

## If You Bought a TV, Monitor or Notebook Computer that Contained an LCD Flat Panel Screen

**You Could Get Money from Settlements Totaling Almost \$1.1 Billion.**

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

- Please read this notice carefully. Your legal rights are affected whether you act or don't act.
- This is the second notice in this case. There are 10 Settlements of litigation involving overcharges in the price of thin film transistor liquid crystal display ("TFT-LCD" or "LCD") Flat Panels purchased indirectly from the Defendants. "Indirectly" means that you purchased the LCD Flat Panel from someone other than the manufacturer of the Flat Panel (for example, you bought a TV, monitor or notebook computer containing an LCD Flat Panel from a retailer, like Best Buy).
- Since the first notice, the Court has approved Settlements with seven Defendants. Settlements have now been reached with the three remaining Defendants, AU Optronics, LG Display and Toshiba ("New Settlements").
- These Settlements provide for payments to consumers, including businesses, in 24 states and the District of Columbia (the Statewide Damages Classes). They also provide for injunctive relief to consumers nationwide (the Nationwide Class) to stop Defendants' conduct that is the subject of the lawsuits. Attorneys General in eight states are also recovering money for their citizens and governmental entities. Defendants deny all of the claims in the lawsuits. See Question 6 for specific Class definitions.

**Members of the Statewide Damages Classes can file a claim now to get a payment  
from all 10 Settlements (see Question 12).**

- You can make a claim if you are a consumer in, Arizona, Arkansas, California, the District of Columbia, Florida, Hawaii, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Mexico, New York, North Carolina, North Dakota, Rhode Island, South Dakota, Tennessee, Vermont, West Virginia or Wisconsin. The Settlements will also pay governmental entities in eight states.
- AU Optronics and LG Display have also agreed not to engage in the conduct that is the subject of the lawsuits.

YOUR LEGAL RIGHTS AND OPTIONS IN THESE SETTLEMENTS	
<b>SUBMIT A CLAIM</b>	The only way to get a payment.
<b>OBJECT</b>	You can write to the Court explaining why you disagree with the New Settlements, plan of distribution, requested attorneys' fees, costs, and Class Representative awards.
<b>GO TO THE HEARING</b>	Ask to speak in Court about your opinions.
<b>EXCLUDE YOURSELF</b>	The only option that allows you to individually sue AU Optronics, LG Display or Toshiba about the claims in this case. You can only exclude yourself if: (1) you indirectly purchased an LCD Flat Panel in Arkansas while residing in Arkansas; or (2) you previously did <u>not</u> have an opportunity to exclude yourself from the Classes proceeding against AU Optronics, LG Display and Toshiba. See Questions 13 and 14 for specifics.
<b>DO NOTHING</b>	Get no payment. Give up rights.

These rights and options – **and the deadlines to exercise them** – are explained in this Notice.

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## BASIC INFORMATION

### 1. What is this Notice about?

This Notice is to inform you about the three New Settlements that have been reached and about your right to file a claim. You have the right to know about the New Settlements and about your legal rights and options before the Court decides whether to approve the New Settlements.

**Members of the Statewide Damages Classes can file a claim now to get a payment from all 10 Settlements (see Question 12).**

The Court in charge is the United States District Court for the Northern District of California. The case is called *In re TFT-LCD (Flat Panel) Antitrust Litigation*, MDL No. 1827. The people who sued are called the Plaintiffs, and the companies they sued are called the Defendants (see Question 5).

### 2. What is a TFT-LCD Flat Panel?

TFT-LCD Flat Panels (thin-film transistor liquid display panels) are the glass display panels used in many flat screen televisions, monitors and notebook computers. Monitors have various uses, including as desktop computers and TVs.

### 3. What are the lawsuits about?

The lawsuits claim that the Defendants conspired to fix, raise, maintain or stabilize prices of LCD Flat Panels, resulting in overcharges to consumers who bought TVs, monitors or notebook computers containing the Flat Panels. The Defendants deny Plaintiffs' allegations or that indirect purchaser consumers suffered any overcharge.

