

Amendments to Settlements Have Been Reached With Seven Defendants in the Cathode Ray Tubes (CRT) Indirect Purchaser Class Actions

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

- Please read this notice carefully. Your legal rights may be affected whether or not you act.
- This is the fourth legal notice in the indirect purchaser litigation known as *In re: Cathode Ray Tube (CRT) Antitrust Litigation*, MDL No. 1917, in the U.S. District Court for the Northern District of California. There are nine settlements in this litigation involving alleged overcharges on the price of Cathode Ray Tube (“CRT”) Products purchased indirectly from the Defendants. “CRT Products” include CRTs and products containing CRTs, such as televisions and computer monitors. “Indirectly” means that you purchased the CRT Product from someone other than a Defendant or alleged co-conspirator. For example, you bought a television containing a CRT from a retailer, such as Best Buy or Costco, or a computer monitor containing a CRT from Dell.
- The Court previously approved settlements with two Defendants, Chunghwa and LG, for \$35,000,000. Six settlements with seven additional Defendants—Philips, Panasonic, Hitachi, Toshiba, Samsung SDI, Thomson and TDA—totaling \$541,750,000, were approved by Court in 2016 (the “2016 Settlements”). Thus, settlements with all nine defendants previously totaled \$576,750,000.
- Plaintiffs have agreed to amend the 2016 Settlements to address objections by certain class members, and have entered into “Amendments” with each of the seven Defendants.
- The Amendments (1) reduce the total Settlement Amount for the six settlements by \$29,000,000 to \$512,750,000 plus accrued interest; (2) provide that Class Counsel will reduce their attorneys’ fee request by \$29,000,000 so that the net settlement fund for the 2016 Settlements after deducting attorneys’ fees is unchanged; and (3) apply only to consumers who purchased CRT Products in Arizona, the District of Columbia, California, Florida, Hawaii, Iowa, Kansas, Maine, Michigan, Minnesota, Mississippi, Nebraska, Nevada, New Mexico, New York, North Carolina, North Dakota, South Dakota, Tennessee, Vermont, West Virginia, and/or Wisconsin (the “22 Indirect Purchaser State Classes”). The Amendments provide that the 2016 Settlements do not release the claims of consumers who purchased CRT Products in all other states. All other terms of the 2016 Settlements remain the same. The total settlements among the nine defendants now total \$547,750,000.
- This notice is directed to members of the 22 Indirect Purchaser State Classes who submitted a claim, objected to, requested exclusion from, or requested updates related to the 2016 Settlements.

YOUR LEGAL RIGHTS AND OPTIONS IN THE AMENDMENTS TO THE SETTLEMENTS	
OBJECT BY MAY 29, 2020	You or your attorney may file an objection with the Court explaining why you disagree with the Amendments to the 2016 Settlements and/or the request for attorneys’ fees. <i>See</i> Question 10 for specifics.
GO TO THE HEARING ON JULY 8, 2020	You or your attorney may attend the hearing and ask to speak to the Court about the Amendments to the 2016 Settlements or attorneys’ fees. <i>See</i> Questions 12 to 14.
DO NOTHING	If you submitted a claim in the settlements, it will be processed and all valid claims will be paid after the Court grants final approval and after any appeals are resolved.
NO RIGHT TO EXCLUDE YOURSELF	You may no longer exclude yourself from 2016 Settlements. An opportunity to exclude yourself from the 2016 Settlements was already provided. The Amendments to the Settlements do not reduce the net settlement fund.

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 Amendments to the 2016 Settlements that have been reached with the seven Defendants who are parties to the 2016 Settlements.

RECENT CASE HISTORY

2. What happened to the Settlements after they were approved in 2016?

The District Court approved settlements in 2016 totaling \$541,750,000. The 2016 Settlements, in conjunction with settlements previously entered with Chunghwa and LG for \$35,000,000, provided for a total settlement fund of \$576,750,000.

Certain individuals and entities objected to the 2016 Settlements (the “Objectors”) on a number of grounds. The District Court overruled those objections and the Objectors appealed to the Ninth Circuit Court of Appeals.

In the Ninth Circuit, the Objectors objected to the release of claims by indirect purchasers who purchased CRT Products in states that did not qualify to participate in the distribution of the settlement fund pursuant to the approved plan of distribution. At oral argument, the Ninth Circuit panel expressed concern about whether it was proper to release claims for indirect purchases made in certain states when there were no named plaintiffs from those states and class members who made purchases in those states would not participate in distribution of the settlement fund. After court-ordered mediation in the Ninth Circuit was unsuccessful, and after unsuccessful motion practice in the District Court and in the Ninth Circuit, the Ninth Circuit panel, on February 13, 2019, remanded the case to the District Court to reconsider its approval of the settlements.

