

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. CV- 07-5944-SC

MDL No. 1917

This Document Relates to:

ALL DIRECT PURCHASER ACTIONS

**~~REVISED [PROPOSED]~~ ORDER
APPROVING CLAIM FORM AND
DIRECTING NOTICE TO CLASS
MEMBERS REGARDING DISTRIBUTION
OF SETTLEMENT FUND**

Judge: Honorable Samuel Conti

1 Direct Purchaser Plaintiffs' ("Plaintiffs") request for approval of the Notice Regarding
2 Claims and the Proof of Claim form was presented to and considered by the Court. This Court
3 retains jurisdiction over the class action settlements for matters relating to "implementation of []
4 settlement[s] and any distribution to Class Members pursuant to further orders of this Court [and]
5 disposition of the Settlement Fund." *See, e.g.*, Final Judgment of Dismissal With Prejudice as to
6 Defendants Toshiba Corporation; Toshiba America Information Systems, Inc.; Toshiba America
7 Consumer Products LLC; and Toshiba America Electronic Components, Inc. ¶ 10 (July 23, 2013)
8 (Dkt. No. 1792).

9 Having considered the proposed Notice Regarding Claims and Proof of Claim form, the
10 Court grants the request. The Notice Regarding Claims and Proof of Claim form attached hereto as
11 Exhibit A is appropriate. On or before September 11, 2015, Gilardi & Co. LLC ("Gilardi"), as
12 Claims Administrator, will disseminate the Notice Regarding Claims and the Proof of Claim form
13 to those members of the Class who can reasonably be contacted through electronic or direct mail.
14 The Notice Regarding Claims, in substantially similar form, shall also be published on or before
15 September 11, 2015 in the *Wall Street Journal*. When dissemination of notice is completed, Class
16 Counsel shall cause a declaration to be filed reflecting that the Notice Regarding Claims has been
17 provided in accordance with this Order. Class members shall have approximately ninety (90) days
18 from mailing of notice to complete the Proof of Claim form and submit it to the Claims
19 Administrator Gilardi. In order to provide certainty, the last date for class members to submit their
20 Proof of Claim form to the Claims Administrator shall be December 10, 2015.

21 Upon completion of submission of all Proof of Claim forms within the period set by the
22 Court, Gilardi will analyze and verify the claims submissions and follow up with claimants to
23 resolve any discrepancies. At that time, final distribution amounts will be determined and Plaintiffs
24 will submit to the Court an order approving distribution of the Settlement Fund to class members.

25 All valid claims will be distributed in accordance with the plan of allocation that this Court
26 has previously approved, *i.e.*, a *pro rata* distribution to Claimants based on direct purchases of
27 CRTs and Finished Products from the named defendants as described in the orders granting final
28

1 approval of the settlements and approving the plan of distribution.

2 Plaintiffs shall file their Motion for Attorneys’ Fees and Costs on or before September 11,
3 2015. A hearing on Plaintiffs’ Motion for Attorneys Fees and Costs is set for October 23, 2015 at
4 10:00 a.m. in Courtroom 1. In addition, any class member wishing to comment or object to
5 plaintiffs’ Motion for Attorneys’ Fees and Costs may do so by filing with the Court any comments
6 or objections on or before October 2, 2015.

7 The Court retains exclusive jurisdiction over this action to consider all further matters
8 arising out of or connected with the disbursement of the Settlement Funds.

9

10 IT IS SO ORDERED.

11

12 Dated: July 22, 2015



13 Hon. Samuel Conti
14 United States District Judge

15

16

17

18

19

20

21

22

23

24

25

26

27

28

EXHIBIT A

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

**If You Directly Bought A Cathode Ray Tube Product,
A Class Action Settlement May Affect You.**

Cathode Ray Tube (CRT) Products include Cathode Ray Tubes and finished products that contain a Cathode Ray Tube such as Televisions and Computer Monitors.

