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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE LITHIUM ION BATTERIES
ANTITRUST LITIGATION,

Case No. 4:13-md-02420 YGR (DMR)
MDL No. 2420

This Documents Relates to:

ALL INDIRECT PURCHASER
ACTIONS

DECLARATION OF CAMERON R. AZARI,
ESQ., REGARDING IMPLEMENTATION
AND ADEQUACY OF CLASS NOTICE
PROGRAM

I, Cameron R. Azari, Esq., hereby declare and state as follows:

1. My name is Cameron R. Azari, Esq. I have personal knowledge of the matters set forth herein, and they are true and correct to the best of my knowledge.
2. I am a nationally recognized expert in the field of legal notice and I have served as an expert in hundreds of federal and state court cases involving class action notice plans.
3. I am the Director of Legal Notice for Hilsoft Notifications (“Hilsoft”), a firm that specializes in designing, developing, analyzing and implementing large-scale, un-biased, legal notification plans. Hilsoft is a business unit of Epiq Class Action & Claims Solutions, Inc. (“Epiq”). In June 2018, Epiq completed an acquisition of Garden City Group (“GCG”). Epiq and GCG have merged as one company, now Epiq. Under my direction, Hilsoft serves as the expert legal notice consulting firm for both entities, continuing through the completion of the merger.

1 4. I have been directly and personally involved in the notice planning here, including
2 analysis of the individual notice options and the media audience data, determining the most
3 effective mixture of media required to reach the greatest practicable number of Settlement Class
4 Members and design and implementation of the Notice Program (or “Notice Plan” or “Plan”) to
5 effectively communicate the change in the Distribution Plan to the settlement class. The facts in
6 this declaration are based on what I personally know, as well as information provided to me in the
7 ordinary course of my business by my colleagues at Hilsoft, GCG and Epiq.

8 5. This declaration describes the implementation of the Notice Plan designed by
9 Hilsoft for *In Re Lithium Ion Batteries Antitrust Litigation*, Case No. 4:13-md-02420 YGR
10 (DMR), MDL No. 2420. In the “*Declaration of Cameron R. Azari, Esq. Regarding Proposed*
11 *Plan of Allocation Class Notice Program*,” dated December 10, 2019, I provided detailed
12 information regarding the proposed Class Notice Program designed by Hilsoft. Previously, in the
13 “*Declaration of Cameron R. Azari, Esq. on Implementation and Adequacy of Class Notice*
14 *Program*,” dated June 11, 2019, I detailed the successful implementation of the Settlement Notice
15 Program for settlements with the SDI, TOKIN, Toshiba, and Panasonic Defendants (the “Round 3
16 Settlements”). ECF No. 2501-9. Also, in the “*Declaration of Cameron R. Azari, Esq. Regarding*
17 *Proposed Class Notice Program*,” dated January 24, 2019, I detailed Hilsoft’s class action notice
18 experience and attached Hilsoft’s curriculum vitae. I also provided my educational and
19 professional experience relating to class actions and my ability to render opinions on overall
20 adequacy of notice programs. ECF No. 2459-2.

21 6. On March 11, 2019, the Court approved the Settlement Notice Plan as designed by
22 Hilsoft and appointed Epiq to serve as the Settlement Notice Administrator in the Order Directing
23 Notice to the Class Regarding the SDI, Tokin, Toshiba & Panasonic Settlements (ECF No. 2475)
24 (the “Order”). In the Order, the Court certified the following Settlement Class:

25 [A]ll persons and entities who, as residents of the United States
26 and during the period from January 1, 2000 through May 31, 2011,
27 indirectly purchased new for their own use and not for resale one
28 of the following products which contained a lithium-ion cylindrical
battery manufactured by one or more defendants or their
coconspirators: (i) a portable computer; (ii) a power tool; (iii) a
camcorder; or (iv) a replacement battery for any of these products.

1 Excluded from the class are any purchases of Panasonic-branded
 2 computers. Also excluded from the class are any federal, state, or
 3 local governmental entities, any judicial officers presiding over
 4 this action, members of their immediate families and judicial
 5 staffs, and any juror assigned to this action, but included in the
 6 class are all non-federal and non-state governmental entities in
 7 California.

8 7. Following the Court’s order directing notice regarding the Round 3 Settlements,
 9 Epiq successfully implemented the Notice Program for those settlements. It is my understanding
 10 that after the Court granted final approval of the Settlements with defendants LG Chem, Ltd. and
 11 LG Chem America, Inc. (“LG Chem”), Hitachi Maxell Ltd. and Maxell Corporation of America
 12 (“Hitachi Maxell”), and NEC Corporation (“NEC”) (the “Round 2 Settlements”), an appeal was
 13 filed with the United States Court of Appeals for the Ninth Circuit (“Ninth Circuit”) regarding
 14 aspects of district court’s approval of a pro rata distribution plan to qualified claimants in both
 15 *Illinois Brick* Repealer States and Non-Repealer States. It is also my understanding that the Ninth
 16 Circuit vacated the district court’s final approval order and remanded the case for further
 17 proceedings as to the Round 2 Settlements. The Ninth Circuit’s opinion did not implicate any
 18 aspects of notice. As a result, we were asked by the parties to design a Notice Plan to provide
 19 notice to the Settlement Class regarding an updated Distribution Plan, new exclusion request and
 20 objection deadlines, and a schedule for final approval.

21 8. On January 10, 2020, the Court appointed Epiq as the Settlement Notice
 22 Administrator and approved the Notice Plan to provide notice to the Settlement Class regarding
 23 the settlements and the updated Distribution Plan, new exclusion request and objection deadlines,
 24 and a schedule for final approval in the *Order Granting Indirect Purchaser Plaintiffs’ Motion to*
 25 *Direct Notice Regarding Settlements with LG Chem, Hitachi Maxwell, and NEC Defendants.*

26 **OVERVIEW**

27 9. This declaration will describe the implementation of the Notice Plan and the
 28 notices to the Settlement Class themselves (“Notices”) regarding the Round 2 Settlements and the
 updated Distribution Plan with LG Chem, Hitachi Maxell, and NEC (the “Settling Defendants”) in the United States District Court for the Northern District of California. As described in my previous declarations, it is my understanding that the Settling Defendants agreed to Settlements to

1 resolve claims that they allegedly conspired to fix the price of lithium-ion cylindrical battery
2 cells. This alleged conspiracy potentially caused individuals and businesses to pay more for the
3 following products, which contained lithium-ion cylindrical batteries: (i) portable computers;
4 (ii) power tools; (iii) camcorders; or (iv) a replacement battery for any of these products.

5 10. The Notice Plan was designed to provide notice to Settlement Class Members in
6 the same manner as the Settlement Notice Plan previously designed and implemented by Hilsoft
7 for the Round 3 Settlements. Individual notice was provided via email to all Settlement Class
8 Members with a valid email address, including claimants who provided an email address to Epiq.
9 The individual notice effort was supplemented by a comprehensive media campaign. The media
10 portion of the Notice Plan outlined below was targeted to Adults 25 years of age and older who
11 purchased portable computers, power tools, camcorders, or replacement batteries.

12 11. In my opinion, the Notice Plan as designed and implemented reached the greatest
13 practicable number of Settlement Class Members through the use of individual notice and paid
14 and earned media. Media was selected to provide a broad notice to potential Settlement Class
15 Members. In my opinion, the Notice Plan was the best notice practicable under the circumstances
16 of this case and met the requirements of due process, including its “desire to actually inform”
17 requirement.¹

18 **NOTICE PLANNING METHODOLOGY**

19 12. Rule 23 directs that the best notice practicable under the circumstances must
20 include “individual notice to all members who can be identified through reasonable effort.”² The
21 Notice Plan here satisfied this requirement. An Email Notice was sent to all available valid email
22 addresses. Separate from the individual notice mailing lists, data sources and tools that are
23 commonly employed by experts in this field were used to analyze the reach and frequency³ of the

24 ¹ “But when notice is a person’s due, process which is a mere gesture is not due process. The
25 means employed must be such as one desirous of actually informing the absentee might
26 reasonably adopt to accomplish it. The reasonableness and hence the constitutional validity of
27 any chosen method may be defended on the ground that it is in itself reasonably certain to inform
28 those affected” *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 315 (1950).

² Fed. R. Civ. P. 23(c)(2)(B).

³ Reach is defined as the percentage of a class exposed to a notice, net of any duplication among
people who may have been exposed more than once. Notice “exposure” is defined as the
opportunity to read a notice. The average “frequency” of notice exposure is the average number

1 media portion of this Notice Plan. These include GfK Mediamark Research & Intelligence, LLC
 2 (“MRI”) data,⁴ which provides statistically significant readership and product usage data; and
 3 comScore, Inc.,⁵ which provides online media planning data. These tools, along with
 4 demographic breakdowns indicating how many people use each media vehicle, as well as
 5 computer software that take the underlying data and factor out the duplication among audiences
 6 of various media vehicles, allowed us to determine the net (unduplicated) reach of a particular
 7 media schedule. We combined the results of this analysis to help determine notice plan
 8 sufficiency and effectiveness.

9 13. ***Tools and data trusted by the communications industry and courts.*** Virtually all
 10 of the nation’s largest advertising agency media departments utilize and rely upon such
 11 independent, time-tested data and tools, including net reach and de-duplication analysis
 12 methodologies, to guide the billions of dollars of advertising placements that we see today,
 13 providing assurance that these figures are not overstated. These analyses and similar planning
 14 tools have become standard analytical tools for evaluating notice programs, and have been
 15 regularly accepted by courts.

16 14. In fact, advertising and media planning firms around the world have long relied on
 17 audience data and techniques and all of the leading advertising and communications textbooks
 18 cite the need to use reach and frequency planning.⁶ Ninety of the top one hundred media firms
 19 of times that those reached by a notice would be exposed to a notice.

20 ⁴ GfK Mediamark Research & Intelligence, LLC (“MRI”) is a leading source of publication
 21 readership and product usage data for the communications industry. MRI offers comprehensive
 22 demographic, lifestyle, product usage and exposure to all forms of advertising media collected
 23 from a single sample. As the leading U.S. supplier of multimedia audience research, MRI
 24 provides information to magazines, televisions, radio, Internet, and other media, leading national
 25 advertisers, and over 450 advertising agencies—including 90 of the top 100 in the United States.
 26 MRI’s national syndicated data is widely used by companies as the basis for the majority of the
 27 media and marketing plans that are written for advertised brands in the U.S.

28 ⁵ comScore, Inc. is a global leader in measuring the digital world and a preferred source of digital
 marketing intelligence. In an independent survey of 800 of the most influential publishers,
 advertising agencies and advertisers conducted by William Blair & Company in January 2009,
 comScore was rated the “most preferred online audience measurement service” by 50% of
 respondents, a full 25 points ahead of its nearest competitor.

⁶ Textbook sources that have identified the need for reach and frequency for years include: JACK
 S. SISSORS & JIM SURMANEK, ADVERTISING MEDIA PLANNING, 57-72 (2d ed. 1982); KENT M.
 LANCASTER & HELEN E. KATZ, STRATEGIC MEDIA PLANNING 120-156 (1989); DONALD W.
 JUGENHEIMER & PETER B. TURK, ADVERTISING MEDIA 123-126 (1980); JACK Z. SISSORS &
 LINCOLN BUMBA, ADVERTISING MEDIA PLANNING 93-122 (4th ed. 1993); JIM SURMANEK,

1 use MRI data and at least 15,000 media professionals in 85 different countries use media planning
2 software.⁷

3 **NOTICE PLAN DETAIL**

4 15. The Notice Plan was designed to provide the best notice practicable in accordance
5 with Rule 23.

6 16. To guide the selection of measured media to reach unknown members of the Class,
7 the Notice Plan had a primary target audience of: Adults 25 years of age and older who
8 purchased portable computers, power tools, camcorders, or replacement batteries. Adults 25
9 years of age and older were chosen as the target because the end of the Class Period was more
10 than seven years ago.

11 17. The combined measured individual notice and online banner notice efforts
12 reached approximately 70% of Adults 25 years of age and older who purchased portable
13 computers, power tools, camcorders, or replacement batteries, an average of 2.5 times each. In
14 my experience, this reach and frequency of the Notice Plan is consistent with other court-
15 approved notice programs in settlements of similar magnitude, is consistent with the reach of
16 prior settlement notice efforts implemented in this litigation, and has been designed to meet due
17 process requirements.

18 **NOTICE PLAN**
19 **Individual Notice**

20 18. Individual notice consisted of an Email Notice sent to all known Settlement Class
21 Members with a valid email address from the previous Settlement Notice efforts and to any new
22 email addresses provided by Settlement Class Members on claim forms submitted to Epiq.
23 Settlement Class Member data for the previous Settlement Notice efforts was provided to
24 GCG/Epiq as follows:

25
26 _____
27 INTRODUCTION TO ADVERTISING MEDIA: RESEARCH, PLANNING, AND BUYING 106-187 (1993).
28 ⁷ For example, Telmar is the world's leading supplier of media planning software and support
services. Over 15,000 media professionals in 85 countries use Telmar systems for media and
marketing planning tools including reach and frequency planning functions. Established in 1968,
Telmar was the first company to provide media planning systems on a syndicated basis.

1 and Spanish. These banner advertisements appeared on a rotating schedule in multiple ad sizes
2 across desktop and mobile devices in both English and Spanish.