3. What happened after the Ninth Circuit remanded to the District Court in February 2019?

After remand in February 2019, the District Court (1) confirmed Trump, Alioto, Trump & Prescott LLP as Lead Counsel for the 22 Indirect Purchaser State Classes; (2) appointed separate counsel as interim co-lead counsel for Arkansas, Massachusetts, Missouri, Montana, New Hampshire, Oregon, Rhode Island, South Carolina, and Utah (the “Other Repealer States”); (3) appointed separate counsel as interim lead counsel for Alabama, Alaska, Colorado, Connecticut, Delaware, Georgia, Idaho, Illinois, Indiana, Kentucky, Louisiana, Maryland, New Jersey, Ohio, Oklahoma, Pennsylvania, Texas, Virginia, Washington, and Wyoming (the “Non-Repealer States”); and (4) entered an order referring the matter to Magistrate Judge Jacqueline Scott Corley for settlement.

At the direction of Magistrate Judge Corley, counsel for the seven Defendants and Class Counsel for the 22 Indirect Purchaser State Classes (“IPP Counsel”), participated in two mediation sessions in May and July 2019. As a result of the mediation sessions, Amendments to the Settlements were entered into with the seven Defendants.

**THE AMENDMENTS TO THE SETTLEMENTS, INTEREST,
AND THE NEW TOTAL SETTLEMENT FUND**

4. What are the terms of the Amendments to the Settlements?

The amendments to the settlement agreements are as follows:

- (a) The settlement class definition is narrowed to include only members of the 22 Indirect Purchaser State Classes. The Nationwide Class, which was previously included in the 2016 Settlements, is no longer included in the settlement class. As a result, only members of the 22 Indirect Purchaser State Classes are releasing their claims against the seven Defendants. Thus, claims based on indirect purchases of CRT Products made in all other states, including the Other Repealer States and the Non-Repealer States, are no longer being released.
- (b) Each defendant's settlement amount is reduced by approximately 5.35% for a total of \$29,000,000. This reduces the settlement fund for the six settlements to \$512,750,000.
- (c) The attorneys' fee award to be requested by IPP Counsel is reduced by \$29,000,000 in order to offset the reduction in the settlement amounts, and ensure there is no adverse impact on class members.

5. Are other terms of the 2016 Settlements changed? What about interest?

No. All other terms of the original settlement agreements remain the same, including provisions related to interest earned on the settlement funds. The original settlement amounts, which were deposited in 2015, have been earning interest since that time. All interest earned on the original settlement amounts from the date of deposit will remain in the fund for the benefit of class members, except that as provided in the original settlement agreements, IPP Counsel will be entitled to seek the interest accrued on their final fee award. As of February 2020, the approximate interest earned on the \$541,750,000 is \$17,000,000. Interest continues to accrue daily.

6. What is the new total settlement amount?

The new total settlement amount is \$547,750,000 plus accrued interest. This amount includes the new total amount resulting from the Amendments to the Settlements (\$512,750,000) plus the total amount of the earlier settlements with Chunghwa Picture Tubes, Ltd. and LG Electronics, Inc. (\$35,000,000).

IPP COUNSEL'S REDUCED REQUEST FOR ATTORNEYS' FEES

7. What was IPP Counsel's prior attorneys' fees award in the case?

In 2016, the Court approved an award of attorneys' fees to IPP Counsel in the amount of \$158,606,250. This award amounted to 27.5 percent of the then-total settlement fund of \$576,750,000. The 2016 Settlements also provided that IPP Counsel were entitled to seek accrued interest on their fee award.

8. What is IPP Counsel's reduced fee request under the Amendments to the Settlements?

The new total settlement amount is \$547,750,000 plus accrued interest. This amount includes the total amount resulting from the Amendments to the Settlements (\$512,750,000) plus the total amount of the earlier settlements with Chunghwa Picture Tubes, Ltd. and LG Electronics, Inc. (\$35,000,000).

The Amendments require IPP Counsel to reduce their request for attorneys' fees by \$29,000,000. This sum is designed to offset the reduction in the total settlement fund from \$576,750,000 to \$547,750,000, so as to ensure that the net settlement funds (*i.e.*, the settlement funds remaining after deducting fees and court-approved expenses) available for distribution to class members in the 22 Indirect Purchaser State Classes remain unchanged as a result of the Amendments to the Settlements.

If approved by the Court, IPP Counsel's new fee award will be reduced to \$129,606,250, or 23.66% of the new total settlement fund of \$547,750,000.

THE LAWYERS REPRESENTING YOU

9. Do I have a lawyer representing me?

Members of the 22 Indirect Purchaser State Classes have been, and continue to be, represented by a number of law firms led by the Court-appointed "Lead Class Counsel": Trump, Alioto, Trump & Prescott LLP, 2280 Union Street, San Francisco, CA 94123. If you are a member of the 22 Indirect Purchaser State Classes, you do not have to pay IPP Counsel separately. IPP Counsel will seek compensation 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.

