

## **LEGAL NOTICE BY ORDER OF THE COURT**

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

### **NOTICE OF DISMISSAL OF PARENS PATRIAE CLAIM TO INDIVIDUALS AND SOLE PROPRIETORS IN CALIFORNIA**

AT ANY TIME BETWEEN MARCH 1, 1995 AND NOVEMBER 25, 2007, IF YOU PURCHASED A PRODUCT CONTAINING A CATHODE RAY TUBE, SUCH AS A TELEVISION OR A COMPUTER MONITOR, THE DISMISSAL OF THE ATTORNEY GENERAL'S *PARENS PATRIAE* CLAIM DESCRIBED BELOW APPLIES TO YOU.

*This Notice is being provided by Order of the San Francisco County Superior Court ("the Court") pursuant to section 16760(b)-(c) of the California Business and Professions Code.*

The California Attorney General is requesting dismissal of her *parens patriae* claim in a civil lawsuit against makers of cathode ray tubes ("CRTs") for allegedly fixing the prices of CRTs. Read on for more information about the Attorney General's lawsuit against the CRT makers, her request to dismiss the *parens patriae* portion of that lawsuit, and your related rights and options.

**Note that the requested dismissal will not affect your right to file a claim for cash payment from a related private class action in federal court (the "Federal Lawsuit").**

To file a claim for a cash payment in the Federal Lawsuit, go to [www.crtclaims.com](http://www.crtclaims.com).

## **THE LAWSUITS**

### **1. What are Cathode Ray Tubes ("CRTs")?**

CRTs are a display technology that was widely used in televisions and computer monitors. There are two main types of CRTs: Color Display Tubes ("CDTs" or "Monitor Tubes"), which were in computer monitors, and Color Picture Tubes ("CPTs" or "TV Tubes"), which were in televisions. Over time, CRTs were replaced with other display technologies, such as Plasma, LCD, and LED.

### **2. What is the Attorney General's Lawsuit about, and how does the *parens patriae* portion of the lawsuit apply to me?**

As the chief law enforcement officer for the State of California, the Attorney General has broad powers to enforce the laws enacted by the State, including bringing civil lawsuits against wrongdoers. Under the Cartwright Act, the Attorney General has the authority to bring civil actions on behalf of California individuals in order to recover monetary damages those people have suffered from violations of the Cartwright Act. These actions are called *parens patriae* actions; the Attorney General acts as a legal protector of the state's citizens.

In 2011, the California Attorney General brought a civil lawsuit against certain makers of CRTs alleging they were part of a price-fixing scheme that resulted in overcharges in the price of products that contained CRTs, such as televisions and computer monitors. The alleged price-fixing scheme occurred between March 1, 1995 and November 25, 2007 (the "price-fixing period"). The lawsuit is called *The State of California, et al. v. Samsung SDI, Co., Ltd., et al.*,

Case No. CGC-11-515784 (“Attorney General’s Lawsuit”) and was filed in the Superior Court of California, County of San Francisco (“State Court”).

The Attorney General’s Lawsuit contains several different claims for relief. Among them is a claim, made under the Attorney General’s *parens patriae* authority, for monetary damages suffered by individuals and sole proprietors in California who indirectly purchased CRTs during the price-fixing period (“*Parens Patriae* Claim”).

### 3. What is the Federal Lawsuit about?

There is another civil lawsuit, in federal court, related to the same price-fixing scheme. A group of indirect purchasers of CRTs filed a lawsuit against makers of CRTs for the same price-fixing scheme. The plaintiffs in that lawsuit are called the Indirect Purchaser Plaintiffs (“IPPs”) and their case is called *In re: Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 3:07-MDL-1917, pending in the United States District Court for the Northern District of California. The Federal Lawsuit has been certified as a nationwide class action and the IPPs have been permitted to also recover monetary damages suffered by individuals and sole proprietors in California who indirectly purchased CRTs during the price-fixing time period.

