

**NOTICE OF SETTLEMENT APPROVAL HEARING  
IN THE CANADIAN LCD CLASS ACTION LITIGATION**



**TO: Persons in Canada who purchased LCD (liquid crystal display) panels (10" or larger measured diagonally) ("LCD Panels") and/or televisions, computer monitors or laptop computers containing LCD panels ("LCD Products") between January 1, 1998 and December 11, 2006, except the defendants and certain parties related to the defendants (the "Settlement Class").**

**PLEASE READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR LEGAL RIGHTS.**

**I. BACKGROUND**

Class action lawsuits have been commenced in Ontario, British Columbia, and Quebec alleging that the Defendants conspired to fix prices in the market for LCD Panels and LCD Products in Canada (collectively the "LCD Proceedings").

The following entities were named as "Defendants" in the LCD Proceedings: LG Display Co., Ltd., LG Display America, Inc., Samsung Electronics Co. Ltd., Samsung Electronics Canada Inc., Hitachi Ltd., Hitachi Displays, Ltd., Hitachi Canada, Ltd., Hitachi America Ltd., Hitachi Electronics Devices (USA) Inc., Sharp Corporation, Sharp Electronics Corporation, Sharp Electronics of Canada Ltd., Toshiba Corporation, Toshiba Mobile Display Co., Ltd. (formerly known as Toshiba Matsushita Display Technology Co., Ltd. and subsequently known as Japan Display Central Inc. and now part of Japan Display Inc.), Toshiba America Corporation, Toshiba of Canada Limited, AU Optronics Corp., AU Optronics Corporation America, Chi Mei Optoelectronics Corporation, Chi Mei Corporation, Chi Mei Optoelectronics USA, Inc, Chi Mei Optoelectronics Japan Co., Ltd., Nexgen Mediatech, Inc., Nexgen Mediatech, HannStar Display Corporation, Chunghwa Picture Tubes, Ltd., and Epson Imaging Devices Corporation (formerly known as Sanyo Epson Imaging Devices Corporation).

**II. PREVIOUS SETTLEMENTS**

Previous settlements were reached in the LCD Proceedings with:

| <b>Settling Defendant(s)</b>  | <b>Settlement Amount</b> |
|---|--------------------------|
| Chunghwa Picture Tubes, Ltd.  | \$2,023,000              |
| Epson Imaging Devices Corporation (formerly known as Sanyo Epson Imaging Devices Corporation) | \$1,200,000              |
| Samsung Electronics Co., Ltd and Samsung Electronics Canada Inc.                              | \$21,250,000             |
| Innolux Corporation (successor to Chi Mei Optoelectronics Corporation)                        | \$10,000,000             |
| Japan Display Inc. (successor to Hitachi Displays, Ltd.) ("JDI") on                           | \$3,150,000              |

| Settling Defendant(s)   | Settlement Amount |
|---|-------------------|
| its behalf and on behalf of Hitachi Ltd., Hitachi Canada, Ltd., Hitachi America Ltd., Hitachi Electronics Devices (USA) Inc.  |                   |
| Toshiba Corporation, Toshiba Mobile Display Co., Ltd. (formerly known as Toshiba Matsushita Display Technology Co., Ltd. and subsequently known as Japan Display Central Inc. and now part of Japan Display Inc.), Toshiba America Inc. (incorrectly named as Toshiba America Corporation), and Toshiba of Canada Limited | USD\$2,150,000    |
| AU Optronics Corporation and AU Optronics Corporation America   | USD\$8,680,000    |
| LG Display Co., Ltd., LG Philips LCD Co., Ltd., LG Display America, Inc. and LG Philips LCD America, Inc.   | \$21,200,000      |
| HannStar Display Corporation  | \$2,050,000       |

In addition to the above-noted monetary benefits, each of the above-listed settlements required the settling defendants to provide cooperation to the Plaintiffs in the continued prosecution of the Canadian Proceedings. All of these settlements have received the requisite court approval.

These settlement funds (less court approved counsel fees and disbursements) were distributed to eligible class members in 2015 and 2018.

### III. PROPOSED SETTLEMENT

A settlement has been reached in the LCD Proceedings with the final remaining defendants, Sharp Corporation, Sharp Electronics Corporation, and Sharp Electronics of Canada Ltd (collectively, “Sharp”).

Under the terms of the settlement agreement, Sharp has agreed to pay CAD\$7,600,000 in exchange for a full release of claims against them and their related entities. The settlement represents a resolution of disputed claims. Sharp does not admit any wrongdoing or liability.