3 32. Banner advertisements were also displayed on *Facebook* and *Instagram*. These
4 sites are among the leading group of social networking sites in the United States. On *Facebook*,
5 when a user logs into their account they are presented with their homepage. Banners appeared in
6 their newsfeed for desktop and mobile notice, as well as in the right-hand column next to the
7 newsfeed for desktop computers. Notices on *Instagram* appeared in a user's feed alongside other
8 posts and tweets. These banner advertisements appeared on a rotating schedule in custom ad
9 sizes across desktop and mobile devices in both English and Spanish. In addition, a posting was
10 placed on the existing "Reverse the Charge" *Facebook* page to the more than 6,300 current
11 followers of the *Facebook* page.

12 33. A summary of the Digital Banner Notice effort is as follows:

<i>Network/Property</i>	<i>Banner Sizes</i>	<i>Run Dates</i>	<i>Impressions Delivered</i>
<i>Google & Oath Ad Networks</i>	300x250; 728x90; 970x250; 300 x 600	2/11/20 - 3/9/20	296,254,374
<i>Facebook & Instagram</i>	Custom	2/11/20 - 3/9/20	100,235,176
<i>TOTAL</i>			396,489,550

18
19 34. Combined, approximately 369.4 million adult impressions were generated by these
20 Banner Notices, which ran from February 11, 2020 through March 9, 2020. Clicking on the
21 Banner Notice brought the reader to the case website where they could obtain detailed
22 information about the case. Examples of the Banner Notices are included as **Exhibit 3**.

Targeted Digital Media

23
24 35. In addition to traditional digital targeting, a hyper-targeted strategy was also
25 incorporated. Behavioral, context and select placement strategies were used to reach Settlement
26 Class Members online.

27 36. Behavioral targeting uses a person's online patterns that relate to consumer
28 electronics, cordless power tools, replacement batteries, and other related topics to identify and

1 serve them an ad as they navigate the internet. Contextual targeting placed ads alongside online
2 articles, blogs, and content that specifically contained keywords and phrases in line with lithium-
3 ion cylindrical battery products. Select placement of Notices were placed on specific websites
4 likely to be effective in providing notice to Settlement Class Members affected by the
5 Settlements. This included consumer electronics sites as well as premier news, sports, weather,
6 and entertainment websites. All sites that performed well were segmented for increased presence,
7 which resulted in premium placement across desktop and mobile platforms. Additionally, the
8 Notices were remarketed to those who have visited the settlement website.

9 *Placing Notices to Be Highly Visible*

10 37. The Notices were designed to be highly visible and noticeable. Since not all
11 placements are equal, extra care was taken to place Notices in positions to generate visibility
12 among potential Settlement Class Members.

13 38. In digital, placements were sought above the fold⁸ on the websites when available.
14 *Facebook* and *Instagram* advertisements appeared within the user's news feed on computers and
15 within the newsfeed on mobile. *Facebook* advertisements appeared on the right-hand side of the
16 user's news feed on computers.

17 *Sponsored Internet Search Listings*

18 39. To help Settlement Class Members locate the case website, sponsored search
19 listings were acquired on *Google*, *Yahoo!* and *Bing*. When search engine visitors searched on
20 common keyword combinations such as "Battery Powered Tools," "Battery Settlement" or
21 "Lithium Batteries," the sponsored search listing was generally displayed at the top of the page
22 prior to the search results or in the upper right-hand column.

23 40. The Sponsored Search Listings were provided to search engine visitors across the
24 United States and assisted Settlement Class Members to find and access the case website. The
25 Sponsored Search Listing ran from February 11, 2020 through April 13, 2020 and has been
26 displayed 216,447 times, resulting in 1,845 clicks that displayed the case website. A complete list
27 of the sponsored search keyword combinations is included as **Exhibit 4** to this declaration.

28 ⁸ The term "above the fold" refers to the portion of a website that can be viewed by a visitor,
typically without the need to scroll down the page.

1 Examples of the sponsored search listing as displayed on each search engine are included as
2 **Exhibit 5** to this declaration.

3 **Informational Release**

4 41. To build additional reach and extend exposures, an Informational Release was
5 issued on February 11, 2020, to approximately 15,000 media outlets, including newspapers,
6 magazines, national wire services, television, radio and online media in all 50 states. The
7 Informational Release in Spanish was issued February 12, 2020, to the Hispanic newswire. The
8 Hispanic newswire reaches over 7,000 U.S. Hispanic media contacts including online placement
9 of approximately 100 Hispanic websites nationally. The Informational Release also was
10 distributed to approximately 495 media contacts in the Consumer Electronics industry. The
11 Informational Releases served a valuable role by providing additional notice exposures beyond
12 what was provided by the paid media. A copy of the Informational Releases is included as
13 **Exhibit 6** to this declaration.

14 **Case Website, Toll-free Telephone Number, and Postal Mailing Address**

15 42. A dedicated website (www.ReverseTheCharge.com) was already created for the
16 previous Settlements in this matter. On February 11, 2020, the existing website was updated to
17 provide information about IPPs' renewed motion for final approval of the Round 2 Settlements
18 and the changes to the Distribution Plan, including dates and deadlines associated with the
19 Settlements. All other features of the case website remain the same. Settlement Class Members
20 are able to obtain detailed information about the case and review documents for these
21 Settlements, including the full Long-Form Notice (in English and Spanish), the Settlement
22 Agreements, the Preliminary Approval Order, and other documents. Answers to Frequently
23 Asked Questions (FAQs) were also updated as appropriate. The case website address was
24 displayed prominently on all Notice documents. The Banner Notices linked directly to the case
25 website. Between February 11, 2020 and May 4, 2020, there have been 139,262 unique visitors
26 to the website and 205,163 website pages presented.

27 43. The existing toll-free phone number (1-855-730-8645) continues to be used to
28 allow Settlement Class Members to call for additional information, listen to answers to FAQs and

1 request that a Long Form Notice be mailed to them. The toll-free number was displayed
2 prominently in the Notice documents as appropriate. Between February 11, 2020 and May 4,
3 2020, the toll-free telephone number has handled 531 calls representing 1,144 minutes of use.

4 44. The existing post office box that was established for the Settlement continues to be
5 available to allow Settlement Class Members to contact Epiq via mail with any specific requests
6 or questions.

7 *Status of Claims Process*

8 45. The deadline has passed for Settlement Class Members to submit a Claim Form.
9 As of May 4, 2020, Epiq has received 57,716 Claim Forms (56,609 online and 1,107 paper).
10 Additionally, Epiq received Claim Data related to 1,046,087 Claim Forms filed with the previous
11 administrators. Of the claims, 485,768 are for repealer states and 618,035 are for non-repealer
12 states. For the 1,103,803 claims from all sources these claims reflect a total of 110,214,606
13 devices claimed, 44,159,745 PC batteries, 38,141,788 mobile phone batteries, 7,340,271
14 camcorder batteries, and 20,572,802 power tool batteries. Epiq did receive 1,289 late paper
15 Claim Forms. These late claims reflect claims for approximately 707,690 PC batteries, 400,597
16 mobile phone batteries, 88,056 camcorder batteries, and 533,121 power tool batteries, for a total
17 of 1,729,464 batteries claims across all categories.

18 *Exclusion Requests and Objections*

19 46. The Court established a new deadline date of April 13, 2020, for Settlement Class
20 Members to request exclusion from the Settlements or to object. The April 13, 2020, deadline
21 date was included in the Notices. All Settlement Class Members had an opportunity to request
22 exclusion from the Settlements or object to the settlements by the established deadlines. As of
23 May 4, 2020, Epiq has received seven requests for exclusion and one objection (which I have
24 reviewed and does not relate to notice or administration). In addition, for the previous rounds of
25 notice, requests for exclusion were received as follows: SDI, TOKIN, Toshiba, and Panasonic
26 Settlements: 10 requests for exclusion; original LG Chem, Hitachi Maxell, and NEC Settlements:
27 14 requests for exclusion and the Sony Settlement: 18 requests for exclusion. In total 49 requests
28

1 for exclusion have been submitted by Settlement Class Members. A copy of the Exclusion
2 Report is included as **Exhibit 7** to this declaration.

3 **CONCLUSION**

4 47. In class action notice planning, execution, and analysis, we are guided by due
5 process considerations under the United States Constitution, by federal and local rules and
6 statutes, and further by case law pertaining to class notice. This framework directs that the notice
7 program be designed to reach the greatest practicable number of potential class members and, in a
8 settlement class action notice situation such as this, that the notice or notice program itself not
9 limit knowledge of the availability of benefits—nor the ability to exercise other options—to class
10 members in any way. In my opinion, all of these requirements were met in this case.

11 48. As described above, the Notice Plan effectively provided a combined measured
12 individual notice, social media and online banner notice effort, which reached at least 70% of all
13 Adults 25 years of age and older who purchased power tools, camcorders, or laptop/notebook
14 computers, an average of 2.5 times each. Many courts have accepted and understood that
15 anything over a 70% percent reach is more than adequate. In 2010, the Federal Judicial Center
16 issued a Judges’ Class Action Notice and Claims Process Checklist and Plain Language Guide.
17 This Guide states that, “the lynchpin in an objective determination of the adequacy of a proposed
18 notice effort is whether all the notice efforts together will reach a high percentage of the class. It
19 is reasonable to reach between 70–95%.”

20 49. The Notice Plan schedule afforded enough time to provide full and proper notice
21 to Settlement Class Members before the exclusion request or objection deadlines.

22 I declare under penalty of perjury that the foregoing is true and correct. Executed on May
23 5, 2020.

24 
25 _____
26 Cameron R. Azari, Esq.

Exhibit 1

From: DoNotReply <donotreply@legalclaimsadmin.com>
Sent:
To:
Subject: Important Notice About a Class Action Settlement

If You Bought Electronics Such as a Portable Computer, Power Tool or Camcorder Containing a Lithium Ion Cylindrical Battery or a Replacement Battery from January 1, 2000 through May 31, 2011

The Amount of Money You Could Receive from \$44.95 Million in Settlements May Have Changed and Your Legal Rights May Be Affected

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

Why Are There Settlements?

LG Chem, Ltd. and LG Chem America, Inc. (“LG Chem”), Hitachi Maxell Ltd. and Maxell Corporation of America (“Hitachi Maxell”), and NEC Corporation (“NEC”) (collectively, the “Settling Defendants”) agreed to pay \$44.95 million in Settlements to resolve claims that Settling Defendants allegedly fixed the price of cylindrical Lithium-Ion Batteries, causing individuals and businesses to pay more for products like portable computers, power tools, camcorders or replacement batteries for any of these products. A federal court previously approved the Settlements but is now reconsidering them under a revised Distribution Plan, and will also consider Class Counsel’s request to reinstate the prior awards of attorneys’ fees and reimbursement of litigation expenses.

A more detailed notice, which includes additional information about the settlements, is available at the settlement website (www.reversethecharge.com) or by calling 1-855-730-8645.

What Is This Notice About?

You are receiving this email because you may be a Class Member. This notice is to inform you about recent changes to the proposed Distribution Plan for the Settlements, extended deadlines to exclude yourself from the Settlements or to object to the Settlements, and Class Counsel’s renewed request for attorneys’ fees and litigation expenses, before the Court decides whether to finally approve the Settlements with Settling Defendants and the revised Distribution Plan.

Am I Included?

The Class includes all persons and entities who, as residents of the United States and during the period from January 1, 2000 through May 31, 2011, indirectly purchased new for their own use and not for resale one of the following products which contained a lithium-ion cylindrical battery manufactured by one or more Defendants in this lawsuit or their co-conspirators: (i) a portable computer; (ii) a power tool; (iii) a camcorder; or (iv) a replacement battery for any of these products. “Indirectly” means the product was purchased from someone other than the manufacturer, such as a retail store.

What Do The Settlements Provide?

The Settlement Fund is \$44.95 million. After deducting Court-approved attorneys’ fees, service awards, notice and administration costs, and litigation expenses, the remaining Net Settlement Fund will be divided into two

funds, a Repealer Fund and a Non-Repealer Fund. The Repealer Fund (90% of the Net Settlement Fund) will be available for distribution to Class Members who are residents of the following Repealer States: Alabama, Arizona, Arkansas, California, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin. All other states and/or jurisdictions are “Non-Repealer” States. The Non-Repealer Fund (10% of the Net Settlement Fund) will be available for distribution to Class Members who are residents of Non-Repealer States. However, the plan for distributing the Settlement Funds is not final and may be changed by the Court after considering any and all objections by Class Members. If the Court determines that further changes to the allocation of the Settlement Funds between the Repealer and Non-Repealer Fund are appropriate, those changes will be posted on the settlement website (www.reversethecharge.com), which also provides more details about the Settlements.

How Can I Get A Payment And How Much Will I Receive?

Money from all settlements in this case will be distributed together on a per-Class Member basis, but the amount you receive from each settlement will depend on the Court-approved Distribution Plan. No money will be distributed yet. If final approval is granted to the Settlements with Settling Defendants, Class Members who have already filed a valid and timely claim will receive cash payments. The deadline to file a claim has already passed. The deadline was July 19, 2019. If you did not already file a claim, you will not receive a cash payment from the Settlements with Settling Defendants, unless you previously requested to be excluded from the settlement and successfully apply to rejoin the class as described in the Long Form Notice.

What Are My Rights?

Even if you do nothing, you will be bound by the Court’s decisions concerning these settlements. To keep your rights to sue the Settling Defendants regarding Lithium Ion Batteries, you must exclude yourself from the Class in writing by **April 13, 2020**. If you stay in the Class, you may object to the settlements with Settling Defendants in writing by **April 13, 2020**. The settlements, along with details on how to exclude yourself from the settlements, re-join the class, or object to the settlements with Settling Defendants, are available at the settlement website (www.reversethecharge.com).

