
IF YOU BOUGHT OPTICAL DISC DRIVES (“ODD”) OR PRODUCTS CONTAINING ODD IN CANADA BETWEEN JANUARY 1, 2004 THROUGH JANUARY 1, 2010, YOU MAY BE AFFECTED BY A CLASS ACTION SETTLEMENT.

WHAT IS A CLASS ACTION?

A class action is a lawsuit filed by one person on behalf of a large group of people.

WHAT ARE THESE CLASS ACTIONS ABOUT?

Class action lawsuits were commenced in Ontario, British Columbia and Quebec alleging that the defendants illegally conspired to fix the prices of ODD (collectively, the “**ODD Proceedings**”). The cases include Canadian residents in all provinces and territories who were affected by the alleged conspiracy. The ODD Proceedings ask that the Courts require these companies to return any extra money that they may have received due to this alleged conspiracy.

WHAT IS THE STATUS OF THESE CLASS ACTIONS?

The lawsuit filed in BC is called *Godfrey v. Sony Corporation et al*, Action No. S-106462 (the “**BC Action**”).

The BC Court certified this lawsuit as a class action against the following groups of companies that manufacture ODD: TEAC, NEC, Sony, HLDS, PLDS, TSST, Panasonic, BenQ, Pioneer and Quanta. This decision was affirmed by the BC Court of Appeal and the Supreme Court of Canada.

The parallel Ontario action was stayed to avoid duplicating the BC Action. The BC class has been amended to include all persons in Canada (the “**national class**”).

You are a member of the BC Action if you are a resident of Canada and fall into one of the below categories:

Non-Umbrella Purchasers:

- All persons resident in Canada who purchased optical disc drives ("**ODD**") manufactured or supplied by the defendants in this action, or products that contain ODD ("**ODD Products**") in which the ODD was manufactured or supplied by the defendants in this action, in the period from January 1, 2004 through January 1, 2010.

Umbrella Purchasers:

- All persons resident in Canada who purchased optical disc drives ("**ODD**") that were not manufactured or supplied by the defendants in this action, or products that contain ODD ("**ODD Products**") in which the ODD was not manufactured or supplied by the defendants in this action, in the period from January 1, 2004 through January 1, 2010.

ODDs means a device that reads and/or writes to CD-ROM, CD-R/RW, DVD-ROM, DVD-R/RW, Blu-Ray, Blu-Ray R/RW, and HD DVD.

ODD Products means computers, video game consoles and ODDs that are designed to be attached externally to devices such as computers.

ARE THERE ANY SETTLEMENTS IN THESE CLASS ACTIONS?

Class counsel in the ODD Proceedings have settled with the following groups of defendants:

- TEAC Corporation, TEAC America, Inc. and TEAC Canada, Ltd. ("**TEAC**") for \$500,000 USD;
- NEC Corporation and NEC Canada, Inc. ("**NEC**") for \$730,000 CDN;
- Hitachi-LG Data Storage, Inc. and Hitachi-LG Data Storage Korea, Inc. ("**HLDS**") for \$8,123,940 CDN; and
- Sony Corporation, Sony Optiarc, Inc., Sony Optiarc America Inc., Sony of Canada Ltd., Sony Electronics, Inc., Sony Corporation of America and Sony NEC Optiarc, Inc. ("**Sony**") for \$4,400,000 CDN.
- Philips & Lite-On Digital Solutions Corporation and Philips & Lite-On Digital Solutions USA, Inc. ("**PLDS**") for \$5,695,000 CDN.

WHAT HAPPENS TO THE MONEY PAID UNDER THE SETTLEMENT?

The settlement funds (minus approved fees and expenses) are being held in an interest-bearing trust account. At a later date, the Court will decide how the settlement funds will be distributed and how you can apply to receive money from the settlements achieved in the ODD Proceedings. Watch for another notice explaining how to claim money from the settlements. Register online at www.cfmlawyers.ca/active-litigation/odd/ to ensure that you are sent this notice by email or direct mail.

WHAT HAPPENS WITH THE REMAINING DEFENDANTS?

The contested litigation is continuing against the following defendants:

- Toshiba Corporation, Toshiba Samsung Storage Technology Corporation, Toshiba Samsung Storage Technology Korea Corporation, Toshiba of Canada Limited and Toshiba America Information Systems, Inc. (“Toshiba”);
- Samsung Electronics Co., Ltd., Samsung Electronics Canada Inc. and Samsung Electronics America, Inc. (“Samsung”);
- Quanta Storage, Inc. and Quanta Storage America, Inc. (“Quanta”);
- Panasonic Corporation, Panasonic Corporation of North America and Panasonic Canada Inc. (“Panasonic”);
- BenQ Corporation, BenQ America Corporation and BenQ Canada Corp. (“BenQ”); and
- Pioneer Corporation, Pioneer North America, Inc., Pioneer Electronics (USA) Inc., Pioneer High Fidelity Taiwan Co., Ltd. and Pioneer Electronics of Canada Inc. (“Pioneer”).

A trial on the common issues (as defined in the British Columbia certification order) will be held at a later date in Vancouver, on behalf of a national class.

WHAT STEPS SHOULD I TAKE NOW?

The deadline to opt out or exclude oneself as a class member in the ODD Proceedings has passed.

At this time, you do not need to do anything. However, there are two steps you should take to protect your legal rights:

1. Keep records of any purchases of ODDs or ODD Products from January 1, 2000 through December 31, 2010. Records include invoices, receipts and bank or loan statements.
2. Register online at www.cfmlawyers.ca/active-litigation/odd/ to receive updates about the ODD Proceedings.

WHO ARE THE LAWYERS WORKING ON THESE CLASS ACTIONS AND HOW ARE THEY PAID?

There are three law firms that are working together to represent class members across Canada.

The law firm of Camp Fiorante Matthews Mogerman LLP represents the British Columbia class.

CAMP FIORANTE MATTHEWS MOGERMAN LLLP
Telephone: 1-800-689-2322
Email: oddclassaction@cfmlawyers.ca
Mail: 4th Floor, 856 Homer Street, Vancouver, BC V6B 2W5

The law firm of Siskinds LLP represents the Ontario class and residents of all provinces other than British Columbia or Quebec:

SISKINDS LLP
Telephone (toll free): 1-800-461-6166 ext. 2455
Email: oddclassaction@siskinds.com
Mail: 680 Waterloo Street, London, ON N6A 3V8 Attention: Charles Wright

The law firm of Consumer Law Group Inc. represents the Quebec class.

CONSUMER LAW GROUP INC.

Telephone: 514-266-7863

Email: jorenstein@clg.org

Mail: 1030 rue Berri, Suite 102, Montreal, QC, H2L 4C3

As an individual, you do not have to pay the lawyers working on the ODD Proceedings any money. The lawyers will be paid from the money collected in the ODD Proceedings. The Courts will be asked to decide how much the lawyers will be paid. The lawyers will collectively be asking that the Courts approve legal fees of up to 25% of the settlement funds plus disbursements and applicable taxes. Any approved legal fees will be paid out of the settlement funds. Class Counsel reserve the right to ask the Courts to allow Class Counsel to use the settlement funds to pay for any future adverse costs award or future disbursements. At a later date, Class Counsel will ask the Courts to approve the distribution of the remaining settlement funds to settlement class members.

WHERE CAN I ASK MORE QUESTIONS

If you have questions that are not answered online at www.siskinds.com/odd/ or www.cfmlawyers.ca/active-litigation/odd/ please contact Class Counsel at oddclassaction@cfmlawyers.ca or 1-800-689-2322.