On July 11, 2012, the Court approved Settlements totaling over \$538,555,647 with Defendants Chimei, Chunghwa, Epson, HannStar, Hitachi, Samsung and Sharp. There are three New Settlements totaling \$543,500,000 with AU Optronics, LG Display and Toshiba. The Court still has to decide whether to approve the New Settlements. The total amount of all 10 Settlements is \$1,082,055,647.

### 4. What is a class action?

In a class action, people called class representatives sue on behalf of a group or a "class" of people who have similar claims. In a class action, the court resolves the issues for all class members except those who exclude themselves from the Class.

## WHO IS INCLUDED

### 5. Who are the Defendant companies?

The Defendants are or were manufacturers and/or suppliers of LCD Flat Panels.

**The Defendant companies are:**

- AU Optronics Corp.; AU Optronics Corp. America, Inc. ("AU Optronics");
- Chimei Innolux Corp.; Chi Mei Corp.; Chi Mei Optoelectronics Corp.; Chi Mei Optoelectronics USA, Inc.; CMO Japan Co., Ltd. ("Chimei");
- Chunghwa Picture Tubes Ltd. ("Chunghwa");

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- Epson Imaging Devices Corp. (“Epson”);
- HannStar Display Corp. (“HannStar”);
- Hitachi, Ltd.; Hitachi Displays, Ltd.; Hitachi Electronic Devices (USA), Inc. (“Hitachi”);
- LG Display Co., Ltd.; LG Display America, Inc. (“LG Display”);
- Samsung Electronics Co., Ltd.; Samsung Semiconductor, Inc.; Samsung Electronics America, Inc. (“Samsung”);
- Sharp Corp.; Sharp Electronics Corp. (“Sharp”);
- Toshiba Corp.; Japan Display Central, Inc. (formerly known as Toshiba Mobile Display Co., Ltd.); Toshiba America Electronic Components, Inc.; Toshiba America Information Systems, Inc. (“Toshiba”); and
- Defendants’ United States affiliates.

## 6. How do I know if I am in the Classes?

This case has recovered money (“damages”) for consumers in 24 states and the District of Columbia, and nationwide injunctive relief to stop the Defendants’ alleged illegal behavior and make sure that it doesn’t happen in the future (*see* Question 11).

**Statewide Damages Classes:** The Statewide Damages Classes were brought to recover money, and generally include any person or business that indirectly purchased a TFT-LCD Flat Panel, which had been incorporated in a TV, monitor or notebook computer, from any of the Defendants (listed in Question 5) or Quanta Display Inc., from January 1, 1999 to December 31, 2006, for their own use and not for resale, while residing in the 24 states or the District of Columbia. The purchase must have been made in the same state where the person or business resided.

The 24 states are: Arizona, Arkansas, California, Florida, Hawaii, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Mexico, New York, North Carolina, North Dakota, Rhode Island, South Dakota, Tennessee, Vermont, West Virginia and Wisconsin.

Previously, certain consumers in these 24 states and the District of Columbia were not included in the Statewide Damages Classes for the ongoing litigation against AU Optronics, LG Display, Toshiba and their United States affiliates, if: (1) in addition to your indirect purchase, you purchased a product containing a TFT-LCD Flat Panel in the United States between January 1, 1996 and December 11, 2006 directly from any of the Defendants and did not exclude yourself from the Direct Purchaser Product Class (*see* [www.tftlcdclassaction.com](http://www.tftlcdclassaction.com) for more information); or (2) you purchased a TV, monitor and/or notebook computer in Missouri or Rhode Island, while residing there, and your purchase was primarily for business use and not for your own personal, family or household use. **These exceptions no longer apply.** Consumers in the 24 states and the District of Columbia who fall within these categories are now included in the Statewide Damages Classes for all 10 Settlements.

**Nationwide Class:** The Nationwide Class was brought to stop Defendants’ alleged illegal behavior and includes any person or business that indirectly purchased in the United States, a TFT-LCD Flat Panel, which had been incorporated in a TV, monitor and/or notebook computer, from any of the Defendants (listed in Question 5) or Quanta Display Inc., between January 1, 1999 and February 13, 2012, for their own use and not for resale, and resided in the United States on February 13, 2012.

