

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

**THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. KAMALA D. HARRIS, Attorney General of the State of California; and**

**THE CITY AND COUNTY OF SAN FRANCISCO, individually, and on behalf of all others similarly situated,**

Plaintiffs,

v.

**CHUNGHWA PICTURE TUBES, LTD.,**

Defendant.

Case No. CGC-11-513732

**REVISED NOTICE OF PENDENCY OF CLASS ACTION AND CLASS ACTION SETTLEMENT**

Date: June 3, 2013

Time: 1:30

Dept: 303

Judge: Richard A. Kramer

Action Filed: August 29, 2011

TO: All Political Subdivisions of the State of California, plus the University of California, and the State Bar of California:

**1. What is the purpose of this Notice?**

This notice is given pursuant to California Rules of Court, rule 3.769(f), and by an Order dated December 19, 2012, of the Superior Court of the State of California, County of San Francisco (the "Court"). A class action lawsuit brought by the Attorney General of California (the "Attorney General") and the City and County of San Francisco (collectively "Plaintiffs"), on behalf of all political subdivisions of the State of California, plus the University of California, and the State Bar of California, that indirectly or directly purchased thin film transistor liquid crystal display ("TFT-LCD") panels and/or products containing TFT-LCD panels (including, but not limited to computer monitors, laptop computers, and televisions) between January 1, 1996 and December 31, 2006, is currently pending. The term "political subdivisions" is defined as all government entities authorized under California state law but without statewide jurisdiction. You are receiving this notice because the rights of the government entity or agency that you represent may be affected by the settlement of this class action lawsuit.

**2. What is this case about?**

This lawsuit against defendant Chunghwa Picture Tubes, Ltd. ("Defendant") alleges that Defendant participated in a conspiracy to fix the price of thin film transistor liquid crystal display ("LCD") panels used in televisions, and computer laptops and monitors. Defendant denies these allegations. The Court has not ruled on the merits of the claims. This means that there has been no ruling as to who wins and who loses. **This is only a summary of the settlement. If you want to see a copy of the Class Action Complaint, the settlement agreement, or for additional information, go to <http://oag.ca.gov/consumers>, or you may call the Attorneys representing the class.**

**3. Who is included in the class affected by this settlement?**

The class of government entities affected by this settlement (the "Settlement Class") is defined as follows: All political subdivisions of the State of California, plus the University of California and the State Bar of California, that indirectly or directly purchased thin film transistor liquid crystal display ("TFT-LCD") panels and/or products containing TFT-LCD panels (including, but not limited to, computer monitors, laptop computers, and televisions) between January 1, 1996 and December 31, 2006. The term "political subdivisions" is defined as all government entities authorized under California state law but without

statewide jurisdiction. The use of “you” or “your” in this Notice refers to an individual representative of a government entity or agency that is a member of the Settlement Class.

#### **4. What are the terms of the settlement?**

The parties have agreed to settle this case. Because this is a class action, the settlement must be approved by the Court at the hearing described in Section 5 of this Notice. The following is a summary of the settlement. To view the complete Settlement Agreement, and for additional information, go to <http://oag.ca.gov/consumers>, or you may call the Attorneys representing the class.

(a) Monetary Benefit: The Monetary Benefit fund shall consist of a cash payment of \$300,000, which shall be made available to Settlement Class members via a fluid distribution or *cy pres* fund for technology related grants.

(b) Non-Monetary Benefit: The Settlement also includes a Non-Monetary Benefit including injunctive relief, changes in business practices, and cooperation.

(c) Attorney Fees And Costs: Defendant agrees not to oppose an application by plaintiffs’ class counsel for reasonable attorney’s fees and reimbursement of costs and expenses.

(d) Releases: All members of the Settlement Class will release (i.e., discharge) Defendant from all claims of liability of any nature that were asserted or that could have been asserted in the lawsuit, or in other legal proceedings or forums, arising from or relating to the subject matter of the lawsuit, as more specifically set forth in the Settlement Agreement.

**Unless a Settlement Class member excludes itself in writing as described in paragraph 6(b) below, its claims against Defendant will be released.** The claims will be released whether they are known to the parties or not at the time of Settlement.

#### **5. When and where is the hearing to determine whether to approve the settlement?**

The San Francisco County Superior Court will hold a hearing to determine whether to approve this settlement (the “Fairness Hearing”). The hearing will be held on June 3, 2013, beginning at 1:30 p.m. before Judge Richard A. Kramer at 400 McAllister Street, San Francisco, CA 94102, in Department 303. The hearing may be adjourned or continued without further notice.

#### **6. What are my options?**

Settlement Class members have the right, but are not required, to appear at the Fairness Hearing and be heard on the question of whether this settlement should be approved. You may retain an attorney to represent your Settlement Class member, at your own expense, if you so choose but you are not required to do so. If you do not retain a separate attorney, then your interests will be represented by plaintiffs’ class counsel at the Fairness Hearing, unless you choose to represent yourself.

(a) If you want to participate in this settlement, no further action on your part is required.

(b) You have the right to exclude yourself (“opt-out”) from the Settlement Class, meaning you will not be entitled to any portion of the Monetary Benefit but will retain your right to sue based on the subject matter of this lawsuit. To opt out, you must mail a letter stating that you want to be excluded from *People of the State of California, et. al., v. Chunghwa Picture Tubes*, San Francisco Superior Court Case No. CGC-11-513732; be sure to include your name, address and an authorized representative’s signature. Your exclusion request must be postmarked by March 8, 2012 and mailed to the address listed in paragraph 7. Once you are excluded, you may not receive money from the settlement, you may not object to the settlement, and you will not be legally bound by anything that happens in this lawsuit.

(c) You have the right to object to the settlement, request the opportunity to intervene in this lawsuit, and/or to appear at the hearing. Please send your objection, request to intervene, and/or your request to appear to the address listed in paragraph 7, which must be postmarked by March 8, 2012. If you choose to “opt-out” of the settlement as described in paragraph 6(b), you may not object or appear at the hearing. Copies of all objections, requests to intervene, requests to opt-out, and/or requests to appear at the hearing will be provided to Defendant and the Court.

(d) Any objections to the settlement must state the name and address of the Settlement Class Member, must include a statement or documents sufficient to demonstrate membership in the Settlement Class, and must provide a detailed statement of each objection asserted, including the grounds for each objection and the reasons, if any, for requesting the opportunity to appear and be heard at the Fairness Hearing. Any request for intervention must be accompanied by all arguments and documents to support that request.

#### **7. Who are the attorneys representing the class?**

The attorneys representing the class are:

Emilio Varanini  
Deputy Attorney General

Office of the Attorney General of the State of California  
455 Golden Gate Ave., Suite 11000  
San Francisco, CA 94102  
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Nicole Gordon  
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#### SUMMARY OF IMPORTANT DATES

Postmark deadline to request exclusion (“opt out”) from Settlement Class – March 8, 2013  
Fairness Hearing – June 3, 2013  
Deadline for filing and serving objections to the settlement and/or requests  
to intervene — March 11, 2013

**PLEASE DO NOT TELEPHONE OR SEND INQUIRIES TO THE COURT.**