

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

A “Lithium Ion Battery” is a cylindrical, prismatic or polymer battery that is rechargeable and uses lithium ion technology. A “Lithium Ion Battery 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 manufactured by Defendants or their alleged co-conspirators. **Lithium Ion Battery Products include, but are not limited to, notebook computers, cellular (mobile) phones, digital cameras, camcorders, and power tools.** You or your company may have directly purchased Lithium Ion Batteries and/or Lithium Ion Battery Products from January 1, 2000 through May 31, 2011.

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

- A class action lawsuit brought on behalf of direct purchasers of Lithium Ion Batteries (“Li-Ion Batteries”) and Lithium Ion Battery Products (“Li-Ion Products”) is currently pending.
- Plaintiffs claim that Defendants¹ (listed below) and co-conspirators engaged in an unlawful conspiracy to fix, raise, maintain or stabilize the prices of Lithium Ion Battery Cells (“Li-Ion Cells”). Plaintiffs further claim that direct purchasers from the Defendants of Li-Ion Batteries and Li-Ion Products may recover for the effect that the conspiracy had on the prices of these devices. Plaintiffs allege that, as a 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 paid absent the conspiracy. Defendants deny Plaintiffs’ claims.
- A settlement has been reached with Defendants Sony Corporation, Sony Energy Devices Corporation, and Sony Electronics Inc. (collectively, “Sony”).
- Your legal rights will be affected whether you act or don’t act. This Notice includes information on the Settlement and the lawsuit. Please read the entire Notice carefully.

These rights and options—and deadlines to exercise them—are explained in this Notice.

You can object to or comment on the Settlementsee Question 10

You may exclude yourself from the Settlement.....see Question 10

You may go to a hearing and comment on the Settlementsee Question 12

- The Court in charge of this case still has to decide whether to approve the Settlement.

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¹Defendant companies 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; Sony Corporation; Sony Energy Devices Corporation; Sony Electronics Inc.; Hitachi Maxell, Ltd.; Maxell Corporation of America; NEC Corporation; NEC Tokin Corporation; and Toshiba Corporation.

**For More Information: Call 1-844-778-5952
or Visit www.BatteriesDirectPurchaserAntitrustSettlement.com**

BASIC INFORMATION

1. Why did I get this Notice?

You or your company may have directly purchased Li-Ion Batteries and/or Li-Ion Products from January 1, 2000 through May 31, 2011. For purposes of this Settlement, a direct purchaser is a person or business who 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 (as opposed to an intermediary, such as a retail store) in the United States.

You have the right to know about the litigation and about your legal rights and options before the Court decides whether to approve the Settlement.

The Notice explains the litigation, the Settlement, and your legal rights.

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 Lithium Ion Batteries Antitrust Litigation*, Case No. 13-MD-02420-YGR. The people who sued are called Plaintiffs, and the companies they sued are called Defendants.

2. Who are the Defendant companies?

The Defendant companies 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; Sony Corporation; Sony Energy Devices Corporation; Sony Electronics Inc.; Hitachi Maxell, Ltd.; Maxell Corporation of America; NEC Corporation; NEC Tokin Corporation; and Toshiba Corporation.

3. What is this lawsuit about?

The lawsuit alleges that Defendants and co-conspirators conspired to raise and fix the prices of Li-Ion Cells for over ten years, resulting in overcharges to direct purchasers of Li-Ion Batteries and Li-Ion Products. The complaint describes how the Defendants and co-conspirators allegedly violated the U.S. antitrust laws by agreeing to fix prices and restrict output of Li-Ion Cells by, among other things, face-to-face meetings and other communications, customer allocation, and the use of trade associations. Defendants deny Plaintiffs' allegations. The Court has not decided who is right.

4. Why is there a settlement, but the litigation is continuing?

Only one group of Defendants has agreed to settle the lawsuit—Sony Corporation, Sony Energy Devices Corporation, and Sony Electronics Inc. (collectively, “Sony”). The case is continuing against the remaining Non-Released Defendants. Additional money may become available in the future as a result of a trial or future settlements, but there is no guarantee that this will happen.

5. What are Li-Ion Cells, Li-Ion Batteries, and Li-Ion Products?

For the purposes of the Settlement:

- “Lithium Ion Battery Cell(s)” or “Li-Ion Cells” means the main components of Lithium Ion Batteries. A cell includes the cathode, anode, and electrolyte.
- “Lithium Ion Battery” or “Li-Ion Battery” means a cylindrical, prismatic or polymer battery that is rechargeable and uses lithium ion technology.
- “Lithium Ion Battery Products” or “Li-Ion Products” means products 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 manufactured by Defendants or their alleged co-conspirators. Lithium Ion Battery Products include, but are not limited to, notebook computers, cellular (mobile) phones, digital cameras, camcorders and power tools.

6. What is a class action?

In a class action, one or more people, called “class representatives,” sue on behalf of people who have similar claims. All these people are members of the class, except for those who exclude themselves from the class.

Important information about the case will be posted on the Settlement Class website, www.BatteriesDirectPurchaserAntitrustSettlement.com, as it becomes available. Please check the website to be kept informed about any future developments.

THE SETTLEMENT CLASS

7. How do I know if I'm part of the Settlement Class?

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 (as opposed to an intermediary, such as a retail store) in the United States (“Settlement Class”).

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8. What does the Settlement provide?

The Settlement provides for a payment of \$19,000,000 in cash, plus interest. The Settlement also provides for continuing cooperation, including the production of witnesses. In addition, Sony's sales remain in the case for the purpose of computing damages against the remaining Defendants.

More details are in the Settlement Agreement, available at www.BatteriesDirectPurchaserAntitrustSettlement.com.