The Court will hold a Final Fairness Hearing at 2:00 pm on Tuesday, May 20, 2020, at the United States Courthouse, 1301 Clay Street, Courtroom 1, 4th Floor, Oakland, CA 94612, to consider whether to approve the settlements with the Settling Defendants. Class Counsel may request at the hearing attorneys’ fees not to exceed 30% of the cumulative Settlement Fund of \$113.45 million obtained in this case thus far, or \$33,829,176, plus costs and expenses in an amount not to exceed \$6,751,735.84 and service awards to the Class representatives in the amount of \$10,000 each for the work they have undertaken on behalf of Plaintiffs, and for \$25,000 for two government entities. If you object, you or your own attorney may appear and speak at the hearing to comment on the settlements with Settling Defendants and/or on any request for attorneys’ fees, service awards for Class representatives, or reimbursement of costs and expenses at your own expense, but you are not required to appear. 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 additional information. Please do not contact the Court about this case. Detailed information is available at the settlement website (www.reversethecharge.com) or by calling 1-855-730-8645.

If you wish to UNSUBSCRIBE from future email messages from the Claims Administrator with regard to this Settlement, please click on this [link](#).

Exhibit 2

If You Bought Electronics Such as a Portable Computer, Power Tool or Camcorder Containing a Lithium Ion Cylindrical Battery or a Replacement Battery from January 1, 2000 through May 31, 2011

The Amount of Money You Could Receive from \$44.95 Million in Settlements May Have Changed and Your Legal Rights May Be Affected

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

- This Notice provides a summary of the proposed Settlements and the lawsuit and also provides new information regarding recent changes to the proposed Distribution Plan for the Settlements, extended deadlines to exclude yourself from the Settlements, re-join the class, or to object to the Settlements, and Class Counsel's renewed request for attorneys' fees and litigation expenses. To obtain more specific details concerning the Settlements, please read this entire Notice and the Settlement Agreements, available at www.reversethecharge.com, carefully.
- The following rights and options – and deadlines to exercise them – have changed, as explained in this Notice.**

YOUR LEGAL RIGHTS AND OPTIONS		
<u>YOU MAY:</u>		<u>DUE DATE:</u>
EXCLUDE YOURSELF	You will not be included in the Settlements from which you exclude yourself. You will receive no benefits from the Settlements, but you will keep any rights you currently have to sue LG Chem, Hitachi Maxell, and NEC about the claims in the case(s) from which you exclude yourself.	April 13, 2020 See Questions 11-16 for more details
DO NOTHING NOW	You will be included in the Settlements with Settling Defendants. You will give up your rights to sue the Settling Defendants about the claims in this case. If you previously filed a claim for this settlement or the other settlements discussed in Paragraph 8 below, you may receive a portion of the settlement fund pursuant to the Court-approved plan of distribution.	N/A
OBJECT TO THE SETTLEMENTS	You can write to the Court explaining why you disagree with the Settlements with Settling Defendants or any request for attorneys' fees (only if you do not exclude yourself).	April 13, 2020
GO TO THE HEARING	Ask to speak in Court about your opinion of the Settlements.	May 20, 2020

- A class action lawsuit has been brought on behalf of indirect purchasers of the following products that contained Lithium-Ion Cylindrical Batteries, which is a type of Lithium-Ion Battery ("Li-Ion Battery"): (i) portable computers; (ii) power tools; (iii) camcorders; or (iv) a replacement battery for any of these products. Indirect purchasers include consumers, businesses, and California local governments who purchased their products from someone other than the manufacturer, such as a retail store.
- Plaintiffs claim that Defendants (listed below) and co-conspirators engaged in an unlawful conspiracy to fix, raise, maintain, or stabilize the prices of cylindrical Lithium Ion Battery Cells ("Li-Ion Cells"). Plaintiffs further claim that indirect purchasers of the products listed above containing Lithium-Ion Cylindrical Batteries ("Li-Ion Cylindrical Batteries") 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 cylindrical Li-Ion Cells, they and other indirect purchasers paid more for these products and replacement batteries than they would have paid absent the conspiracy. Defendants deny Plaintiffs' claims.
- Settlements have been reached with LG Chem, Ltd. and LG Chem America, Inc. ("LG Chem"), Hitachi Maxell Ltd. and Maxell Corporation of America ("Hitachi Maxell"), and NEC Corporation ("NEC") (collectively, the "Settling Defendants").
- The Court in charge of these cases previously approved the Settlements, but must now reconsider whether to finally approve the Settlements along with a revised Distribution Plan and Counsel's renewed request for attorneys' fees and reimbursement of litigation expenses, as more fully described herein. Payments will be made (1) after the Court approves all Settlements, along with the revised Distribution Plan, (2) after any appeals are resolved, and (3) after the Court-approved payment of attorneys' fees, expenses, and service awards to Class Representatives.

QUESTIONS? VISIT WWW.REVERSETHECHARGE.COM OR CALL 1-855-730-8645

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BASIC INFORMATION

1. What Is This Notice About?

This Notice is to inform you about updates to these Settlements reached in this litigation and Class Counsel's renewed request for attorneys' fees and reimbursement of litigation expenses, before the Court decides whether to finally approve the Settlements with Settling Defendants. This Notice explains the lawsuit, the Settlements, and your legal rights. The Court in charge is the United States District Court for the Northern District of California. This litigation is known as *In re Lithium Ion Batteries Antitrust Litigation – All Indirect Purchaser Actions*, MDL No. 2420. The people who sued are called the "Plaintiffs." The companies they sued are called the "Defendants."

In October 2017, the Court granted final approval of the Settlements with the Settling Defendants. Subsequently, an appeal was filed with the United States Court of Appeals for the Ninth Circuit ("Ninth Circuit") regarding aspects of the Court's certification of a nationwide class and a pro rata distribution plan as part of the final approval. Recently, the Ninth Circuit vacated (eliminated) the Court's final approval order and remanded (sent) the case back for further proceedings before the Court. Since then, the parties have submitted to the Court a revised Distribution Plan for distribution of the Settlement Fund, which is detailed in this Notice.

The Ninth Circuit has also recently vacated the final fee order issued in 2019. The Ninth Circuit did so to allow the Court in charge of these cases to consider whether any modification of that award should be made. As discussed below, Class Counsel will request that the prior awards of fees, litigation expenses, and service awards be reinstated as they were, along with final approval of the Settlements.

The Court has yet to decide these matters.

2. What Is This Lawsuit About?

The lawsuit alleges that Defendants and co-conspirators conspired to raise and fix the prices of cylindrical Li-Ion Cells for over ten years, resulting in overcharges to buyers of portable computers, camcorders, and power tools containing Li-Ion Cylindrical Batteries. The complaint describes how the Defendants and co-conspirators allegedly violated the U.S. and state antitrust, unfair competition, and consumer protection laws by agreeing to fix prices and restrict output of these 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.

3. Why Are There Settlements?

This Notice concerns three groups of Defendants that have agreed to settle the lawsuit – LG Chem, Hitachi Maxell, and NEC. Previously, notices were provided about (a) a settlement reached with Sony Corporation, Sony Energy Devices Corporation, and Sony Electronics Inc. (collectively "Sony"), and (b) settlements reached with four groups of defendants – Samsung SDI Co., Ltd. and Samsung SDI America, Inc. ("SDI"); TOKIN Corporation ("TOKIN"); Toshiba Corporation ("Toshiba"); and Panasonic Corporation, Panasonic Corporation of North America, SANYO Electric Co., Ltd., and SANYO North America Corporation ("Panasonic"). In paragraph 8, below, there is information about the benefits of the other settlements.

4. What Are Li-Ion Cells, Li-Ion Packs, Li-Ion Batteries, Cylindrical Li-Ion Batteries, And Finished Products?

For purposes of the Settlements:

- "Lithium Ion Battery Cell(s)" or "Li-Ion Cells" means cylindrical, prismatic, or polymer cells used for the storage of power that are rechargeable and uses lithium ion technology.
- "Lithium Ion Battery Pack(s)" or "Li-Ion Packs" means Lithium Ion Battery Cells that have been assembled into packs, regardless of the number of Lithium Ion Cells contained in such packs.
- "Lithium Ion Battery" or "Li-Ion Battery" means a Lithium Ion Battery Cell or Lithium Ion Battery Pack.
- "Lithium Ion Cylindrical Battery" or "Li-Ion Cylindrical Battery" means a cylindrical-type Lithium Ion Battery Cell or cylindrical-type Lithium Ion Battery Pack.
- "Finished Product" means any product and/or electronic device that contains a Lithium Ion Battery, including but not limited to laptop PCs, notebook PCs, netbook computers, tablet computers, mobile phones, smart phones, cameras, camcorders, digital video cameras, digital audio players, and power tools.

5. Why Is This A Class Action?

In a class action, one or more people called the "Class representatives" sue on behalf of themselves and other people with similar claims. All of these people together are the "Class" or "Class Members." In a class action, one court may resolve the issues for all Class Members, except for those who exclude themselves from the class.

THE SETTLEMENTS

6. How Do I Know If I May Be Included In The Class Or If My Rights Are Affected?

The Class includes all persons and entities who, as residents of the United States and during the period from January 1, 2000 through May 31, 2011, purchased new for their own use and not for resale one of the following products which contained a lithium-ion cylindrical battery manufactured by one or more Defendants in this lawsuit or their co-conspirators: (i) a portable computer; (ii) a power tool; (iii) a camcorder; or (iv) a replacement battery for any of these products.

The specific definition of who is included in the Class is set forth in the Settlement Agreements. The Settlement Agreements, and the related Complaints, are accessible on the website www.reversethecharge.com. Payments to Class Members will be made only: (1) after the Court approves all Settlements, along with the revised Distribution Plan and, (2) after any appeals are resolved, and (3) after the Court-approved payment of attorneys' fees, expenses, and service awards to Class Representatives. A revised settlement Distribution Plan has been proposed to the Court for approval. The revised Distribution Plan, as approved by the Court, will determine the amount, if any, that each Class Member will receive.

7. What Do The Settlements Provide?

The Settlement Fund in connection with these specific settlements is \$44.95 million. If these settlements are approved, that will create a cumulative Settlement Fund of \$113.45 million. After deducting Court-approved attorneys' fees, service awards, notice and administration costs, and litigation expenses, the remaining Net Settlement Fund will be divided into two funds, a Repealer Fund and a Non-Repealer Fund. The Repealer Fund (90% of the Net Settlement Fund) will be available for distribution to Class Members who are residents of the following Repealer States: Alabama, Arizona, Arkansas, California, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin. All other states and/or jurisdictions are "Non-Repealer" States. The Non-Repealer Fund (10% of the Net Settlement Fund) will be available for distribution to Class Members who are residents of Non-Repealer States. However, the plan for distributing the Settlement Funds is not final and may be changed by the Court after considering any and all objections by Class Members. If the Court determines that further changes to the allocation of the Settlement Funds between the Repealer and Non-Repealer Fund are appropriate, those changes will be posted on the settlement website (www.reversethecharge.com), which also provides more details about the Settlements).

HOW TO GET BENEFITS FROM THE SETTLEMENTS

8. How Much Money Can I Get?

Money from all settlements in this case will be distributed together on a per-Class Member basis, but the amount you receive from each settlement will depend on a Court-approved Distribution Plan. For the LG Chem, Hitachi, and NEC Settlements, the amount Class Members will be paid has changed to the following:

LG Chem, Hitachi Maxell, and NEC: Notice was previously provided about the Settlements reached with LG Chem, Hitachi Maxell, and NEC for \$44.95 million. The claim form in connection with these settlements allowed Class Members to state the number of devices they had that are subject to the settlement. Every Class Member who already filed a valid claim will have that claim applied against the Repealer Fund or Non-Repealer Fund, depending on the Class Member's state of residence. As noted above, 90% of the Net Settlement Fund will be distributed to the Repealer-State residents, and 10% of the Net Settlement Fund will be distributed to Non-Repealer-State residents. The amount available for distribution will be affected by any awards made by the Court against the funds for attorneys' fees, reimbursement of costs, or service awards for the Class representatives. How much each Class Member receives will also depend on the number of claims made from Repealer and Non-Repealer states and a balancing of the cost of distribution with the amount to be distributed to each Class Member.

Class Members will also be paid from settlement funds involving other Defendants, which the Court has previously approved:

Sony Settlement: The Court previously approved a settlement with Sony for \$19.5 million. Every Class Member who already filed a valid claim will receive the same amount per device. The amount available for distribution will be affected by any awards made by the Court against the funds for attorneys' fees, reimbursement of costs, or service awards for the Class representatives.

SDI, TOKIN, Toshiba, and Panasonic Settlements: The Court previously approved settlements with SDI, TOKIN, Toshiba, and Panasonic for \$49 million. Every Class Member who already filed a valid claim will have their claim against the Repealer fund or Non-Repealer fund for those settlements, depending on the

Class Member's state of residence. The amount available for distribution will be affected by any awards made by the Court against the funds for attorneys' fees, reimbursement of costs, or service awards for the Class representatives. How much each Class Member receives will also depend on the number of claims made from Repealer and Non-Repealer states and a balancing of the cost of distribution with the amount to be distributed to each Class Member. Although the Court granted final approval of these settlements, that approval is currently being appealed, and claims may not be paid until the appeals are resolved.

Any remaining balance after an initial distribution of the Settlement Funds to qualified claimants will be redistributed to Class Members or, if redistribution is too costly compared with the amount of the remaining balance, such funds will escheat to federal or state governments. No money will return to the Settling Defendants once the Court finally approves the Settlements.