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

-
- **Why did I get this notice?** You or your company may have directly purchased a cathode ray tube (CRT) or a product containing a cathode ray tube (television or monitor) between March 1, 1995 and November 25, 2007. A direct purchaser is a person or business who bought a CRT, or a television or computer monitor containing a CRT, directly from one or more of the Defendants, co-conspirators, affiliates, or subsidiaries. A direct purchaser is NOT a person or company who purchased a CRT or CRT Product from a wholesaler or a retail store. If you are a direct purchaser, you have the right to know about the litigation and about your legal rights and options. The Court in charge of the case is the United States District Court for the Northern District of California, and the case is called *In re Cathode Ray Tube (CRT) Antitrust Litigation*, MDL No. 1917. The people who sued are called Plaintiffs and the companies they sued are called Defendants.
 - All Defendants who have appeared to date in the Direct Purchaser Cathode Ray Tube (CRT) Antitrust Litigation, Case No. 3:07-cv-5944 SC have settled their claims. The Court has finally approved each of the settlements with the Defendants and the settlement proceeds are ready to be distributed to qualifying claimants. Attached to this Notice is a Proof of Claim form that has been approved by the Court. All Proof of Claim forms must be postmarked or sent via electronic mail no later than December 10, 2015 to the address set forth in the Proof of Claim form. Additional Proof of Claim forms may be obtained at **www.CRTDirectPurchaserAntitrustSettlement.com**, by calling 1-877-224-3063, or writing to CRT Direct Settlement, P.O. Box 808003, Petaluma, CA 94975. Please do not contact the Court about claim administration.
 - Plaintiffs Motion for Attorneys Fees and Costs is on file with the Court and available at **www.CRTDirectPurchaserAntitrustSettlement.com**. The Court has set a hearing on plaintiffs' motion for October 23, 2015 at 10:00 a.m. in Courtroom 1. Any comments or objections to Plaintiffs Motion for Attorneys' Fees and Costs must be filed with the Court (Honorable Samuel Conti, United States District Court Northern District of California, 450 Golden Gate Avenue, Courtroom 3, 17th floor, San Francisco, CA 94102) no later than October 2, 2015.

Dated: _____

BY ORDER OF THE COURT

**For More Information: Call 1-877-224-3063 or Visit
www.CRTDirectPurchaserAntitrustSettlement.com**

Must Be Postmarked or E-Mailed No Later Than December 10, 2015

PROOF OF CLAIM

For Official Use Only 01

In Re: Cathode Ray Tube (CRT) Antitrust Litigation Case No. 3:07-cv-05944 SC

«*BARCODE*»

Please check the box if the name or address is different from information on left and complete below:

«name1» «name2» «name3» «addr1» «addr2» «city», «state» «zip5» «country_name»

Four horizontal lines for additional address information.

PART 1: CLAIMANT INFORMATION

Please type or neatly print all information.

Telephone Number and Foreign Code Telephone Number (International) input fields.

Email Address input field.

Person to contact if there are questions regarding this claim: input field.

PART 2: IMPORTANT INFORMATION

GENERAL INSTRUCTIONS

This Proof of Claim form must be completed and returned by Class members who seek payment from the Settlements. It must be postmarked or sent via electronic mail no later than December 10, 2015. If you fail to mail a timely, properly addressed Proof of Claim form, your claim may be rejected and you may be precluded from any recovery from the Settlements. Completed Proof of Claim forms should be mailed to the Claims Administrator at:

In re Cathode Ray Tube (CRT) Antitrust Litigation Gilardi & Co. LLC P.O. Box XXXX Petaluma, CA 94975

or submit a completed Claim Form Online:

claims@CRTDirectPurchaserAntitrustSettlement.com

All inquiries regarding your claim should be made in writing to the Claims Administrator at the address above.

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



DEFINITIONS

A) "Class Period" means March 1, 1995 through November 25, 2007.

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

LG Electronics, Inc., LG Electronics U.S.A., Inc., LG Electronics Taiwan Taipei Co., Ltd., Koninklijke Philips Electronics N.V., Philips Electronics North America Corporation, Philips Electronics Industries (Taiwan), Ltd., Philips Consumer Electronics Co., Philips da Amazonia Industria Electronica Ltda., LP Displays International, Ltd. f/k/a LG. Philips Displays, Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung SDI 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., Samsung SDI Malaysia Sdn. Bhd., Toshiba Corporation, Toshiba America Consumer Products, Inc., Toshiba Display Devices (Thailand) Company, Ltd., Toshiba America Information Systems, Inc., Toshiba America, Inc., Toshiba America Electronic Components, Inc., Panasonic Corporation f/k/a Matsushita Electric Industrial, Ltd., Matsushita Electronic Corporation (Malaysia) Sdn. Bhd., Panasonic Corporation of North America, Panasonic Consumer Electronics Co., MT Picture Display Co., Ltd., Beijing-Matsushita Color CRT Company, Ltd. (BMCC), Hitachi, Ltd., Hitachi Displays, Ltd. (n/k/a Japan Display Inc.), Hitachi Electronic Devices (USA), Inc., Hitachi America, Ltd., Hitachi Asia, Ltd., Shenzhen SEG Hitachi Color Display Devices, Ltd., Samtel Color, Ltd., Tatung Company of America, Inc., Chunghwa Picture Tubes Ltd., Chunghwa Picture Tubes (Malaysia) Sdn. Bhd., IRICO Group Corporation, IRICO Display Devices Co., Ltd., IRICO Group Electronics Co., Ltd., Thai CRT Company, Ltd., Daewoo Electronics Corporation f/k/a Daewoo Electronics Company, Ltd., and Daewoo International Corporation.