### 4. Why is the Attorney General dismissing the *Parens Patriae* Claim?

Recently, the IPPs and the defendant CRT makers in the Federal Lawsuit have reached a settlement that resulted in a sizeable Settlement Fund for the benefit of indirect purchasers of CRTs nationwide. **This Settlement Fund provides monetary payments to indirect purchasers of CRTs, including individuals and sole proprietors in California who purchased a product containing CRT at any time between March 1, 1995 and November 25, 2007, who file valid claims.**

The Attorney General believes that the IPPs’ Settlement Fund is adequate to address the monetary interests of California individuals and sole proprietors who have been harmed by the CRT price-fixing scheme. Moreover, at the Attorney General’s request, the federal court recently ordered the IPPs to extend the deadline for affected California individuals and sole proprietors to file a claim for payment from the IPPs’ Settlement Fund. California individuals and sole proprietors who indirectly purchased CRTs now have until **June 30, 2016** to submit a claim for payment from the IPPs’ Settlement Fund. For more information on the claims process and updates on the federal court’s approval of the IPPs’ Settlement Fund, go to [www.crtclaims.com](http://www.crtclaims.com).

In addition, the Attorney General will also establish a grant fund in the amount of \$195,000 for the indirect benefit of California individuals and sole proprietors affected by the CRT price-fixing scheme. This fund will be distributed in the form of geographically diverse grants to charitable or non-profit organizations whose work addresses as near as possible the harm alleged in the lawsuit by offering computer-related or technology-related services. For purposes of awarding those grants, those services could include helping provide technology-using skills to various communities or helping assist in the delivery of technology-related services to various communities. The Attorney General will retain a third-party grant administrator who will issue a request for grant applications, vet the candidates, recommend grantees to the Attorney General for awards, and oversee the grant making process including reviewing reports regarding how the

grant funds were spent. For additional information on this grant process, visit the Attorney General's website at [http://oag.ca.gov/consumers/crt\\_notice](http://oag.ca.gov/consumers/crt_notice).

Based on these developments, the Attorney General has requested that the State Court dismiss her *Parens Patriae* Claim against the following defendants: Hitachi, Ltd., Hitachi Displays, Ltd., Hitachi Electronic Devices (USA), Inc., Hitachi America, Ltd., and Hitachi Asia, Ltd. (collectively "Hitachi"); LG Electronics, Inc. ("LG"); Panasonic Corporation f/k/a Matsushita Electric Industrial Co., Ltd., Panasonic Corporation of North America, Panasonic Consumer Electronic Co., Matsushita Electronics Corporation (Malaysia) SDN. BHD., MT Picture Display Co., Ltd. f/k/a Matsushita-Toshiba Picture Display Co., Ltd. ("MTPD"), and Beijing Matsushita Color CRT Co., Ltd. (collectively "Panasonic"); Samsung SDI, Co., Ltd. F/K/A Samsung Display Device Co. Ltd., Samsung SDI America, Inc., Samsung SDI Mexico, S.A. DE C.V., Samsung SDI Brasil Ltda., Shenzhen Samsung SDI Co., Ltd., Tianjin Samsung SDI Co., Ltd., and Samsung SDI (Malaysia) SDN. BHD. (collectively "Samsung"); Toshiba Corporation, Toshiba America Electronic Components, Inc., P.T. Tosummit Electronics Devices Indonesia, and Toshiba Display Devices (Thailand) Company, Ltd. (collectively "Toshiba").

A court hearing has been scheduled to determine whether to grant the Attorney General's request ("Dismissal Hearing"). The hearing location, date, and time are provided in Section 8 below.

## YOUR RIGHTS AND OPTIONS

### 5. How do I make a claim for monetary payment in the Federal Lawsuit?

The original deadline for filing a claim in the Federal Lawsuit was December 7, 2015. However, that deadline does not apply to California individuals and sole proprietors. At the Attorney General's request, the federal court extended your claims deadline to **June 30, 2016**. This new deadline applies only to California individuals and sole proprietors. To file a claim and get more information, visit [www.crtclaims.com](http://www.crtclaims.com).

### 6. What are my legal rights and will they be affected by the dismissal of the Attorney General's *Parens Patriae* Claim?

If you are an individual or sole proprietor residing in California and you purchased a product containing CRTs between March 1, 1995 and November 25, 2007, you may have the right to sue Defendants Hitachi, LG, Panasonic, Samsung, and Toshiba for violating the Cartwright Act, for violating the Unfair Competition Law, and/or for unjust enrichment. You may exercise this right by being a part of the Federal Lawsuit described above.