9. How And When Will I Get A Payment?

No money will be distributed yet. If final approval is granted to the Settlements with Settling Defendants, Class Members who have already filed a valid and timely claim will receive cash payments and may receive them distributed directly into an online account. Such accounts may include accounts with Amazon, PayPal, or Google Wallet, among others. If you are a Class Member with valid and timely claims and prefer to receive a physical check, please submit a written request to Lithium Batteries Indirect Purchaser Settlements, c/o Epiq, P.O. Box 10194, Dublin, OH 43017-3194. The deadline to file a claim has already passed. The deadline was July 19, 2019. If you did not already file a claim, you will not receive a cash payment from the Settlements with Settling Defendants, unless you previously requested to be excluded from the settlement and successfully apply to rejoin the class as described in this Notice.

The timing of the distribution will be requested by the Plaintiffs' lawyers and approved by the Court. It may not occur until all Settlements are final, and after resolution of any appeals. All Settlement Funds that remain after payment of the Court-ordered attorneys' fees, service awards, costs, and expenses will be distributed within 45 days of the final judgment (which includes resolution of any appeals), unless modified by the Court.

REMAINING IN THE CLASS

10. What Happens If I Remain In The Class?

You will give up your right to sue the Settling Defendants on your own for the claims described in detail in the Settlement Agreements unless you exclude yourself from the Class. You also will be bound by any decisions by the Court relating to the Settlements. In return for paying the Settlement Amounts and providing the non-monetary benefits, the Settling Defendants (and certain related entities defined in the Settlement Agreements) will be released from claims relating to the alleged conduct pertaining to any indirect purchase of cylindrical, prismatic, or polymer battery cells or packs (including cylindrical, prismatic, or polymer battery cells or packs contained in finished products). The Settlement Agreements describe the released claims in detail, so read them carefully since those releases will be binding on you if the Court approves the Settlements. If you have any questions, you can talk with Class Counsel for free, or you can, of course, talk with your own lawyer (at your own expense) if you have questions about what this means. The Settlement Agreements and the specific releases are available at www.reversethecharge.com.

EXCLUDING YOURSELF FROM THE CLASS

11. How Do I Get Out Of The Class?

To exclude yourself from the Class, you must send a letter by mail stating that you want to be excluded from *In re Lithium Ion Batteries Antitrust Litigation – All Indirect Purchaser Actions*, MDL No. 2420, Indirect Purchaser Settlements. Your letter must also include:

- Your name, address, and telephone number;
- A statement saying that you want to be excluded from *In re Lithium Ion Batteries Antitrust Litigation – All Indirect Purchaser Actions*, MDL No. 2420, Indirect Purchaser Settlements; and
- Your signature.

You must mail your exclusion request postmarked no later than April 13, 2020, to:

Lithium Batteries Indirect Purchaser Settlements
EXCLUSIONS
c/o Epiq
P.O. Box 10194
Dublin, OH 43017-3194

12. If I Don't Exclude Myself, Can I Sue For The Same Thing Later?

No. Unless you exclude yourself, you give up any right to sue the Settling Defendants for the claims being released in this case.

13. If I Exclude Myself, Can I Still Get Money Benefits?

No. If you exclude yourself from the Settlement Class, you will not receive any money from the Settlements.

14. If I Previously Filed A Claim Form, Can I Exclude Myself Now?

Yes. If you already filed a claim form, you may still exclude yourself from the Settlement Class. To do so, you must submit an exclusion request as detailed in paragraph 11. If you exclude yourself from the Settlement Class, you will not receive any money from the Settlements and your previously submitted claim will not be considered.

15. If I Previously Excluded Myself, Do I Need To Exclude Myself Again?

No. If you already sent a letter by mail to exclude yourself before the previous exclusion deadline, you do not need to submit another request for exclusion to exclude yourself from the Class.

16. If I Previously Excluded Myself in Relation to these Settlements, Can I Re-Join the Class Now?

If you previously excluded yourself from these settlements, but would like to re-join the class now in light of these changes to the Distribution Plan, you must send a letter requesting inclusion in the class for these settlements postmarked no later than April 13, 2020 to:

Lithium Batteries Indirect Purchaser Settlements
EXCLUSIONS
c/o Epiq
P.O. Box 10194
Dublin, OH 43017-3194

The Court will determine whether persons or entities that previously excluded themselves are permitted to re-join the class.

THE LAWYERS REPRESENTING YOU

17. Do I Have A Lawyer Representing Me?

The Court has appointed the following lawyers as Class Counsel to represent you and all other members of the Class:

Adam Zapala, Esq. Cotchett, Pitre & McCarthy, LLP San Francisco Airport Office Center 840 Malcolm Road, Suite 200 Burlingame, CA 94010 batteries@cpmllegal.com	Shana Scarlett, Esq. Hagens Berman Sobol Shapiro LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 batteries@hbsslw.com	Brendan P. Glackin, Esq. Lieff Cabraser Heimann & Bernstein, LLP 275 Battery Street, 29th Floor San Francisco, CA 94111 lithiumbatteries@lchb.com
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You will not be charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

18. How Will The Lawyers And Class Representatives Be Paid?

At the Final Fairness Hearing, Class Counsel may ask the Court to reimburse them for certain fees, costs, and expenses. At the Final Fairness Hearing, Class Counsel may ask the Court for attorneys' fees based on their services in this litigation, but such a request *will not exceed 30% of the cumulative Settlement Fund* of \$113.45 million for a total request of \$33,829,176 in attorneys' fees. Any payment to the attorneys will be subject to Court approval, and the Court may award less than the requested amount.

At the Final Fairness Hearing, Class Counsel will also ask the Court to reimburse them for costs and expenses incurred throughout this litigation, not to exceed \$6,751,735.84.

At the Final Fairness Hearing, Class Counsel may also ask the Court to provide service awards to the Class Representatives in the amount of \$10,000 for each of the individual class representatives, and \$25,000 each for two government entities for the work they have undertaken on behalf of the Plaintiffs. Any service award will be subject to Court approval, and the Court may award less than the requested amount.

The attorneys' fees, costs, expenses, and service awards that the Court orders, plus the costs to administer the Settlements, will be paid from the cumulative Settlement Fund.

When Class Counsel's motion, if any, for fees, costs, expenses, and service awards is filed, it will be available at www.reversecharge.com. The motion will be posted on the website 35 days before the deadline for requests for exclusion or objections to the settlement, and you will have an opportunity to comment on the motion. Any member of any of the settlement classes in this case may do so.

OBJECTING TO THE SETTLEMENTS

19. How Do I Object To Or Comment On The Settlements?

You can ask the Court to deny final approval of the Settlements with Settling Defendants by filing an objection. You can't ask the Court to change the Settlements; the Court can only approve or reject the Settlements. 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. If you exclude yourself from the Class, you can't object to the Settlements.

Any objection to the proposed Settlements with Settling Defendants must be in writing. If you file a timely written objection, you may, but are not required to, 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 hiring and paying that attorney. All written objections and supporting papers must:

- Specify your name, address, and telephone number;
- Clearly identify the case name, number, and settlement (*In re Lithium Ion Batteries Antitrust Litigation – All Indirect Purchaser Actions*, MDL No. 2420, Indirect Purchaser Settlements);
- Be submitted to the Court either by mailing it to the Clerk of the Court, United States District Court for the Northern District of California, 1301 Clay Street, Suite 400S, 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
- Be filed or postmarked on or before April 13, 2020.

20. What Is The Difference Between Excluding Myself From The Class And Objecting To The Settlements?

If you exclude yourself from the Class, you are telling the Court that you do not want to participate in the Settlements. Therefore, you will not be eligible to receive any benefits from the Settlements, and you will not be able to object to the Settlements. Objecting to a Settlement means telling the Court that you do not like something about the Settlements. You are still eligible to receive a settlement payment if you object if you already filed a valid and timely claim form.

THE FINAL FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Settlements with Settling Defendants and any requests by Class Counsel for fees, costs, expenses, and Class representative service awards. You may attend and you may ask to speak, but you do not have to do so.

21. When And Where Will The Court Decide Whether To Approve The Settlements?

The Court will hold a Final Fairness Hearing on Tuesday, May 20, 2020 at 2:00, at the United States 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 check the Court's PACER site, www.reversecharge.com, or call 1-855-730-8645 to confirm the date has not been changed. At this hearing, the Court will consider whether the Settlements are fair, reasonable, and adequate. If there are objections or comments, the Court will consider them at that time and may listen to people who have asked to speak at the hearing. The Court may also decide how much to pay Class Counsel or whether and how much to provide in service awards to Class representatives. At or after the hearing, the Court will decide whether to approve the Settlements.

22. Do I Have To Attend The Hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to attend at your expense. If you send an objection or comment, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also hire your own lawyer at your own expense to attend on your behalf, but you are not required to do so.

23. May I Speak At The Hearing?

If you send an objection or comment on the Settlements, you may have the right to speak at the Final Fairness Hearing as determined by the Court. You cannot speak at the hearing if you exclude yourself from the Class.

GET MORE INFORMATION

24. How Do I Get More Information?

This Notice summarizes the Settlements. More details are in the Settlement Agreements. You can get copies of the Settlement Agreements and more information about the Settlements at www.reversethecharge.com. You also may write with questions to Lithium Batteries Indirect Purchaser Settlements, c/o Epiq, P.O. Box 10194, Dublin, OH 43017-3194 or call the toll-free number 1-855-730-8645.

**DO NOT CONTACT THE COURT, THE OFFICE OF THE CLERK OF THE COURT,
DEFENDANTS OR THEIR COUNSEL REGARDING THIS NOTICE**

Dated: February 11, 2020

By Order of the Court
United States District Court
Northern District of California

Si compró productos electrónicos como una computadora portátil, herramienta eléctrica o videocámara que contiene una batería cilíndrica de ion de litio o una batería de repuesto desde el 1.º de enero de 2000 hasta el 31 de mayo de 2011

El monto de dinero que podría recibir desde \$44.95 millones en conciliaciones puede haber cambiado y sus derechos legales pueden verse afectados

Un tribunal federal autorizó esta notificación. No se trata del ofrecimiento de un abogado.

- Esta Notificación proporciona un resumen de las Conciliaciones propuestas y la demanda y también proporciona nueva información sobre los cambios recientes al Plan de Distribución propuesto para las Conciliaciones, plazos extendidos para excluirse de las Conciliaciones, volver a unirse al grupo de demandantes u objetar las Conciliaciones y la solicitud renovada del Abogado del Grupo de Demandantes de honorarios de abogados y gastos de litigios. Para obtener detalles más específicos sobre las Conciliaciones, lea esta Notificación completa y los Acuerdos de Conciliación, disponibles en www.reversethecharge.com, atentamente.
- **Los siguientes derechos y opciones, así como los plazos para ejercerlos, han cambiado, como se explican en esta Notificación.**

SUS OPCIONES Y DERECHOS LEGALES		
<u>USTED PUEDE:</u>		<u>FECHA DE VENCIMIENTO:</u>
EXCLUIRSE	No se lo incluirá en las Conciliaciones de las que se excluye. No recibirá beneficios de las Conciliaciones, pero conservará los derechos que tenga actualmente para demandar a LG Chem, Hitachi Maxell y NEC sobre las reclamaciones en el(los) caso(s) del(los) que se excluye.	13 de abril de 2020 <i>Consulte</i> las preguntas 11-16 para obtener más información
NO HACER NADA AHORA	Se lo incluirá en las Conciliaciones con los Demandados en Conciliación. Usted renunciará a su derecho de demandar a los Demandados en Conciliación en relación con los reclamos en este caso. Si anteriormente presentó una reclamación para esta conciliación o las demás conciliaciones discutidas en el Párrafo 8 que figura a continuación, puede recibir una parte del fondo de la conciliación de conformidad con el plan de distribución aprobado por el Tribunal.	No corresponde
OBJETAR LAS CONCILIACIONES	Puede escribir al Tribunal para explicar por qué no está de acuerdo con las Conciliaciones con los Demandados en Conciliación o cualquier solicitud de honorarios de abogados (solamente si no se excluye).	13 de abril de 2020
ASISTIR A LA AUDIENCIA	Solicitar hablar en el Tribunal sobre su opinión de las Conciliaciones.	20 de mayo de 2020

- Se ha presentado una demanda colectiva en nombre de los compradores indirectos de los siguientes productos que contenían baterías cilíndricas de ion de litio, que es un tipo de Batería de ion de litio ("Batería de ion de litio"): (i) computadoras portátiles; (ii) herramientas eléctricas; (iii) videocámaras; o (iv) una batería de repuesto para cualquiera de estos productos. Los compradores indirectos incluyen consumidores, empresas y gobiernos locales de California que compraron sus productos a alguien que no sea el fabricante, como una tienda minorista.
- Los Demandantes afirman que los Demandados (mencionados a continuación) y los coconspiradores involucrados en una conspiración ilegal para arreglar, aumentar, mantener o estabilizar los precios de las Celdas de baterías cilíndricas de ion de litio ("Celdas de ion de litio"). Los Demandantes además afirman que los compradores indirectos de los productos que figuran a continuación que contienen Baterías cilíndricas de ion de litio ("Baterías cilíndricas de ion de litio") pueden recuperar debido a la conspiración en los precios de estos dispositivos. Los demandantes alegan que, como resultado de la conspiración ilegal que involucra Celdas cilíndricas de ion de litio, ellos y otros compradores indirectos pagaron más por estos productos y las baterías de repuesto de lo que habrían pagado sin la conspiración. Los Demandados niegan las reclamaciones de los Demandantes.

- Se han logrado Conciliaciones con LG Chem, Ltd. y LG Chem America, Inc. (“LG Chem”), Hitachi Maxell Ltd. y Maxell Corporation of America (“Hitachi Maxell”) y NEC Corporation (“NEC”) (colectivamente, los “Demandados en conciliación”).
- El Tribunal a cargo de estos casos ha autorizado previamente las Conciliaciones, pero ahora debe volver a analizar si las autoriza de manera definitiva junto con el Plan de distribución enmendado y la nueva solicitud de honorarios de abogados y el reembolso de gastos del litigio, según se describen más a detalle en el presente documento. Los pagos se realizarán (1) después de que el Tribunal apruebe todas las Conciliaciones, junto con el Plan de Distribución revisado, (2) después de que se resuelvan las apelaciones y (3) después del pago aprobado por el Tribunal de los honorarios de abogados, gastos y adjudicaciones de servicios a los Representantes del Grupo de Demandantes.