"Co-Conspirator" or "Co-Conspirators" means Mitsubishi Electric Corporation; Mitsubishi Electric US, Inc. (f/k/a Mitsubishi Electric & Electronics USA, Inc.); Mitsubishi Electric Visual Solutions America, Inc. (f/k/a Mitsubishi Digital Electronics America, Inc.); Technicolor USA, Inc. (f/k/a Thomson Consumer Electronics, Inc.); Technicolor SA (f/k/a Thomson SA); Videocon Industries, Ltd.; and Technologies Displays Americas LLC (f/k/a Thomson Displays Americas LLC).

C) "Class" means all persons and entities who, between March 1, 1995 and November 25, 2007, directly purchased a CRT Product in the United States from any defendant or subsidiary or affiliate thereof, or any co-conspirator. ("Settlement Class").

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) "Cathode Ray Tube Products" means Cathode Ray Tube Products of any type (e.g. color display tubes and color picture tubes) and finished products which contain Cathode Ray Tubes, such as Televisions and Computer Monitors.

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

PART 3: SCHEDULE OF QUALIFYING PURCHASES

Report separately purchases of Cathode Ray Tubes and Finished Products containing Cathode Ray Tubes ("CRT Finished Products") made directly from any Defendant or Co-Conspirator (listed in Sections A, B, and C below) from March 1, 1995 through November 25, 2007. Cathode Ray Tubes can be either Color Picture Tubes "CPTs" or Color Display Tubes "CDTs" collectively referred to as "CRTs." CRT Finished Products are electronic devices containing CPTs (televisions) or CDTs (computer monitors). **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 the Settlement Class in connection with settlements, do not submit this Claim Form. Also, if you entered into a settlement with any defendant or Co-Conspirator for your purchase(s) from that defendant or Co-Conspirator, 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.

In Sections A, B, and C below, list the total dollar amount (in U.S. dollars) of your purchases of Cathode Ray Tubes and/or CRT Finished Products made directly from each Defendant or Co-Conspirator from March 1, 1995 through November 25, 2007. **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. If you did not purchase Cathode Ray Tubes or Cathode Ray Tube Products from a Defendant or Co-Conspirator, or if you settled with a particular Defendant or Co-Conspirator, assigned or transferred your claim, write "No Purchases" in the corresponding Defendant or Co-Conspirator box below.



SECTION A – Complete this Section ONLY if you directly purchased a CATHODE RAY TUBE from March 1, 1995 through November 25, 2007 from one of the entities listed below:

Chunghwa ¹	\$								
Daewoo ²	\$								
Hitachi ³	\$								
Irico ⁴	\$								
LG ⁵	\$								
LPD ⁶	\$								
Panasonic ⁷	\$								
Philips ⁸	\$								
Samsung ⁹	\$								
Samtel ¹⁰	\$								
Tatung ¹¹	\$								
Thai CRT ¹²	\$								
Toshiba ¹³	\$								
Mitsubishi ¹⁴	\$								
Thomson ¹⁵	\$								

¹ “Chunghwa” means Chunghwa Picture Tubes, Ltd. and Chunghwa Picture Tubes (Malaysia) Sdn. Bhd.
² “Daewoo” means Daewoo International Corporation and Daewoo Electronics Corporation f/k/a Daewoo Electronics Company, Ltd.
³ “Hitachi” means Hitachi Ltd., Hitachi Displays, Ltd., Hitachi America, Ltd., Hitachi Asia, Ltd., Hitachi Electronics Devices (USA), and Shenzhen SEG Hitachi Color Display Devices, Ltd.
⁴ “Irico” means Irico Group Corporation, Irico Group Electronics Co., Ltd., and Irico Display Devices Co., Ltd.
⁵ “LG” means LG Electronics, Inc., LG Electronics USA, Inc., and LG Electronics Taiwan Taipei Co., Ltd.
⁶ “LPD” means LP Displays International, Ltd.
⁷ “Panasonic” means Panasonic Corporation, f/k/a Matsushita Electric Industrial Co., Ltd., Matsushita Electronic Corporation (Malaysia) Sdn Bhd., Panasonic Corporation of North America, Panasonic Consumer Electronics Co.; MT Picture Display Co., Ltd., f/k/a Matsushita Toshiba Picture Display Co., Ltd.; and Beijing-Matsushita Color CRT Company, Ltd.
⁸ “Philips” means Koninklijke Philips Electronics N.V.; Philips Electronics North America Corp.; Philips Electronics Industries (Taiwan), Ltd.; Philips da Amazonia Industria Electronica Ltda.; Philips Electronics Industries Ltd.; and Philips Consumer Electronics Co.
⁹ “Samsung” means Samsung SDI (Malaysia) Sdn Bhd.; Samsung SDI Co., Ltd. f/k/a Samsung Display Device Company; 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.; Samsung Electronics Co., Ltd.; and Samsung Electronics America, Inc.
¹⁰ “Samtel” means Samtel Color, Ltd.
¹¹ “Tatung” means Tatung Company of America, Inc.
¹² “Thai CRT” means Thai CRT Company, Ltd.
¹³ “Toshiba” means Toshiba Corporation; Toshiba America Consumer Products LLC; Toshiba America Electronic Components, Inc.; Toshiba America Information Systems, Inc.; Toshiba America, Inc.; Toshiba America Consumer Products, Inc.; and Toshiba Display Devices (Thailand) Company, Ltd.
¹⁴ “Mitsubishi” means Mitsubishi Electric Corporation; Mitsubishi Electric US, Inc. (f/k/a Mitsubishi Electric & Electronics USA, Inc.); Mitsubishi Electric Visual Solutions America, Inc. (f/k/a Mitsubishi Digital Electronics America, Inc.)
¹⁵ “Thomson” means Technicolor USA, Inc. (f/k/a Thomson Consumer Electronics, Inc.); Technicolor SA (f/k/a Thomson SA); Videocon Industries, Ltd.; and Technologies Displays Americas LLC (f/k/a Thomson Displays Americas LLC)



SECTION B - Complete this Section ONLY if you directly purchased a TELEVISION containing a Cathode Ray Tube from March 1, 1995 through November 25, 2007 from one of the entities listed below:

Chunghwa	\$,				,			
Daewoo	\$,				,			
Hitachi	\$,				,			
Irico	\$,				,			
LG	\$,				,			
LPD	\$,				,			
Panasonic	\$,				,			
Philips	\$,				,			
Samsung	\$,				,			
Samtel	\$,				,			
Tatung	\$,				,			
Thai CRT	\$,				,			
Toshiba	\$,				,			
Mitsubishi	\$,				,			
Thomson	\$,				,			

SECTION C - Complete this Section ONLY if you directly purchased a COMPUTER MONITOR containing a Cathode Ray Tube from March 1, 1995 through November 25, 2007 from one of the entities listed below:

Chunghwa	\$,				,			
Daewoo	\$,				,			
Hitachi	\$,				,			
Irico	\$,				,			
LG	\$,				,			
LPD	\$,				,			
Panasonic	\$,				,			
Philips	\$,				,			
Samsung	\$,				,			
Samtel	\$,				,			
Tatung	\$,				,			
Thai CRT	\$,				,			
Toshiba	\$,				,			
Mitsubishi	\$,				,			
Thomson	\$,				,			



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 to support your claim 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 CRT Products 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 I.R.S. that I am (we are) subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the I.R.S. has notified me (us) that I am (we are) no longer subject to backup withholding.

NOTE: If you have been notified by the I.R.S. that you are subject to backup withholding, please strike out the language that you are not subject to backup withholding in the certification above.

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:

Company's Name:

Capacity of person signing; e.g. President:

Mail the completed Claim Form to:

In re Cathode Ray Tube (CRT) Antitrust Litigation
Gilardi & Co. LLC
P.O. Box XXXX
Petaluma, CA 94975

or email it to: claims@CRTDirectPurchaserAntitrustSettlement.com

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