The specific class definitions are available at [www.LCDclass.com](http://www.LCDclass.com).

## 7. Are the Attorneys General involved?

The Attorneys General of Arkansas, California, Florida, Michigan, Missouri, New York, West Virginia and Wisconsin are participating in these Settlements and have asserted claims: (1) on behalf of state residents under state law and the doctrine of *parens patriae*, which allows a state to bring a lawsuit on behalf of its citizens, and/or for governmental entities; and (2) for civil penalties. The claims brought by the Attorneys General arise from the same alleged conduct by the Defendants as asserted in the class actions. The Attorneys General's lawsuits, other than California, are pending in federal court. The California Attorney General filed in California state court. The Attorneys General have entered into separate settlements resolving their claims for civil penalties.

## THE SETTLEMENTS' BENEFITS

### 8. What do the Settlements provide?

The Court has already approved seven settlements totaling \$538,555,647. The three New Settlements totaling \$543,500,000 are being presented to the Court for approval.

#### NEW SETTLEMENTS

**AU Optronics Settlement:** AU Optronics will pay \$161,500,000 into the Settlement Fund.

**LG Display Settlement:** LG Display will pay \$361,000,000 into the Settlement Fund.

**Toshiba Settlement:** Toshiba will pay \$21,000,000 into the Settlement Fund.

The combined Settlement Fund totaling \$1,082,055,647 will be used to pay individual and business consumers in the 24 states and the District of Columbia. A portion of the Settlement Fund will be distributed to governmental entities in the eight states with the Attorneys General Actions. The amount to be distributed to governmental entities will be computed after deduction of attorney fees and costs and will not exceed 5% of the amount available for distribution. In addition to the Settlement Fund, AU Optronics and LG Display are making payments to resolve claims for civil penalties brought by the Attorneys General. More details about the anticipated distribution of the Settlement Fund are available in the Settlement Agreements and other documents available at [www.LCDclass.com](http://www.LCDclass.com).

Any interest earned will be added to the Settlement Fund. The cost to administer the Settlements as well as attorneys' fees and costs and payments to the Class Representatives will come out of the combined Settlement Fund (*see* Question 17).

### 9. How much money can I get?

A plan has been submitted to the Court explaining how the Settlement Fund will be distributed to Class Members. Payments will be determined on a *pro rata* basis. This means payments will be based on the number of valid claims filed as well as on the number/type of LCD Flat Panel product(s) you purchased. Based on data obtained during the course of the litigation, a claim for the purchase of an LCD Flat Panel TV will be given twice the value as a claim for the purchase of a monitor or a notebook computer. It is expected that a minimum payment of \$25 will be made to all Class Members who submit a valid claim.

The maximum payment will be three times your estimated money damages. It is possible that any money remaining after claims are paid will be distributed to charities, governmental entities or other beneficiaries approved by the Court.

**In order to receive a payment you need to file a valid claim (see Question 12).** The Claim Form provides additional details on how to submit a claim. Further information is available at [www.LCDclass.com](http://www.LCDclass.com) or by calling 1-855-225-1886.

#### **10. When will I get a payment?**

Payments will be distributed after the Court grants final approval to the New Settlements and after any appeals are resolved. If the Court approves the New Settlements after a hearing on November 29, 2012, there may be appeals. We don't know how much time it could take to resolve any appeals that may be filed.

#### **11. What is the injunctive relief?**

AU Optronics and LG Display have agreed not to engage in certain conduct that would violate the antitrust laws that are at issue in these lawsuits. AU Optronics, LG Display and Toshiba also have agreed to establish (or maintain) a program to educate their employees about complying with the law, as long as they manufacture LCD Flat Panels, and report on their compliance with this requirement for a period up to five years.

### **HOW TO GET A PAYMENT**

#### **12. How can I get a payment?**

If you are a Class Member and you want to participate in the Settlements, you must complete and submit a Claim Form. We urge you to submit a claim online at [www.LCDclass.com](http://www.LCDclass.com). If you do not file online, you can also file a claim by mail.

