp. and Toshiba Samsung Storage Technology Corp. Korea
- 7 "Lite-On" means Lite-On IT Corp. of Taiwan
- 8 "Philips" means Koninklijke Philips Electronics N.V., Philips & Lite-On Digital Solutions Corp., and Philips & Lite-On Digital Solutions USA, Inc.
- 9 "BenQ" means BenQ Corporation and BenQ America Corporation
- 10 "TEAC" means TEAC Corporation and TEAC America, Inc.
- 11 "QSI" means Quanta Storage Inc., Quanta Storage America, Inc.
- 12 "Panasonic" means Panasonic Corporation and Panasonic Corporation of North America
- 13 "Pioneer" means Pioneer Corporation, Pioneer North America, Inc., Pioneer Electronics (USA) Inc., and Pioneer High Fidelity Taiwan Co., Ltd.



**PART 4: SUBMISSION TO JURISDICTION OF THE DISTRICT COURT**

By signing below, you are verifying that:

1. You have documentation to support your claim and agree to provide additional information to Class Counsel or the Claims Administrator if necessary;
2. You have not assigned or transferred (or purported to assign or transfer) or settled for the same purchases or submitted any other claim for the same purchases of ODD and/or ODD Devices and have not authorized any other person or entity to do so, and know of no other person or entity having done so on your behalf;
3. The information provided in this Claim Form is accurate and complete; and
4. You agree to submit to the jurisdiction of the District Court for the Northern District of California, where this action is pending, for purposes of resolving any issues related to or arising from your claim.

**PART 5: CERTIFICATION**

I (We) certify that I am (we are) NOT subject to backup withholding under the provisions of Section 3406 (a)(1)(c) of the Internal Revenue Code because: (a) I am (We are) exempt from backup withholding, or (b) I (We) have not been notified by the IRS that I am (we are) subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me (us) that I am (we are) no longer subject to backup withholding.

NOTE: If you have been notified by the IRS that you are subject to backup withholding, completely fill in this bubble:

I (WE) DECLARE, UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA, THAT THE INFORMATION PROVIDED IN THIS PROOF OF CLAIM FORM IS TRUE AND CORRECT.

This certification was executed on the \_\_\_\_\_ of \_\_\_\_\_, 2015, in \_\_\_\_\_.  
(day) (Month) (City/State/Country)

SIGNATURE OF CLAIMANT: (If this claim is being made on behalf of Joint Claimants, then each must sign.)

\_\_\_\_\_  
Signature Type/Print Name

\_\_\_\_\_  
Signature Type/Print Name

\_\_\_\_\_  
Company's Name Capacity of person signing; e.g. President

No later than March 7, 2016, submit your claim online or mail the completed Claim Form to:

*In re Optical Disk Drive Antitrust Litigation*  
c/o Gilardi & Co. LLC  
P.O. Box 808054  
Petaluma CA 94975-8054

**ACCURATE PROCESSING OF CLAIMS MAY TAKE SIGNIFICANT TIME.  
THANK YOU, IN ADVANCE, FOR YOUR PATIENCE.**