### IV. THE SETTLEMENT APPROVAL HEARING

A motion to approve the Sharp settlement will be heard before the Ontario court on February 18, 2021 and the Quebec court on March 10, 2021. The hearings may proceed in-person at the courthouse, or by video-conference, depending on the Covid-19 policies and practices in place. The settlement approval hearing in British Columbia will subsequently proceed in writing. The courts will determine whether the settlement is fair, reasonable, and in the best interests of the Settlement Class.

Settlement class members who do not oppose the proposed settlement need not appear at the settlement approval hearing or take any other action at this time.

Settlement class members may appear and make submissions at the settlement approval hearing. If you wish to comment on or make an objection to the settlements, written submissions must be sent to the appropriate Class Counsel at the addresses listed below, postmarked no later than February 8, 2021

(outside Quebec). For persons resident in Quebec, you must act by February 26, 2021. Class Counsel will forward all such submissions to the appropriate court. All filed written submissions will be considered by the appropriate court. If you do not file a written submission by February 8, 2021 (outside Quebec) or February 26, 2021 (residents of Quebec), you may not be entitled to participate, through oral submissions or otherwise, in the settlement approval hearing.

#### **V. CLAIMING PART OF THE SETTLEMENT FUNDS**

The Sharp settlement funds (less approved fees and expenses) are being held in an interest-bearing account for the benefit of settlement class members. A method for distributing the settlement funds will be submitted to the courts for approval the same time as the hearing seeking approval of the settlement agreement.

The distribution of the Sharp settlement funds will be the third distribution to class members in this litigation. As such, the distribution plan will propose that Settlement Class Members who filed a Claim in the Second Distribution after the Claim Filing Deadline and whose claim was approved by the Claims Administrator will be paid up to 3.70% of their Eligible LCD Product Purchases. The distribution plan further proposes that the remaining settlement funds be distributed on a *pro rata* basis to the top 500 claimants by claim value from the previous two distributions. If the court approves the distribution plan, no further notice to class members will be provided and the Sharp settlement funds will be distributed by the claims administrator to those claimants.

#### **VI. CLASS COUNSEL AND LEGAL FEES**

The law firm of Siskinds<sup>LLP</sup> represents settlement class members in Ontario, and in provinces other than British Columbia or Quebec, as well as corporations of more than 50 employees in Quebec. Siskinds<sup>LLP</sup> can be reached at:

Telephone (toll free): 1-800-461-6166

Email: [lcdclassaction@siskinds.com](mailto:lcdclassaction@siskinds.com)

Mail: 680 Waterloo Street, London, ON N6A 3V8 Attention: Linda Visser

The law firm of Camp Fiorante Matthews Mogerman represents Settlement Class Members in British Columbia. British Columbia Class Counsel can be reached at:

Telephone: 604-689-7555

Email: [jwinstanley@cfmlawyers.ca](mailto:jwinstanley@cfmlawyers.ca)

Mail: #400 - 856 Homer Street, Vancouver, BC V6B 2W5 Attention: Jen Winstanley

The law firm of Bouchard Avocats represents individuals and corporations of 50 or less employees who are Settlement Class Members in Québec. Québec Class Counsel can be reached at:

Telephone: 418-622-6669

Email: [recourscollectifs@bouchardavocats.com](mailto:recourscollectifs@bouchardavocats.com)

200- 825 Lebourgneuf Boulevard, Quebec City, QC G2J 0B9 Attention: Jean -Philippe Royer

Class Counsel legal fees and disbursements must be approved by the courts. Class Counsel will collectively be requesting that legal fees of up to 25% of the Sharp settlement funds, plus disbursements and applicable taxes be approved by the courts and paid out of the Sharp settlement funds. Class

Counsel will also be seeking payment of \$1 million that was held back from the legal fees payable from the settlements with the LG and Hannstar defendants.

#### **VII. QUESTIONS ABOUT THE SETTLEMENT**

This notice contains only a summary of the settlement. Settlement class members can review the complete settlement agreement, which is available online at [www.classaction.ca/lcd](http://www.classaction.ca/lcd). If you have questions that are not answered online at [www.classaction.ca/lcd](http://www.classaction.ca/lcd), please contact Class Counsel.

#### **VIII. INTERPRETATION**

This notice contains a summary of some of the terms of the settlement agreement. If there is a conflict between the provisions of this notice and the settlement agreement, the terms of the settlement agreement shall prevail.