CONTENIDOS DE ESTA NOTIFICACIÓN

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INFORMACIÓN BÁSICA

1. ¿De qué se trata esta Notificación?

Esta Notificación es para informarle sobre las actualizaciones a estas Conciliaciones alcanzadas en este litigio y la nueva solicitud de honorarios de abogados y el reembolso de gastos de litigio, antes de que el Tribunal decida si aprobará finalmente las Conciliaciones con los Demandados en Conciliación. Esta Notificación le explica la demanda, las Conciliaciones y sus derechos legales. El Tribunal a cargo es el Tribunal del Distrito de los Estados Unidos para el Distrito Norte de California. Este litigio se conoce como la causa *In re Lithium Ion Batteries Antitrust Litigation – All Indirect Purchaser Actions*, MDL N.º 2420. A las personas que iniciaron el juicio se las conoce como las “Demandantes”. Las empresas a las que demandaron se denominan “Demandados”.

En octubre de 2017, el Tribunal otorgó la aprobación final de las Conciliaciones con los Demandados en Conciliación. Posteriormente, se presentó una apelación ante el Tribunal de Apelaciones de los Estados Unidos para el Noveno Circuito (“Noveno Circuito”) con respecto a los aspectos de la certificación del Tribunal de un grupo de demandantes nacional y un plan de distribución proporcional como parte de la aprobación final. Recientemente, el Noveno Circuito anuló (eliminó) la orden de aprobación final del Tribunal y devolvió (envió) el caso para que se procese nuevamente ante el Tribunal. Desde entonces, las partes han presentado al Tribunal un Plan de Distribución revisado para la distribución del Fondo de la Conciliación, que se detalla en esta Notificación.

El Noveno Circuito también ha anulado la cuota de honorario final emitida en 2019. Esto último con el fin de permitir al Tribunal a cargo de estos casos analizar la necesidad de cualquier modificación a dicha asignación. Como se menciona a continuación, el Abogado del Grupo de Demandantes solicitará que las adjudicaciones previas de honorarios, gastos de litigio y honorarios de servicio sean restablecida tal como habían sido autorizadas, junto la autorización final de las Conciliaciones.

El Tribunal aún no ha tomado una decisión sobre estos asuntos.

2. ¿De qué trata esta demanda?

La demanda alega que los Demandados y los coconspiradores conspiraron para aumentar y arreglar los precios de las Celdas cilíndricas de ion de litio por más de diez años, lo cual resultó en sobrecargos a los compradores de computadores portátiles, videocámaras y herramientas eléctricas que contenían Baterías cilíndricas de ion de litio. El reclamo describe como los Demandados y los coconspiradores supuestamente violaron las leyes federales antimonopolio, de competencia desigual y protección al consumidor de los Estados Unidos acordando arreglar los precios y restringir la salida de estas celdas a través de, entre otras, reuniones presenciales y otras comunicaciones, reparto de clientes y el uso de asociaciones comerciales. Los Demandados niegan las declaraciones de los Demandantes. El Tribunal no ha decidido quién tiene la razón.

3. ¿Por qué se ha llegado a estas Conciliaciones?

Esta Notificación se refiere a tres grupos de Demandados que han acordado resolver la demanda: LG Chem, Hitachi Maxell y NEC. Anteriormente, se proporcionaron notificaciones sobre (a) una conciliación alcanzada con Sony Corporation, Sony Energy Devices Corporation y Sony Electronics Inc. (colectivamente “Sony”) y (b) conciliaciones alcanzadas con cuatro grupos de demandados: Samsung SDI Co., Ltd. y Samsung SDI America, Inc. (“SDI”); TOKIN Corporation (“TOKIN”); Toshiba Corporation (“Toshiba”); y Panasonic Corporation, Panasonic Corporation of North America, SANYO Electric Co., Ltd. y SANYO North America Corporation (“Panasonic”). En el párrafo 8, a continuación, se encuentra la información sobre los beneficios de las demás conciliaciones.

4. ¿Qué son las Celdas de ion de litio, Paquetes de ion de litio, Baterías de ion de litio, Baterías cilíndricas de ion de litio y los Productos finales?

Para fines de las Conciliaciones:

- La(s) “Celda(s) de baterías de ion de litio” o “Celdas de ion de litio” hacen referencia a celdas cilíndricas, prismáticas o poliméricas utilizadas para el almacenamiento de energía que es recargable y utiliza tecnología de iones de litio.
- Los “Paquetes de batería de ion de litio” o “Paquetes de ion de litio” hacen referencia a Celdas de batería de ion de litio que han sido ensambladas en paquetes, independientemente de la cantidad de Celdas de ion de litio contenidas en dichos paquetes.
- La “Batería de ion de litio” o “Batería litio-ion” hacen referencia a una Celda de batería de ion de litio o a un Paquete de batería de ion de litio.
- La “Batería cilíndrica de ion de litio” o “Batería cilíndrica litio-ion” hacen referencia a una Celda de batería de ion de litio de tipo cilíndrico o a un Paquete de batería de ion de litio de tipo cilíndrico.
- El “Producto final” hace referencia a cualquier producto y/o dispositivo electrónico que contenga una Batería de ion de litio, incluyendo, entre otros, computadoras portátiles, notebooks, netbooks, tabletas, teléfonos celulares,

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teléfonos inteligentes, cámaras, videocámaras, cámaras de video digitales, reproductores de audio digitales y herramientas eléctricas.

5. ¿Por qué es esta una demanda colectiva?

En una demanda colectiva, una o más personas, conocidas como los “Representantes del grupo de demandantes”, presentan una demanda en representación de ellos mismos y otras personas que tienen reclamaciones similares. Todas estas personas conforman un “Grupo” o son “Miembros del Grupo de Demandantes”. En una demanda colectiva, un tribunal puede resolver los asuntos para todos los Miembros del Grupo de demandantes, excepto para quienes se hayan excluido del grupo de demandantes.

LAS CONCILIACIONES

6. ¿Cómo sé si puedo incluirme en el grupo de demandantes o si mis derechos se ven afectados?

El Grupo de Demandantes incluye a todas las personas y entidades que, como residentes de los Estados Unidos y durante el período comprendido entre el 1.º de enero de 2000 y el 31 de mayo de 2011, compraron productos nuevos para su propio uso y no para revender uno de los siguientes productos que contenían una batería cilíndrica de ion de litio fabricada por uno o más Demandados en esta demanda o sus coconspiradores: (i) una computadora portátil; (ii) una herramienta eléctrica; (iii) una videocámara; o (iv) una batería de repuesto para cualquiera de estos productos.

La definición específica de quién está incluido en el Grupo de demandantes se establece en los Acuerdos de Conciliación. Los Acuerdos de Conciliación y las Quejas relacionadas se encuentran accesibles en el sitio web www.reversethecharge.com. Los pagos a los Miembros del Grupo de Demandantes se realizarán únicamente: (1) después de que el Tribunal apruebe todas las Conciliaciones, junto con el Plan de Distribución revisado y, (2) después de que se resuelvan las apelaciones y (3) después del pago aprobado por el Tribunal de los honorarios de abogados, gastos y adjudicaciones de servicios a los Representantes del Grupo de Demandantes. Se ha propuesto al Tribunal un Plan de Distribución de la conciliación revisado para su aprobación. El Plan de Distribución revisado, tal como fue aprobado por el Tribunal, determinará el monto, si hubiere, que recibirá cada Miembro del Grupo de Demandantes.

7. ¿Qué establecen las Conciliaciones?

El Fondo de la Conciliación relacionado con estas conciliaciones específicas es de \$44.95 millones. En caso de que estas conciliaciones sean aprobadas, esto dará lugar a un Fondo de la Conciliación acumulativo de \$113.45 millones. Luego de deducir los honorarios de abogados, adjudicaciones de servicios, costos de administración y notificación y gastos de litigación aprobados por el Tribunal, el Fondo de Conciliación Neto restante será dividido en dos fondos, un Fondo Derogador y un Fondo No-Derogador. El Fondo Derogador (90 % del Fondo de Conciliación Neto) estará disponible para su distribución a los Miembros del Grupo de Demandantes que sean residentes de los siguientes Estados Derogadores: Alabama, Arizona, Arkansas, California, Distrito de Columbia, Florida, Hawái, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Misisipi, Missouri, Nebraska, Nevada, Nueva Hampshire, Nuevo México, Nueva York, Carolina del Norte, Dakota del Norte, Oregón, Dakota del Sur, Tennessee, Utah, Vermont, Virginia Occidental y Wisconsin. Todos los otros estados y/o jurisdicciones son Estados “No-Derogadores”. El Fondo No-Derogador (10 % del Fondo de Conciliación Neto) estará disponible para su distribución a Miembros del Grupo de Demandantes que sean residentes de los Estados No-Derogadores. Sin embargo, el plan para la distribución de los Fondos de la Conciliación no es definitivo y puede ser modificado por el Tribunal luego de considerar toda objeción de parte de los Miembros del Grupo de Demandantes. Si el Tribunal determina que mayores modificaciones a la distribución de los Fondos de la Conciliación entre el Fondo Derogador y No-Derogador son apropiadas, esos cambios se publicarán en el sitio web de la conciliación (www.reversethecharge.com), el cual además proporciona más información sobre las Conciliaciones.

CÓMO OBTENER BENEFICIOS DE LAS CONCILIACIONES

8. ¿Cuánto dinero puedo recibir?

El dinero de todas las conciliaciones en este caso será distribuido según cada Miembro del Grupo de Demandantes, pero el monto que reciba de cada conciliación dependerá de un Plan de Distribución aprobado por el Tribunal. Para las Conciliaciones de LG Chem, Hitachi y NEC, el monto que se pagará a los Miembros del Grupo de Demandantes ha cambiado a lo siguiente:

LG Chem, Hitachi Maxell y NEC: Anteriormente, se entregó Notificación sobre las Conciliaciones alcanzadas con LG Chem, Hitachi Maxell y NEC por \$44.95 millones. El formulario de reclamaciones en relación con estas conciliaciones permitió a los Miembros del Grupo de Demandantes declarar la cantidad de dispositivos que tenían y que están sujetos a la conciliación. A cada Miembro del Grupo de Demandantes que ya presentó una reclamación válida se le aplicará dicha reclamación contra el Fondo Derogador o el Fondo No-derogador, dependiendo del estado de residencia del Miembro del Grupo de Demandantes. Como se señaló anteriormente, el 90 % del Fondo de Conciliación Neto se distribuirá a los residentes del Estado Derogador y

el 10 % del Fondo de Conciliación Neto se distribuirá a los residentes del Estado No-Derogador. El monto disponible para distribución estará afectado por toda adjudicación hecha por el Tribunal contra los fondos para honorarios de abogados, reembolso de gastos, o adjudicaciones de servicios para los representantes del Grupo demandante. Cuánto recibe cada Miembro del Grupo de Demandantes también dependerá de la cantidad de reclamos hechos desde los estados Derogadores y No-Derogadores y un ajuste del costo de distribución con la cantidad a distribuir a cada Miembro del Grupo de Demandantes.

Los Miembros del Grupo de Demandantes también recibirán pagos de los fondos de la conciliación que involucran a otros Demandados, que el Tribunal ha aprobado previamente:

Conciliación de Sony: El Tribunal previamente aprobó una conciliación con Sony por \$19.5 millones. Cada Miembro del Grupo de Demandantes que ya presentó una reclamación válida recibirá el mismo monto por dispositivo. El monto disponible para distribución estará afectado por toda adjudicación hecha por el Tribunal contra los fondos para honorarios de abogados, reembolso de gastos, o adjudicaciones de servicios para los representantes del Grupo demandante.

Conciliaciones de SDI, TOKIN, Toshiba y Panasonic: El Tribunal previamente aprobó las conciliaciones con SDI, TOKIN, Toshiba y Panasonic por \$49 millones. Cada Miembro del Grupo de Demandantes que ya presentó una reclamación válida tendrá su reclamación contra el fondo Derogador o No-Derogador para esas conciliaciones, dependiendo del estado de residencia del Miembro del Grupo de Demandantes. El monto disponible para distribución estará afectado por toda adjudicación hecha por el Tribunal contra los fondos para honorarios de abogados, reembolso de gastos, o adjudicaciones de servicios para los representantes del Grupo demandante. Cuánto recibe cada Miembro del Grupo de Demandantes también dependerá de la cantidad de reclamos hechos desde los estados Derogadores y No-Derogadores y un ajuste del costo de distribución con la cantidad a distribuir a cada Miembro del Grupo de Demandantes. Si bien el Tribunal otorgó una aprobación definitiva sobre estas conciliaciones, esa aprobación actualmente se encuentra bajo apelaciones, y las reclamaciones no se pueden pagar hasta que se hayan resuelto las apelaciones.

Todo saldo restante luego de una distribución inicial de los Fondo de la Conciliación a demandantes calificados será redistribuido a los Miembros del Grupo de Demandantes calificados o, si la redistribución es demasiado costosa en comparación con el monto del saldo restante, dichos fondos serán confiscados para gobiernos estatales o federales. Ninguna cantidad de dinero será devuelta a los Demandados en Conciliación una vez que el Tribunal haya aprobado las Conciliaciones.

9. ¿Cómo y cuándo puedo obtener un pago?