The Claim Form can be found at [www.LCDclass.com](http://www.LCDclass.com) or you can obtain a copy by calling, toll free, 1-855-225-1886. If you choose to submit your claim online, you must do so on or before **December 6, 2012**. If you choose to submit a Claim Form by mail, it must be postmarked by **December 6, 2012**, and mailed to:

LCD Claims  
P.O. Box 8025  
Faribault, MN 55021-9425

### **RIGHT TO EXCLUDE YOURSELF**

#### **13. Who has a right to be excluded?**

The first notice about these lawsuits provided an opportunity for all Class Members to exclude themselves from the Classes and the Attorneys General Actions. That notice required that all exclusion rights for the Classes proceeding against the seven settling Defendants, and with limited exceptions, all exclusion rights against AU Optronics, LG Display and Toshiba had to be exercised by April 13, 2012. Only someone who falls into one of the three categories stated below still has a right to request exclusion at this time.

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If you are a Class Member, you can exclude yourself from the litigation involving AU Optronics, LG Display and Toshiba only if: (1) you purchased a TFT-LCD Flat Panel in Arkansas while residing in Arkansas; (2) in addition to your indirect purchase, you also purchased a product containing a TFT-LCD Flat Panel in the United States between January 1, 1996 and December 11, 2006 directly from any of the Defendants and did not exclude yourself from the Direct Purchaser Product Class (*see* [www.tftlcdclassaction.com](http://www.tftlcdclassaction.com) for more information); or (3) you purchased a TV, monitor and/or notebook computer containing a TFT-LCD Flat Panel in Missouri or Rhode Island, while residing there, and your purchase was primarily for business use and not for your own personal, family or household use. Everyone else was previously provided an opportunity to exclude themselves as part of the first notice.

#### **14. How do I get out of the Classes or Attorneys General Actions?**

If you still have the right, and choose to exclude yourself from the Classes and Attorneys General Actions (including any *parens patriae* claims), you must send a request for exclusion by mail stating that you want to be excluded from *In re TFT-LCD (Flat Panel) Antitrust Litigation*, MDL No. 1827. Your request for exclusion must also include your name, address, telephone number and your signature. You must mail your exclusion request no later than **October 9, 2012**, to:

LCD Indirect Exclusions  
P.O. Box 8025  
Faribault, MN 55021-9425

Please note that if you only exclude yourself from the litigation involving AU Optronics, LG Display and Toshiba, you can still file a claim in the other seven settlements.

### **REMAINING IN THE CLASSES OR ATTORNEYS GENERAL ACTIONS**

#### **15. What am I giving up if I stay in the lawsuits against AU Optronics, LG Display and Toshiba?**

If you do not exclude yourself, you will have given up your right to sue AU Optronics, LG Display and Toshiba on your own for the claims in this case (*see* Questions 13 and 14). In return for paying the Settlement amounts and agreeing to injunctive relief (*see* Question 11), the three new settling Defendants (and certain related entities defined in the Settlement Agreements) will be released from all claims relating to the facts underlying these lawsuits, as more fully described in the Settlement Agreements. The Settlement Agreements describe the released claims in detail, so read them carefully since those descriptions are binding on you. If you have any questions, you can talk to Class Counsel or the Attorneys General listed in Question 7 for free, or you can, of course, talk to your own lawyer if you have questions about what this means. The Settlement Agreements and the specific releases are available at [www.LCDclass.com](http://www.LCDclass.com). If you reside outside of the 24 states and the District of Columbia you retain any right you may have to sue the Defendants for monetary relief.

### **THE LAWYERS REPRESENTING YOU**

#### **16. Do I have a lawyer representing me?**

The Court has appointed Zelle Hofmann Voelbel & Mason LLP and the Alioto Law Firm to represent you as “Co-Lead Class Counsel” for the Classes. As noted above, Attorneys General of eight states are also representing consumers as *parens patriae* and/or governmental entities in their states. You do not have to

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pay Class Counsel or the Attorneys General separately. The attorneys will be paid by asking the Court for a share of the Settlement proceeds. If you want to be represented by your own lawyer, and have that lawyer appear in court for you in this case, you may hire one at your own expense.