9. When can I get a payment?

No money will be distributed to any Settlement Class Member yet. The lawyers will pursue the lawsuit against the remaining Defendants to see if any future settlements or judgments can be obtained in the case and then be distributed together, to reduce expenses.

You will be notified in the future when and where to send a claim form. **DO NOT SEND ANY CLAIMS NOW.**

In the future, the Settlement Funds will be allocated on a *pro rata* basis based on the dollar value of each Class Member's purchase(s) of Li-Ion Batteries and/or Li-Ion Products in proportion to the total claims filed. For purposes of determining the *pro rata* allocation of Settlement Funds, purchases will be valued according to the proportionate value of the Li-Ion Cells contained in the product. The resulting amounts will be multiplied by the Net Settlement Fund (total settlements minus all costs, attorneys' fees and expenses) to determine each claimant's *pro rata* share of the Settlement Fund.

10. What are my rights in the Settlement Class?

Remain in the Settlement Class: If you wish to remain a member of the Settlement Class, you do not need to take any action at this time.

Get out of the Settlement Class: If you wish to keep any of your rights to sue Sony about claims concerning the manufacture, supply, distribution, sale or pricing of Li-Ion Cells, other than claims for product liability, personal injury, or breach of contract claims not related to the allegations in this case, you must exclude yourself from the Settlement Class. You will not get any money from the Settlement.

To exclude yourself from the Settlement Class, you must send a letter that includes the following:

- Your name, address and telephone number (include trade or business names, address and telephone numbers);
- A statement saying that you want to be excluded from *In re Lithium Ion Batteries Antitrust Litigation*, Case No. 13-MD-02420-YGR, Sony Settlement; and
- Your signature.

You must mail your exclusion request, postmarked no later than Friday, **June 10, 2016**, to:

In re Lithium Ion Batteries Antitrust Litigation
Settlement Administrator
P.O. Box 4098
Portland, OR 97208-4098

Remain in the Settlement Class and Object: You can ask the Court to deny approval by filing an objection. You can't ask the Court to order a larger settlement; the Court can only approve or deny the Settlement. 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.

You may object to the proposed Settlement in writing. You may also appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for paying that attorney. All written objections and supporting papers must (a) clearly identify the case name and number (*In re Lithium Ion Batteries Antitrust Litigation*, Case No. 13-MD-02420-YGR); (b) be submitted to the Court either by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, 1301 Clay Street, Oakland, CA 94612, or by filing them in person at any location of the United States District Court for the Northern District of California; and (c) be filed on or before Friday, **June 10, 2016**. If you plan to appear at the hearing, you must file a Notice of Intention to Appear by no later than Friday, **June 10, 2016**.

11. What am I giving up to stay in the Settlement Class?

Unless you exclude yourself from the Settlement Class, you can't sue Sony, or be part of any other lawsuit against Sony, about the legal issues in this case. It also means that all of the decisions by the Court will bind you. The "Release of Claims" includes any causes of actions asserted or that could have been asserted in the lawsuit, as described more fully in the Settlement Agreement. The Settlement Agreement is available at www.BatteriesDirectPurchaserAntitrustSettlement.com.

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THE SETTLEMENT APPROVAL HEARING

12. When and where will the Court decide whether to approve the settlement?

The Court will hold a Fairness Hearing at 2:00 p.m. on Tuesday, **September 6, 2016**, at United States District Courthouse, 1301 Clay Street, Courtroom 1, 4th Floor, Oakland, CA 94612. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check the Settlement Class website for information. At this hearing, the Court will consider whether the Settlement is fair, reasonable and adequate. If there are objections, the Court will consider them at that time. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

13. Do I have to attend the hearing?

No. Interim Co-Lead Counsel will answer any questions the Court may have. But, you are welcome to come at your own expense, so long as you file the appropriate notice in advance (*see* Question 10). If you file an objection, you don't have to come to Court to talk about it. As long as you filed your written objection on time, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in the case?

Yes. The Court has appointed the law firms of Saveri & Saveri, Inc.; Pearson, Simon & Warshaw, LLP; and Berman DeValerio to represent you as "Class Counsel." You do not have to pay Class Counsel. 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. The contact information for Class Counsel is as follows:

CLASS COUNSEL		
R. Alexander Saveri Geoffrey C. Rushing SAVERI & SAVERI, INC. 706 Sansome Street San Francisco, CA 94111	Bruce L. Simon PEARSON, SIMON & WARSHAW, LLP 44 Montgomery Street, Suite 2450 San Francisco, CA 94104	Joseph J. Tabacco, Jr. BERMAN DEVALERIO One California Street, Suite 900 San Francisco, CA 94111

15. How will the lawyers be paid?

Class Counsel are not asking for attorneys' fees at this time. At a future time, Class Counsel will ask the Court for attorneys' fees not to exceed one-third (33.3%) of this or any future Settlement Fund plus reimbursement of their costs and expenses, in accordance with the provisions of the Settlement Agreement. Class Counsel may also request that an amount be paid to each of the Class Representatives who helped the lawyers on behalf of the whole Class (known as an "incentive award").

GETTING MORE INFORMATION

16. How do I get more information?

This Notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement available at www.BatteriesDirectPurchaserAntitrustSettlement.com; by contacting Class Counsel at the addresses listed above under Question 14; by 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> (using the instructions provided here: www.cand.uscourts.gov/existcasefaq and here: www.pacer.gov/psc/faq.html); or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 1301 Clay Street, Courtroom 1, 4th Floor, Oakland, CA 94612, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

Dated: April 26, 2016

BY ORDER OF THE COURT

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