Aún no se distribuirá dinero. Si la aprobación definitiva se otorga para las Conciliaciones con los Demandados en Conciliación, los Miembros del Grupo de Demandantes que ya hayan presentado una reclamación oportuna y válida recibirán pago en efectivo y podrán recibirlos por distribución directa a una cuenta en línea. Dichas cuentas pueden incluir cuentas con Amazon, PayPal o Google Wallet, entre otras. Si es un Miembro del Grupo de Demandantes con reclamaciones oportunas y válidas y prefiere recibir un cheque físico, envíe una solicitud escrita a Lithium Batteries Indirect Purchaser Settlements, c/o Epiq, P.O. Box 10194, Dublin, OH 43017-3194. El plazo para presentar una reclamación ya ha pasado. El plazo era el 19 de julio de 2019. Si aún no presentó una reclamación, no recibirá un pago en efectivo de las Conciliaciones con los Demandados en Conciliación, a menos que previamente haya solicitado ser excluido de la Conciliación y presente una solicitud para volver a unirse al grupo de demandantes como se describe en esta Notificación.

El plazo de la distribución será solicitado por los abogados de los Demandantes y aprobado por el Tribunal. Es posible que no suceda hasta que todas las Conciliaciones sean definitivas, y luego de la resolución de toda apelación. Todos los Fondos de la Conciliación que queden restantes luego del pago de los honorarios de abogados, adjudicaciones de servicios, gastos y costes ordenados por el Tribunal serán distribuidos dentro de 45 días luego del juicio final (el cual incluye la resolución de toda apelación), a menos que el Tribunal lo modifique.

PERMANECER EN EL GRUPO

10. ¿Qué sucede si permanezco en el Grupo?

Renunciará a su derecho de demandar a los Demandados en Conciliación por su cuenta por las reclamaciones descritas en detalle en los Acuerdos de Conciliación a menos que se excluya del Grupo de demandantes. Además, usted quedará sujeto a toda decisión tomada por el Tribunal con relación a las Conciliaciones. A cambio de pagar los Montos de la Conciliación y proporcionar los beneficios no monetarios, los Demandados en Conciliación (y ciertas entidades relacionadas definidas en los Acuerdos de Conciliación) serán liberados de las reclamaciones relacionadas con la supuesta conducta relacionada con cualquier compra indirecta de celdas o paquetes de baterías cilíndricos, prismáticos o poliméricos (incluidas las celdas o paquetes de baterías cilíndricos, prismáticos o poliméricos contenidos en productos terminados). Los Acuerdos de Conciliación describen las reclamaciones exentas en detalle, por lo cual sírvase leerlos cuidadosamente pues esas exenciones serán vinculantes para usted si el Tribunal aprueba las Conciliaciones. Si tiene alguna duda, puede comunicarse con el Abogado del Grupo de Demandantes sin costo, o por supuesto puede comunicarse con su propio

abogado (bajo sus propios costos) si tiene alguna duda acerca de lo que esto significa. Los Acuerdos de Conciliación y las exenciones específicas se encuentran disponibles en www.reversethecharge.com.

EXCLUIRSE DEL GRUPO DE DEMANDANTES

11. ¿Cómo puedo salir del grupo de demandantes?

Para excluirse del Grupo de Demandantes, debe enviar una carta por correo donde declare que desea excluirse de la causa *In re Lithium Ion Batteries Antitrust Litigation – All Indirect Purchaser Actions*, MDL N.º 2420, Conciliaciones del comprador indirecto. Su carta además debe incluir:

- Su nombre, dirección y número de teléfono;
- Una declaración que indique que quiere excluirse de la causa *In re Lithium Ion Batteries Antitrust Litigation – All Indirect Purchaser Actions*, MDL N.º 2420, Conciliaciones del comprador indirecto; y
- su firma.

Debe enviar su solicitud de exclusión por correo y con franqueo postal que no podrá ser posterior al 13 de abril de 2020, a:

Lithium Batteries Indirect Purchaser Settlements
EXCLUSIONS
c/o Epiq
P.O. Box 10194
Dublin, OH 43017-3194

12. Si no me excluyo, ¿puedo demandar por lo mismo en el futuro?

No. A menos que se excluya, renuncia a todo derecho de presentar una demanda contra los Demandados en Conciliación por las reclamaciones que este caso resuelve.

13. Si me excluyo, ¿aún puedo recibir beneficios en dinero?

No. Si se excluye del Grupo de Demandantes de la Conciliación, no recibirá dinero de las Conciliaciones.

14. Si previamente presenté un formulario de reclamaciones, ¿puedo excluirme ahora?

Sí. Si ya presentó un formulario de reclamaciones, aún puede excluirse del Grupo de Demandantes de la Conciliación. Para hacerlo, debe enviar una solicitud de exclusión como se detalla en el párrafo 11. Si se excluye del Grupo de Demandantes de la Conciliación, no recibirá dinero de las Conciliaciones y no se considerará su reclamación presentada anteriormente.

15. Si me excluí anteriormente, ¿necesito excluirme nuevamente?

No. Si ya envió una carta por correo para excluirse antes del plazo de exclusión anterior, no necesita enviar otra solicitud de exclusión para excluirse del Grupo de Demandantes.

16. Si anteriormente me excluí en relación con estas conciliaciones, ¿puedo volver a unirme al grupo de demandantes?

Si anteriormente se excluyó de estas Conciliaciones, pero desea volver a unirse al grupo de demandantes ahora a la luz de estos cambios en el Plan de Distribución, debe enviar una carta donde solicite la inclusión en el grupo de demandantes para estas conciliaciones con franqueo postal a más tardar el 13 de abril de 2020 a:

Lithium Batteries Indirect Purchaser Settlements
EXCLUSIONS
c/o Epiq
P.O. Box 10194
Dublin, OH 43017-3194

El Tribunal determinará si las personas o entidades que previamente se excluyeron a sí mismas pueden volver a unirse al grupo de demandantes.

ABOGADOS QUE LO REPRESENTAN

17. ¿Tengo un abogado que me represente?

El Tribunal designó a los siguientes abogados como Abogados del Grupo de demandantes para representar a usted y a todos los otros miembros del Grupo:

Adam Zapala, Esq. Cotchett, Pitre & McCarthy, LLP San Francisco Airport Office Center 840 Malcolm Road, Suite 200 Burlingame, CA 94010 batteries@cpmlegal.com	Shana Scarlett, Esq. Hagens Berman Sobol Shapiro LLP 715 Hearst Avenue, Suite 202 Berkeley, CA 94710 batteries@hbsslaw.com	Brendan P. Glackin, Esq. Lieff Cabraser Heimann & Bernstein, LLP 275 Battery Street, 29th Floor San Francisco, CA 94111 lithiumbatteries@lchb.com
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No se le cobrará por los servicios de estos abogados. Si desea ser representado por su propio abogado, puede contratar a uno por su propia cuenta y cargo.

18. ¿Cómo se les pagará a los abogados y a los Representantes del grupo de demandantes?

Durante la Audiencia Imparcial Final, es posible que el Abogado del Grupo de Demandantes le solicite al Tribunal que se les reembolse por ciertos pagos, costos y gastos. En la Audiencia Imparcial Final, es posible que el Abogado del Grupo de Demandantes solicite al Tribunal los honorarios de abogados en función de sus servicios en este litigio, pero dicha solicitud *no excederá el 30% del Fondo de la Conciliación acumulativo* de \$113.45 millones por una solicitud total de \$33,829,176 en honorarios de abogados. Todo pago dirigido a los abogados estará sujeto a la aprobación del Tribunal, y el Tribunal puede adjudicar montos inferiores a los solicitados.

En la Audiencia Imparcial Final, el Abogado del Grupo de Demandantes también puede solicitarle al Tribunal que les reembolse los costos y gastos incurridos durante este litigio, que no excedan los \$6,751,735.84.

En la Audiencia Imparcial Final, el Abogado del Grupo de Demandantes también podrá solicitar al Tribunal que entregue adjudicaciones de servicio a los Representantes del Grupo de Demandantes por el monto de \$10,000 por cada Representante del Grupo y \$25,000 cada uno por dos entidades gubernamentales, por el trabajo que han realizado en nombre de los Demandantes. Toda adjudicación de servicio estará sujeta a la aprobación del Tribunal, y el Tribunal puede adjudicar montos inferiores a los solicitados.

Los honorarios de abogados, costos, gastos y adjudicaciones de servicio que el Tribunal ordene, más los costos de administración de las Conciliaciones, serán pagados del Fondo de la Conciliación acumulativo.

Cuando se presenta la petición del Abogado del Grupo de Demandantes, si hubiere, por honorarios, costos, gastos y adjudicaciones de servicios, estará disponible en www.reversethecharge.com. La petición será publicada en el sitio web 35 días antes del plazo para solicitudes de exclusiones u objeciones a la conciliación y tendrá una oportunidad de realizar comentarios sobre la petición. Cualquier miembro de cualquiera de las demandas para conciliación en este caso puede hacerlo.

OBJETAR LAS CONCILIACIONES

19. ¿Cómo hago objeciones o comentarios sobre las Conciliaciones?

Usted puede solicitarle al Tribunal que no haga lugar a la aprobación final de las Conciliaciones con los Demandados en Conciliación presentando una objeción. No puede pedirle al Tribunal que cambie las Conciliaciones; el Tribunal solamente puede aprobar o rechazar las Conciliaciones. Si el Tribunal rechaza la aprobación, no se repartirán pagos de conciliaciones y la demanda continuará. Si eso es lo que usted desea que pase, debe objetar. No puede presentar objeciones a las Conciliaciones si se excluye del grupo de demandantes.

Toda objeción a las Conciliaciones propuestas con los Demandados en Conciliación debe ser por escrito. Si presenta una objeción escrita en forma oportuna, puede presentarse (pero no está obligado a hacerlo) en la Audiencia Final de Aprobación, en persona o representado por su propio abogado. Si usted se presenta a través de su propio abogado, usted es responsable del pago de honorarios y la contratación de ese abogado. Todas las objeciones por escrito y los documentos de apoyo deben:

- especificar su nombre, dirección y número de teléfono;
- identificar de forma clara el nombre, número y conciliación del caso (causa *In re Lithium Ion Batteries Antitrust Litigation – All Indirect Purchaser Actions*, MDL N.º 2420, Conciliaciones del Comprador Indirecto);
- presentarse ante el Tribunal, ya sea por correo al Secretario del Tribunal para el Tribunal de Distrito de los Estados Unidos para el Distrito Norte de California, 1301 Clay Street, Suite 400S, Oakland, CA 94612, o presentarse en persona en cualquier sede del Tribunal de Distrito de los Estados Unidos para el Distrito Norte de California; y
- debe presentarse o contar con franqueo postal anterior al 13 de abril de 2020.

20. ¿Cuál es la diferencia entre objetar a las conciliaciones y excluirme del grupo demandante?

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Si se excluye del Grupo demandante, usted le dice al Tribunal que no desea participar en las Conciliaciones. Por lo tanto, no será elegible para recibir ningún beneficio de las Conciliaciones, y no podrá hacer objeciones a las Conciliaciones. Objetar a una Conciliación es decirle al Tribunal que no le gusta algo sobre las Conciliaciones. Aún es elegible para recibir un pago de la conciliación si se opone si ya presentó un formulario de reclamaciones válido y oportuno.

LA AUDIENCIA IMPARCIAL FINAL

El Tribunal celebrará una audiencia para decidir si aprobar las Conciliaciones con los Demandados en Conciliación y toda solicitud realizada por Abogados de grupo demandante para el pago de honorarios, costos, gastos y adjudicaciones de servicio de representantes del Grupo demandante. Puede asistir y pedir la palabra, pero no es obligatorio que lo haga.

21. ¿Cuándo y dónde decidirá el Tribunal si aprueba las Conciliaciones?

El Tribunal celebrará una Audiencia Imparcial Final el martes, 20 de mayo de 2020 a las 2:00 p.m., en el Tribunal de los Estados Unidos 1301 Clay Street, Courtroom 1, 4th Floor, Oakland, CA 94612. La audiencia puede trasladarse a una fecha u horario distinto sin notificación adicional, por lo tanto revise el sitio PACER del Tribunal, www.reversethecharge.com o llame al 1-855-730-8645 para confirmar que la fecha no haya sido modificada. En esta audiencia, el Tribunal considerará si las Conciliaciones son justas, razonables y adecuadas. Si no existen objeciones o comentarios, el Tribunal en ese momento considerará dichas pruebas y escuchará a los testigos que hayan solicitado hablar en la audiencia. El Tribunal además puede decidir cuánto pagar al Abogado del Grupo demandante o si pagar, o bien cuánto entregar en adjudicaciones de servicio a los representantes del Grupo demandante. En la audiencia, o después de ella, el Tribunal decidirá si aprueba o no las Conciliaciones.

22. ¿Debo asistir a la audiencia?

No. Los abogados de la demanda colectiva responderán todas las preguntas que el Tribunal pueda tener. Sin embargo usted puede presentarse por su propia cuenta y cargo. Si presenta una objeción, no tiene que presentarse en el Tribunal para hablar sobre ella. Siempre que haya enviado su objeción por escrito a tiempo, el Tribunal la tendrá en cuenta. Además, usted puede contratar su propio abogado por su propia cuenta y cargo para asistir en su representación a la audiencia, pero no tendrán la obligación de hacerlo.

23. ¿Puedo hablar en la audiencia?

Si usted envía una objeción o comentario sobre las Conciliaciones, puede tener el derecho a tomar la palabra en la Audiencia Imparcial Final según lo determine el Tribunal. No puede tomar la palabra en la audiencia si se excluyó del Grupo.