**17. How will the lawyers be paid?**

Class Counsel and the Attorneys General will ask the Court for attorneys' fees based on their work on this litigation, not to exceed one-third of the \$1,082,055,647 Settlement Fund, plus reimbursement of their costs and expenses. Class Counsel will also request awards to the Class Representatives who helped the lawyers on behalf of the Classes. Any payment to the attorneys will be subject to Court approval and the Court may award less than the requested amount. The fees, costs, expenses and awards that the Court orders, plus the costs to administer the Settlement, will come out of the Settlement Fund.

The attorneys' motion(s) for fees, costs and expenses and Class Representative awards will be filed on or before September 7, 2012. The motion(s) will be posted on the website at [www.LCDclass.com](http://www.LCDclass.com). You may register at the website or by calling 1-855-225-1886 to receive an email when the motion(s) are filed.

**OBJECTING OR COMMENTING ON THE NEW SETTLEMENTS, PLAN OF DISTRIBUTION, ATTORNEYS' FEES AND COSTS, AND AWARDS TO CLASS REPRESENTATIVES**

**18. How do I object or comment?**

If you have comments about, or disagree with, any aspect of the New Settlements, the plan of distribution, requested attorneys' fees, use of settlement funds to pay administration and litigation costs and expenses, or awards to Class Representatives, you may express your views to the Court by writing to the addresses below. The written response needs to include your name, address, telephone number, the case name and number (*In re TFT-LCD (Flat Panel) Antitrust Litigation*, MDL No. 1827), a brief explanation of your reasons for objecting and your signature. The response must be postmarked no later than **October 9, 2012** and mailed to both addresses below:

<b>COURT</b>	<b>NOTICE ADMINISTRATOR</b>
Clerk's Office United States District Court for the District of Northern California 16th Floor 450 Golden Gate Avenue San Francisco, CA 94102	LCD Indirect Objections P.O. Box 8025 Faribault, MN 55021-9425

**THE FAIRNESS HEARING**

**19. When and where will the Court consider the New Settlements, the plan of distribution, request for attorneys' fees and costs and awards to Class Representatives?**

The Court has already approved the seven original settlements. The Court will hold a Fairness Hearing at 3:30 p.m. on **November 29, 2012**, at the United States District Court for the Northern District of California, Courtroom 10, 19th Floor, 450 Golden Gate Avenue, San Francisco, CA 94102. The hearing

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may be moved to a different date or time without additional notice, so it is a good idea to check [www.LCDclass.com](http://www.LCDclass.com). At this hearing the Court will consider whether each of the New Settlements is fair, reasonable and adequate. The Court will also consider the plan of distribution, and the requests for attorneys' fees and costs and awards to Class Representatives. If there are objections or comments, the Court will consider them at this time. After the hearing, the Court will decide whether to approve each of the three New Settlements, plan of distribution and the requests for attorneys' fees and costs and awards to Class Representatives. We do not know how long these decisions will take.

#### **20. Do I have to come to the hearing?**

No. Class Counsel and the Attorneys General will answer any questions the Court may have. But you are welcome to come at your own expense. If you send an objection or comment, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

#### **21. May I speak at the hearing?**

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must send a letter saying that it is your "Notice of Intent to Appear in *In re TFT-LCD (Flat Panel) Antitrust Litigation*, MDL No. 1827." Be sure to include your name, address, telephone number and your signature. Your Notice of Intent to Appear must be postmarked no later than **October 9, 2012**, and must be sent to the addresses listed in Question 18. You cannot speak at the hearing if you have excluded yourself from the Classes.

### **GET MORE INFORMATION**

#### **22. Where can I get more information?**

This Notice summarizes the 10 Settlements as well as the process to get a payment in these Settlements. You can get more information about all of the Settlements and a Claim Form at [www.LCDclass.com](http://www.LCDclass.com), or by calling 1-855-225-1886 or writing to LCD Settlements, P.O. Box 8025, Faribault, MN 55021-9425.