**Do Nothing:** By doing nothing, you agree to the Attorney General's request to dismiss "with prejudice" (meaning the Attorney General may not file another lawsuit based on the same claim) the *Parens Patriae* Claim against Defendants Hitachi, LG, Panasonic, Samsung, and Toshiba. If the State Court grants the dismissal with prejudice, then the Attorney General will not be able to refile this claim on your behalf. However, the dismissal will not affect your right to make a claim for cash payment in the Federal Lawsuit.

**Exclude Yourself from the Dismissal of the *Parens Patriae* Claim:** You have the right to be excluded from the dismissal of the Attorney General's *Parens Patriae* Claim. To be excluded from the dismissal of the Attorney General's *Parens Patriae* Claim, you must complete the "Exclusion Form" accompanying this Notice and follow all stated instructions on that form. Your exclusion request must be postmarked by May 30, 2016.

**Request to Appear at the Dismissal Hearing:** If you do not exclude yourself, you have the right to appear at the Dismissal Hearing described below. To request to appear, you must complete the "Appearance Form" accompanying this Notice and follow all instructions stated on that form. Your request must be postmarked by May 30, 2016.

**7. Will the dismissal of the Attorney General's *Parens Patriae* Claim prevent me from making a money claim in the Federal Lawsuit?**

No. Dismissal of the Attorney General's *Parens Patriae* Claim will not affect your right to file a claim for a cash payment in the Federal Lawsuit.

**8. The Dismissal Hearing**

The State Court will hold a hearing on September 27, 2016 to determine whether to grant the Attorney General's request to dismiss the *parens patriae* portion of her lawsuit. The hearing will begin at 9:00 a.m. before Judge Curtis E.A. Karnow at 400 McAllister Street, San Francisco, CA 94102, in Department 304. The hearing may be adjourned, extended to another date and time or postponed without further notice. Please check the Attorney General's website for the most up-to-date information on the hearing date and time.

**For More Information and Updates on the Attorney General's Lawsuit and Dismissal of the *Parens Patriae* Claim:**

**Visit the California Attorney General's website at [http://oag.ca.gov/consumers/crt\\_notice](http://oag.ca.gov/consumers/crt_notice)  
You also may call 1-888-283-3187.**

## **EXCLUSION FORM**

I hereby assert my right to be excluded from the dismissal of the Attorney General's *Parens Patriae* Claim in the following lawsuit: *The State of California, et al. v. Samsung SDI, Co., Ltd., et al.*, San Francisco Superior Court Case No. CGC-11-515784.

Print Name:

Address Line 1:

Address Line 2:

Signature of Authorized Representative:

Date:

**\*\*\*\*For your exclusion request above to be effective, you MUST provide your name and address AND sign and date the form. Your completed form MUST be postmarked by May 30, 2016, and MUST be mailed to the following address:**

**EMILIO E. VARANINI  
DEPUTY ATTORNEY GENERAL  
OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF CALIFORNIA  
455 GOLDEN GATE AVENUE, SUITE 11000  
SAN FRANCISCO, CA 94102**

**Failure to follow these instructions will make your request ineffective.**

**\*\*You do not need to send your request to the Court or to the Defendants. The Attorney General's Office WILL FILE your request with the Court and give copies to Defendants.**

## **APPEARANCE FORM**

If you DID NOT request to be excluded from the dismissal of the Attorney General's *Parens Patriae* Claim in the lawsuit *The State of California, et al. v. Samsung SDI, Co., Ltd., et al.*, San Francisco Superior Court Case No. CGC-11-515784, then you have the right to appear at the Dismissal Hearing on September 27, 2016.

Check the below if you want to exercise your right to appear at the Dismissal Hearing:

I assert my right to request to appear at the Dismissal Hearing in *The State of California, et al. v. Samsung SDI, Co., Ltd., et al.*, San Francisco Superior Court Case No. CGC-11-515784.

Print Name:

Address Line 1:

Address Line 2:

Signature of Authorized Representative:

Date:

**\*\*\*\*For your appearance request above to be effective, you MUST provide your name and address AND sign and date the form. Your completed form MUST be postmarked by May 30, 2016, and MUST be mailed to the following address:**

**EMILIO E. VARANINI  
DEPUTY ATTORNEY GENERAL  
OFFICE OF THE ATTORNEY GENERAL OF THE STATE OF CALIFORNIA  
455 GOLDEN GATE AVENUE, SUITE 11000  
SAN FRANCISCO, CA 94102**

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