PARA INFORMACIÓN ADICIONAL

24. ¿Cómo puedo obtener más información?



Este Notificación resume las Conciliaciones. Los Acuerdos de Conciliación contienen más detalles. Puede obtener copias de los Acuerdos de Conciliación y más información sobre las Conciliaciones en www.reversethecharge.com. Además puede escribir con preguntas a Lithium Batteries Indirect Purchaser Settlements, c/o Epiq, P.O. Box 10194, Dublin, OH 43017-3194 o llamar al número 1-855-730-8645 libre de costo.

**NO CONTACTE AL TRIBUNAL, LA OFICINA DEL SECRETARIO DEL TRIBUNAL,
A LOS DEMANDADOS O A SU ABOGADO RESPECTO A ESTA NOTIFICACIÓN**

Fecha: 11 de febrero de 2020

Por orden del tribunal
Tribunal de Distrito de los Estados Unidos
Distrito Norte de California

Exhibit 3

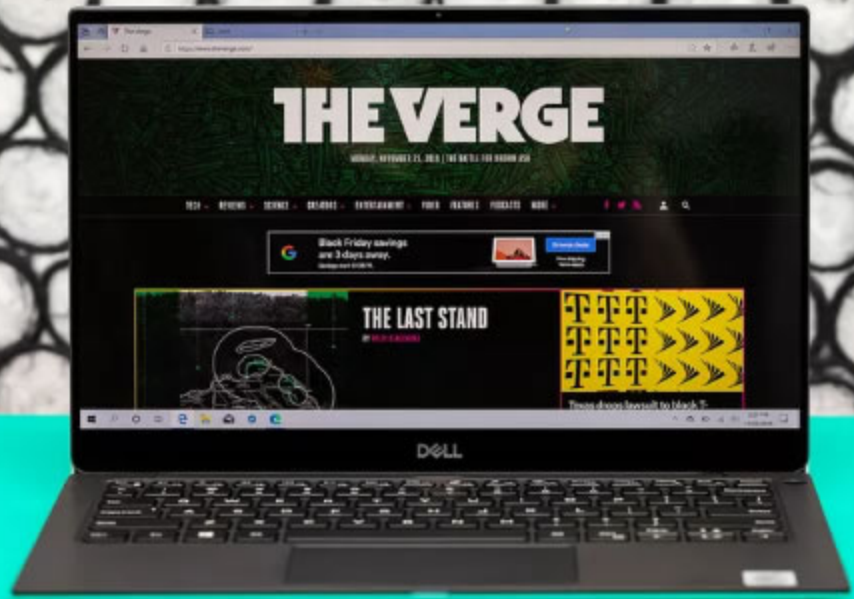

 Did you purchase a laptop, power tool, camcorder or replacement battery from 2000 through May 2011? Your rights and the money you could get may have changed.
 
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Dell's XPS 13 with a 10th Gen Intel Core i5 processor is \$400 off

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WhatsApp now has 2 billion users

By **Jon Porter** | 2 hours ago | 4 comments



Netflix offers a free movie to try to get people to

Verge
computing platform.

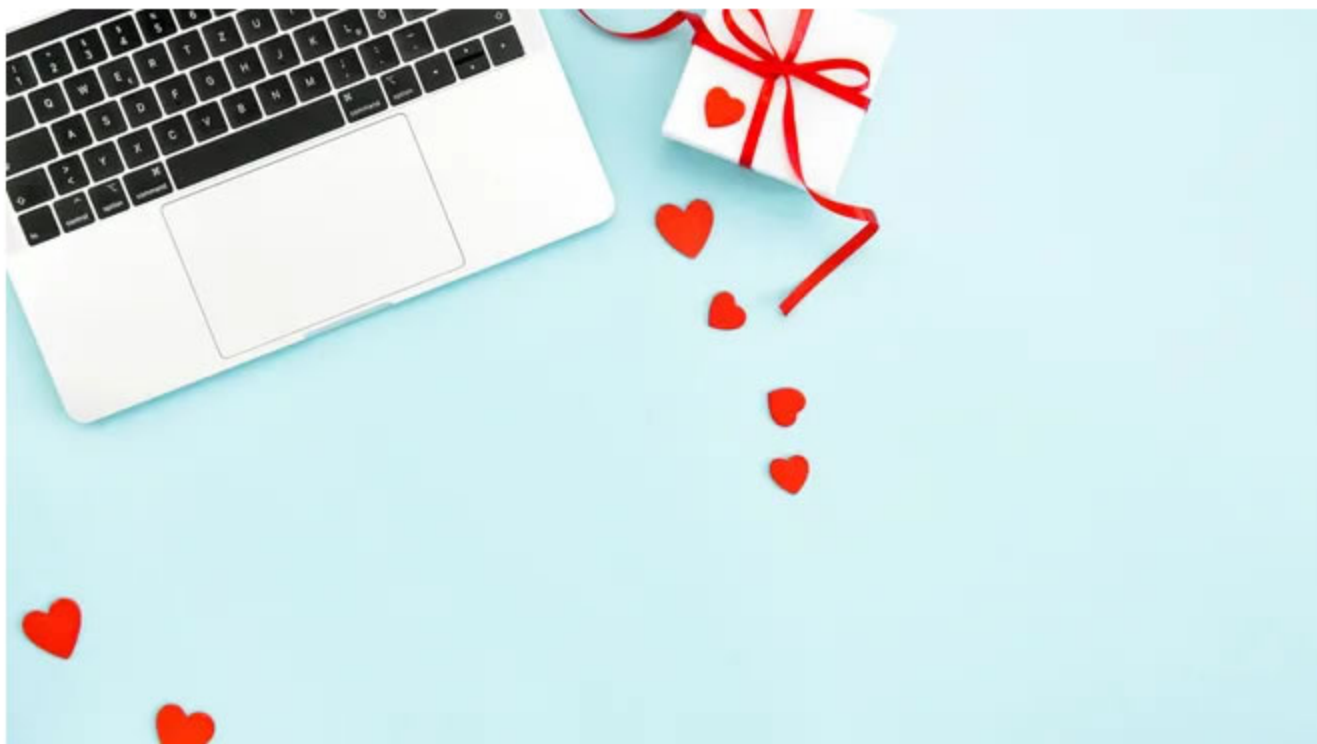
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TECH 5:17 p.m. ET Feb. 11

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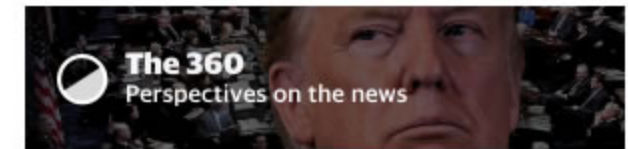


Key takeaways from the New Hampshire primary

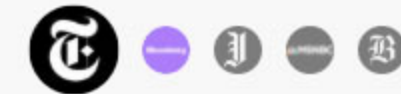
A win and a warning for Bernie Sanders, a legitimate claim of momentum for Amy Klobuchar and not a trace of good news for Joe Biden.

Warren hits a wall »

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What did impeachment accomplish?



"The Senate may acquit Mr. Trump, but it will not, it cannot, exonerate him."

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In lawsuit, Texas says it is being 'targeted' by Calif.



Stunning turn of events for Klobuchar



Politics Yahoo News

Sanders narrowly wins New Hampshire primary, but Democratic race remains in flux

Sen. Bernie Sanders pulled out a narrow victory in New Hampshire's Democratic primary on Tuesday, the Associated Press projected, with two more moderate candidates, Pete Buttigieg...

5,322



New Hampshire primary: Elizabeth Warren pays tribute to Amy Klobuchar and slams...



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Postseason isn't MLB issue that needs addressing

Some are in favor of the proposed postseason changes, others not so much. Regardless, MLB should be focused on improving the 162-game regular season before anything. **Tim Brown**

41

Report: 2 Ohio State players charged with rape

Zion surprises himself with start to NBA career

Ex-NFL star calls new Spartans coach a 'con man'

1-3 of 18

Headlines

- Myles Garrett's suspension for hitting Mason Rudolph with helmet is over 2h
- Former Giants head coach Ben McAdoo officially lands new job with Jaguars 1h
- Rep. Jim Jordan accused of participating in OSU sexual abuse cover-up by ex-wrestler 47m
- Zion surprises himself with career-high 31 points in Pelicans' victory over Blazers 3h
- Blues-Ducks game postponed after the Blues' Jay Bouwmeester collapses on bench 13h

THE LINE UP

Ben McAdoo resurfaces, former Giants coach lands on Jaguars staff

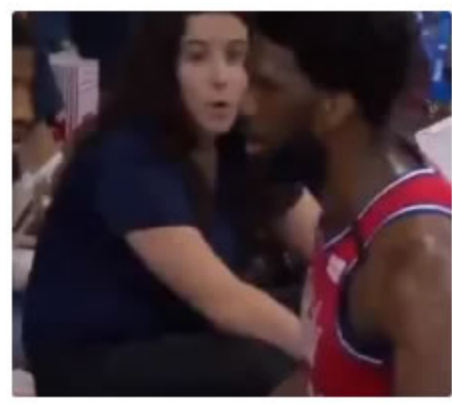
FRANK SCHWAB

MLB's postseason ideas should aim to improve the 162 games that come first

TIM BROWN

Michigan continues coaching positive

PETE TASSLER



Sports NBC Sports Philadelphia

This young lady's reaction to Joel Embiid-Marcus Morris fight was all of us

As if Joel Embiid hadn't delighted the Wells Fargo Center faithful enough Tuesday night, he decided to tussle with a familiar foe. With 2:48 left in the Sixers' big 110-103 win over the...

Other teams are watching, wondering if Joel Embiid, Ben Simmons era nearing end in...

NBC Sports

Joel Embiid putback and-one in the first quarter

NBA.com

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Sellers have plenty of inventory ahead of NHL trade deadline

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EMPRESAS

Nokia y tres operadoras de telefonía móvil cancelan su participación en el MWC Barcelona 2020

Por CNN En Español

09:29 ET(14:29 GMT) 12 Febrero, 2020



Ericsson no irá al Mobile World Congress por el coronavirus 0:47

(CNN Español) — Tres grandes operadoras de telefonía móvil han anunciado este miércoles que no participarán en el Mobile World Congress Barcelona 2020 debido a la propagación del coronavirus que tiene en alerta al mundo. La compañía Vodafone se unió a Deutsche

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POLÍTICA



Sanders gana las primarias de New Hampshire, venciendo por escaso margen a Buttigieg



El senador Bernie Sanders saluda a un partidario en un colegio electoral el día de las elecciones en Manchester, N.H. (Joe Raedle / Getty Images)

By MARK Z. BARABAK | STAFF WRITER FEBRERO 11, 2020 | 6:17 PM

MANCHESTER, N.H. — Bernie Sanders obtuvo una estrecha victoria el martes en las primarias de New Hampshire, superando a un par de rivales moderados del medio oeste que juntos superaron al campeón de los demócratas progresistas en su territorio de Nueva Inglaterra.

Pete Buttigieg, el ex alcalde de South Bend, Indiana, terminó a unos pocos miles de votos del senador de la vecina Vermont y por delante de la senadora de Minnesota, Amy Klobuchar, cuya fuerte actuación fue la mayor sorpresa de la noche.

ANUNCIO

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Aliados improbables consiguieron que la Casa Blanca aborde el problema del río Tijuana
Febrero 10, 2020



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Another location of the grocery chain closes this week; Lidl will take over the space.



PATCH.COM

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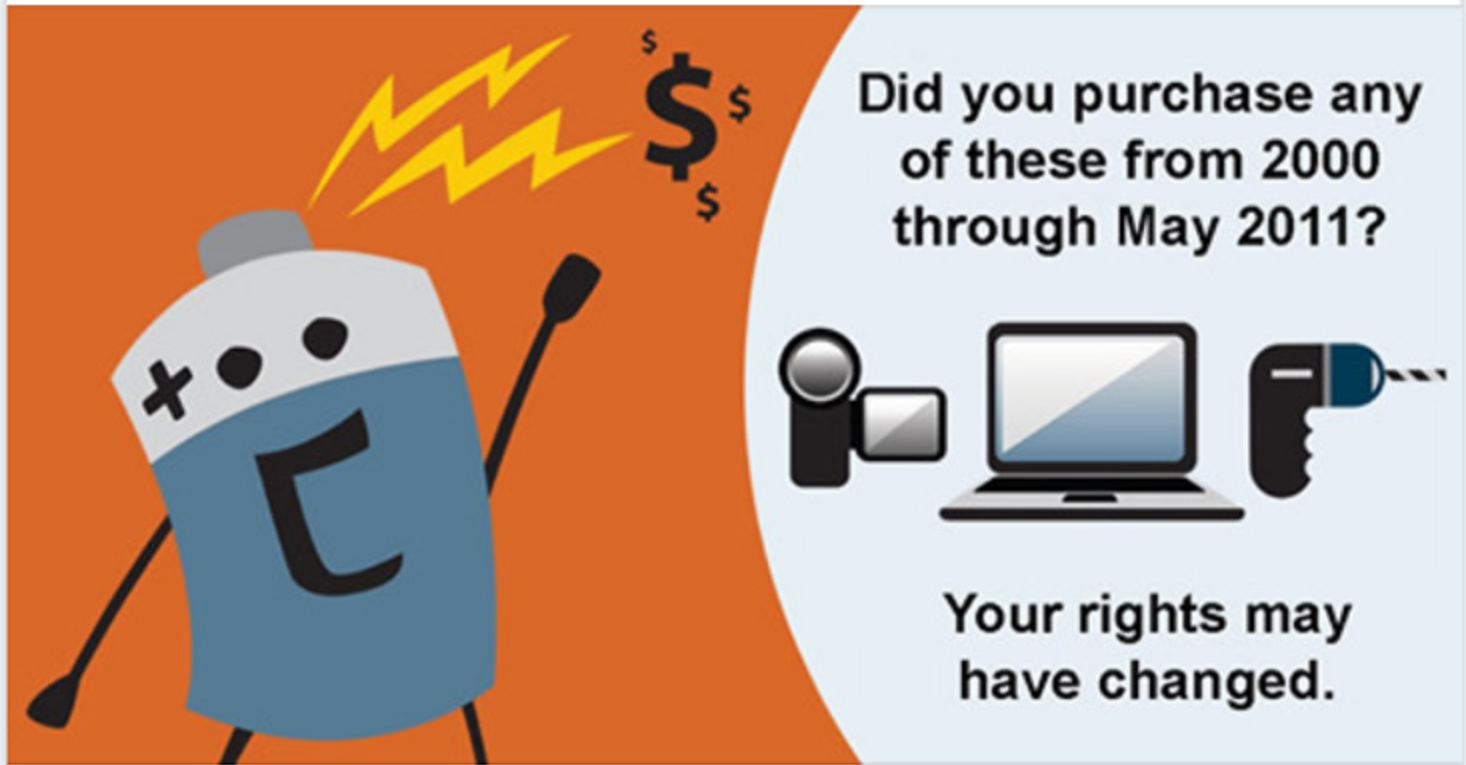
www.ReverseTheCharge.com