**OBJECTING TO OR COMMENTING ON
THE AMENDMENTS TO THE SETTLEMENTS OR ATTORNEYS' FEES**

10. How do I object or comment on the Amendments to the 2016 Settlements or attorneys' fees?

If you are a member of the 22 Indirect Purchaser State Classes and submitted a claim in or objected to the 2016 Settlements, you may ask the Court to deny approval of the Settlements as amended by the Amendments or to the reduced attorneys' fees request by filing objections with the Court. Please note that you cannot ask the Court to order a larger settlement or change the terms of the settlements; the Court can only approve or deny the Settlements as amended by the Amendments. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object.

If you decide to object, you must do so in writing. Written objections must include the following information:

- Your name, address, telephone number, and if you are being assisted by a lawyer, the lawyer's name, address and telephone number;
- The Action name and number (*In Re: Cathode Ray Tube (CRT) Antitrust Litigation*, MDL No. 1917);
- Proof of membership in one or more of the 22 Indirect Purchaser State Classes;
- A brief explanation of your reasons for objecting; and
- Your signature.

The objection must be submitted to the Court either by mailing it to the Class Action Clerk at the address below, or by filing it in person at any location of the United States District Court for the Northern District of California.

The deadline to file objections with the Court is May 29, 2020:

COURT

Class Action Clerk
United States District Court for the
Northern District of California
1301 Clay Street, Suite 400 S
Oakland, CA 94612

11. May I exclude myself from the Amended 2016 Settlements?

No. An opportunity to exclude yourself from the 2016 Settlements was already provided. You may not exclude yourself from the Amended Settlements.

THE FAIRNESS HEARING

12. When and where will the Court consider the Amendments to the 2016 Settlements and request for attorneys' fees?

The Court is scheduled to hold a Fairness Hearing to reconsider its approval of the 2016 Settlements as amended by the Amendments thereto at **2:00 p.m.** on **July 8, 2020**, at the United States Courthouse, Courtroom 6, 2nd Floor, 1301 Clay Street, Oakland, CA 94612. The hearing may be moved to a different date or time without additional notice, so you should check the website www.CRTclaims.com for current information.

At this hearing, the Court will consider whether the 2016 Settlements as amended are fair, reasonable, and adequate. The Court will also consider the reduced request for attorneys' fees. If there are objections or comments, the Court will consider them at this time. After the hearing, the Court will decide whether to approve the 2016 Settlements as amended by the Amendments thereto, and the request for attorneys' fees. We do not know how long these decisions will take.

13. Do I have to come to the hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to come at your own expense. If you file an objection or comment, you don't have to come to Court to talk about it. As long as you filed your written objection on time, your objection will be presented to the Court for its consideration. You may also request another lawyer to attend the hearing on your behalf and at your own expense, but it's not required.

14. May I speak at the hearing?

You may ask the Court for permission to speak at the Fairness Hearing. To do so, you must file a "Notice of Intent to Appear in *In re: Cathode Ray Tube (CRT) Antitrust Litigation*, MDL No. 1917." Be sure to include your name, address, telephone number and your signature. Your Notice of Intent to Appear must be submitted to the Court either by mailing it to the Class Action Clerk at the address in Question 10 above, or by filing it in person at any location of the United States District Court for the Northern District of California no later than **May 29, 2020**.

GET MORE INFORMATION

15. Where can I get more information?

This notice summarizes the Amendments to the 2016 Settlements. For the precise terms and conditions of the Amendments, please see the Amendments to the Settlement Agreements available at www.CRTclaims.com. We encourage you to check this website regularly for developments in this case. You can also get more information about the settlements in the litigation by:

- Calling 1-800-649-0963;
- Writing to CRT Questions, c/o The Notice Company, P.O. Box 778, Hingham, MA 02043;
- Accessing the Court docket in this case through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>; or
- Visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, Courtroom 6, 2nd Floor, 1301 Clay Street, Oakland, CA 94612, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

SIGN UP FOR ELECTRONIC PAYMENT

16. Can I sign up for electronic payment of my claim?

If the Court approves the 2016 Settlements as amended by the Amendments, and any appeals are resolved in favor of approval, payments will be made to claimants that have valid claims. If you would like to arrange to receive your payment electronically, for example to your PayPal or Zelle account or ACH/Direct Deposit, please see [Electronic Payment Option](#) available at www.CRTclaims.com.

**ALL INQUIRIES CONCERNING THIS NOTICE
SHOULD BE MADE TO THE SETTLEMENT ADMINISTRATOR**

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE