

# If You Bought a Lithium Ion Battery or Lithium Ion Battery Product, a Class Action Settlement May Affect You.

**Lithium Ion Battery Products include, but are not limited to, notebook computers, cellular (mobile) phones, digital cameras, camcorders and power tools.**

## Why was this notice published?

A settlement has been reached with a group of defendants in a class action lawsuit involving Lithium Ion Batteries ("Li-Ion Batteries") and Lithium Ion Battery Products ("Li-Ion Products"). A Li-Ion Battery is a cylindrical, prismatic or polymer battery that is rechargeable and uses lithium ion technology. A Li-Ion Product is a product manufactured, marketed and/or sold by Defendants, their divisions, subsidiaries or Affiliates, or their alleged co-conspirators that contain one or more Lithium Ion Battery Cells ("Li-Ion Cells") manufactured by Defendants or their alleged co-conspirators. Li-Ion Products include, but are not limited to, notebook computers, cellular (mobile) phones, digital cameras, camcorders and power tools.

## What is this lawsuit about?

The lawsuit alleges that Defendants and Co-Conspirators engaged in an unlawful conspiracy to fix, raise, maintain or stabilize the prices of Li-Ion Cells. Plaintiffs further claim that direct purchasers from the Defendants of Li-Ion Batteries and/or Li-Ion Products manufactured by a Defendant may recover for the effect that the alleged conspiracy had on the prices of the purchased items. Plaintiffs allege that, as result of the unlawful conspiracy involving Li-Ion Cells, they and other direct purchasers paid more for Li-Ion Batteries and Li-Ion Products than they would have absent the conspiracy. Defendants deny Plaintiffs' claims.

## Who's included in the Settlement?

The settlement class includes persons and entities who, from January 1, 2000 through May 31, 2011, bought a Li-Ion Battery and/or Li-Ion Product directly from one or more of the Defendants, or any division, subsidiary or Affiliate thereof, or any alleged co-conspirator in the United States ("Settlement Class").

## Who are the Defendants?

A settlement has been reached with Released Defendants Sony Corporation, Sony Energy Devices Corporation and Sony Electronics Inc. (collectively "Sony").

Non-Released Defendants include: LG Chem, Ltd.; LG Chem America, Inc.; Samsung SDI Co. Ltd.; Samsung SDI America, Inc.; Panasonic Corporation; Panasonic Corporation of North America; Sanyo Electric Co., Ltd.; Sanyo North America Corporation; Hitachi Maxell, Ltd.; Maxell Corporation of America; NEC Corporation; NEC Tokin Corporation; and Toshiba Corporation.

## What does the Settlement provide?

The Settlement provides for the payment of \$19,000,000 in cash, plus interest, to the Settlement Class. Sony has agreed to produce witnesses in the case against the remaining Non-Released Defendants. Money will not be distributed to Settlement Class members at this time. The lawyers will pursue the lawsuit against the other Defendants, to see if any future settlements or judgments can be obtained in the case and then be distributed together, on a *pro rata* basis based on the value of your Li-Ion Battery and/or Li-Ion Product purchases, to reduce expenses.

## What are my rights?

If you wish to remain a member of the Settlement Class you do not need to take any action at this time. If you do not want to be legally bound by the Settlement, you must exclude yourself in writing by **Friday, June 10, 2016**, or you will not be able to sue, or continue to sue, Sony about the legal claims that were or could have been asserted in this case.

If you wish to object to any aspect of the proposed Settlement, you must file your written objection no later than **Friday, June 10, 2016**. The Settlement Agreement, along with details on how to object to it, is available at [www.BatteriesDirectPurchaserAntitrustSettlement.com](http://www.BatteriesDirectPurchaserAntitrustSettlement.com). The U.S. District Court for the Northern District of California will hold a Fairness Hearing on **Tuesday, September 6, 2016** at 2:00 p.m., at 1301 Clay Street, Courtroom 1, 4th Floor, Oakland, CA 94612 to consider whether the Settlement is fair, reasonable and adequate. If there are objections, the Court will consider them at that time. You may appear at the hearing, but don't have to. We do not know how long these decisions will take. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check the website for information. Please do not contact the Court about this case.

The Court has appointed the law firms of Saveri & Saveri, Inc.; Pearson, Simon & Warshaw, LLP; and Berman DeValerio as Class Counsel, to represent Direct Purchaser Class members.

This is a Summary Notice. For more details, call toll free 1-844-778-5952, visit [www.BatteriesDirectPurchaserAntitrustSettlement.com](http://www.BatteriesDirectPurchaserAntitrustSettlement.com), or write to In re: Lithium Ion Batteries Antitrust Litigation, Settlement Administrator, P.O. Box 4098, Portland, OR 97208-4098.