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Acuerdo sobre baterías de ion de litio

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Exhibit 4

Lithium ION - Sponsored Search Keywords

Lithium Ion Battery Settlement
Lithium Ion Settlement
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Lithium Ion Cylindrical Battery Settlement
Ion Battery Settlement
Lithium Battery Settlement
Replacement Lithium Ion Battery Settlement
Replacement Battery Settlement
Lithium Ion Battery Class Action
Lithium Ion Class Action
Battery Class Action
Lithium Ion Cylindrical Battery Class Action
Ion Battery Class Action
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Lithium Battery Class Action Settlement
Replacement Lithium Ion Battery Class Action Settlement
Replacement Battery Class Action Settlement
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Lithium Ion Lawsuit
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Lithium Batteries
Lithium Ion Cylindrical Battery Litigation
Ion Battery Litigation
Lithium Battery Litigation
Replacement Lithium Ion Battery Litigation
Replacement Battery Litigation
Battery Powered Tools
Lithium Revised Distribution Plan
Revised Lithium Payout
Revised Lithium Settlement
Revised Lithium Rights

Exhibit 5

lithium battery lawsuit

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Legal Notice | Lithium Ion Battery Settlement

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www.reversethecharge.com ▼

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Did you buy a laptop, cordless power tool, camcorder, and/or other items since 2000? You could get money from a \$64.45 million **lithium-ion** battery antitrust ...

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[www.reversethecharge.com](http://www.reversethecharge.com/about) › [about](#) ▼

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This is the official website for the **Lithium-Ion Batteries Antitrust Litigation Lawsuit**. A federal court has approved the notices and forms on this site, and the ...

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Laptop, power tool, camcorder or replacement battery purchasers from 2000 - May 2011.

Reverse The Charge | Lithium Ion Batteries Antitrust Litigation

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The claims deadline for the \$113 Million Lithium-Ion Batteries Antitrust Litigation has now passed. A small number of class members have objected to the terms of the settlements, and have filed appeals to the Ninth Circuit Court of Appeals.

Lithium Ion Batteries Class Action Settlement | Class Action ...

www.classactionrebates.com/settlements/lithium...

You are a member of the class if you are a person or entities that indirectly purchased a lithium ion battery or lithium ion products in the United States from one or more of the defendants between Jan. 1, 2000 and May 31, 2011.

Lithium Ion Class Action - Video Results



How to Cash in on the Lithium Ion
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Lithium Ion Battery Anti-Competition National Class Action ...

www.clg.org/Class-Action/List-of-Class-Actions/...

The class action is based on these companies secretly colluding to fix, raise, maintain and stabilize artificially the price at which Lithium Ion Rechargeable Batteries and products containing a Lithium



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FAQs · Support

You Probably Qualify for This \$45M Lithium-Ion Battery ...

<https://www.thepennyhoarder.com/make-money/lithium-ion-battery-settlement> ▾

Jun 29, 2017 · This class-action lawsuit alleges that several **battery** manufacturers fixed their cylindrical lithium-ion **battery** cells' prices. "Individuals and businesses may have paid more for certain products which contained these lithium-ion batteries," due to the alleged collusion, the **settlement** ...

Class Action Settlement | Interstate Batteries

<https://www.interstatebatteries.com/support/class-action-settlement> ▾

As part of this **settlement**, Interstate **Batteries** will implement an Interstate **Batteries Settlement** Program that entitles some customers to receive a check or product voucher if they have purchased a **replacement battery** at an adjusted price under Interstate **Batteries**' pro-rata warranty.

Lithium Ion Batteries Class Action Settlement | Class ...

<https://www.classactionrebates.com/settlements/lithium-batteries> ▾

Exhibit 6

If You Bought Electronics Containing a Lithium Ion Cylindrical Battery Such as a Laptop, Power Tool, Camcorder or a Replacement Battery, Your Legal Rights and Money Received From Settlements May Be Affected

NEWS PROVIDED BY

United States District Court for the Northern District of California →

Feb 11, 2020, 16:46 ET

OAKLAND, Calif., Feb. 11, 2020 /PRNewswire/ -- The following statement is being issued by Hagens Berman Sobol Shapiro LLP regarding *In re Lithium ION Batteries Antitrust Litigation*.

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

Why Are There Settlements?

LG Chem, Ltd. and LG Chem America, Inc. ("LG Chem"), Hitachi Maxell Ltd. and Maxell Corporation of America ("Hitachi Maxell"), and NEC Corporation ("NEC") (collectively, the "Settling Defendants") agreed to pay \$44.95 million in Settlements to resolve claims that Settling Defendants allegedly fixed the price of cylindrical Lithium-Ion Batteries, causing individuals and businesses to pay more for products like portable computers, power tools, camcorders or replacement batteries for any of these products. A federal court previously approved the Settlements but is now reconsidering them under a revised Distribution Plan, and will also consider Class Counsel's request to reinstate the prior awards of attorneys' fees and reimbursement of litigation expenses.

A more detailed notice, which includes additional information about the settlements, is available at the settlement website (www.reversethecharge.com) or by calling 1-855-730-8645.

What Is This Notice About?

This notice is to inform you about recent changes to the proposed Distribution Plan for the Settlements, extended deadlines to exclude yourself from the Settlements or to object to the Settlements, and Class Counsel's renewed request for attorneys' fees and litigation expenses, before the Court decides whether to finally approve the Settlements with Settling Defendants and the revised Distribution Plan.

Am I Included?

The Class includes all persons and entities who, as residents of the United States and during the period from January 1, 2000 through May 31, 2011, indirectly purchased new for their own use and not for resale one of the following products which contained a lithium-ion cylindrical battery manufactured by one or more Defendants in this lawsuit or their co-conspirators: (i) a portable computer; (ii) a power tool; (iii) a camcorder; or (iv) a replacement battery for any of these products. "Indirectly" means the product was purchased from someone other than the manufacturer, such as a retail store.

What Do The Settlements Provide?

The Settlement Fund is \$44.95 million. After deducting Court-approved attorneys' fees, service awards, notice and administration costs, and litigation expenses, the remaining Net Settlement Fund will be divided into two funds, a Repealer Fund and a Non-Repealer Fund. The Repealer Fund (90% of the Net Settlement Fund) will be available for distribution to Class Members who are residents of the following Repealer States: Alabama, Arizona, Arkansas, California, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin. All other states and/or jurisdictions are "Non-Repealer" States. The Non-Repealer Fund (10% of the Net Settlement Fund) will be available for distribution to Class Members who are residents of Non-Repealer States. However, the plan for distributing the Settlement Funds is not final and may be changed by the Court after considering any and all objections by Class Members. If the

Court determines that further changes to the allocation of the Settlement Funds between the Repealer and Non-Repealer Fund are appropriate, those changes will be posted on the settlement website (www.reversethecharge.com), which also provides more details about the Settlements.

How Can I Get A Payment And How Much Will I Receive?

Money from all settlements in this case will be distributed together on a per-Class Member basis, but the amount you receive from each settlement will depend on the Court-approved Distribution Plan. No money will be distributed yet. If final approval is granted to the Settlements with Settling Defendants, Class Members who have already filed a valid and timely claim will receive cash payments. The deadline to file a claim has already passed. The deadline was July 19, 2019. If you did not already file a claim, you will not receive a cash payment from the Settlements with Settling Defendants, unless you previously requested to be excluded from the settlement and successfully apply to rejoin the class as described in the Long Form Notice.

What Are My Rights?

Even if you do nothing, you will be bound by the Court's decisions concerning these settlements. To keep your rights to sue the Settling Defendants regarding Lithium Ion Batteries, you must exclude yourself from the Class in writing by **April 13, 2020**. If you stay in the Class, you may object to the settlements with Settling Defendants in writing by **April 13, 2020**. The settlements, along with details on how to exclude yourself from the settlements, re-join the class, or object to the settlements with Settling Defendants, are available at the settlement website (www.reversethecharge.com).

The Court will hold a Final Fairness Hearing at 2:00 pm on Tuesday, May 20, 2020, at the United States Courthouse, 1301 Clay Street, Courtroom 1, 4th Floor, Oakland, CA 94612, to consider whether to approve the settlements with the Settling Defendants. Class Counsel may request at the hearing attorneys' fees not to exceed 30% of the cumulative Settlement Fund of \$113.45 million obtained in this case thus far, or \$33,829,176, plus costs and expenses in an amount not to exceed \$6,751,735.84 and service awards to the Class representatives in the amount of \$10,000 each for the work they have undertaken on behalf of Plaintiffs, and for \$25,000 for two government entities. If you object, you or your own attorney may appear and speak at the hearing to comment on the settlements with

Settling Defendants and/or on any request for attorneys' fees, service awards for Class representatives, or reimbursement of costs and expenses at your own expense, but you are not required to appear. 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 additional information. Please do not contact the Court about this case. Detailed information is available at the settlement website (www.reversethecharge.com) or by calling 1-855-730-8645.

SOURCE United States District Court for the Northern District of California

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Si usted adquirió un artículo electrónico que contenía una batería cilíndrica de iones de litio, como una computadora portátil, una herramienta eléctrica, una cámara de video o una batería de remplazo, sus derechos legales y el dinero recibido por los acuerdos podrían verse afectados

English ▾

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United States District Court for the Northern District of California →

Feb 12, 2020, 09:00 ET

OAKLAND, California, 12 de febrero de 2020 /PRNewswire-HISPANIC PR WIRE/ -- El bufete Hagens Berman Sobol Shapiro LLP publica las siguientes declaraciones en relación con *In re Lithium ION Batteries Antitrust Litigation* (En relación con el litigio antimonopolio de las baterías de iones de litio).

Un tribunal federal autorizó el presente aviso. No constituye un requerimiento por parte de un abogado.

¿A qué se deben estos acuerdos?

LG Chem, Ltd. y LG Chem America, Inc. ("LG Chem"), Hitachi Maxell Ltd. y Maxell Corporation of America ("Hitachi Maxell"), y NEC Corporation ("NEC") (colectivamente, los

"demandados en conciliación") acordaron pagar \$44.95 millones en acuerdos para resolver la afirmación de que los demandados presuntamente fijaron el precio de las baterías cilíndricas de iones de litio, haciendo que las personas y los negocios pagaran más por artículos como computadoras portátiles, herramientas eléctricas, cámaras de video o baterías de remplazo para cualquiera de estos productos. Un tribunal federal aprobó anteriormente los acuerdos, pero ahora los está reconsiderando según un plan revisado de distribución, y también considerará la solicitud del abogado de la demanda colectiva de restituir las adjudicaciones anteriores de los honorarios de los abogados y el reembolso de los gastos de litigio.

Puede consultar un aviso más detallado, con información adicional sobre los acuerdos, en el sitio web de los acuerdos (www.reversethecharge.com), o bien llame al 1-855-730-8645.

¿De qué se trata este aviso?

El objetivo de este aviso es informarle de los recientes cambios en la propuesta de plan de distribución de los acuerdos, los plazos ampliados para excluirse de los acuerdos y la renovada solicitud del abogado de la demanda colectiva en cuanto a honorarios profesionales y gastos de litigio, antes de que el tribunal decida sin finalmente aprobar los acuerdos con los demandados en conciliación y el plan revisado de distribución.

¿La demanda colectiva me incluye?

La demanda colectiva incluye a todas aquellas personas y entidades que, en tanto residentes de los Estados Unidos y durante el período del 1 de enero de 2000 al 31 de mayo de 2011, hayan comprado, de manera indirecta, uno de los siguientes productos que contienen una batería cilíndrica de iones de litio y fueron fabricados por uno o más de los demandados en este juicio o sus colaboradores en conspiración, nuevo y para su propio uso, no para revender: (i) una computadora portátil; (ii) una herramienta eléctrica; (iii) una cámara de video, o (iv) una batería de remplazo para cualquiera de estos artículos. La expresión "de manera indirecta" significa que el producto fue comprado a un tercero y no al fabricante, por ejemplo, en una tienda minorista.

¿Qué estipulan los acuerdos?

El fondo del acuerdo consta de \$44.95 millones. Tras deducir las honorarios y monto por servicios públicos de los abogados, los costos administrativos y de los avisos, y los gastos

del litigio, todo ello aprobado por el tribunal, el resto del fondo neto del acuerdo se dividirá en dos fondos: un fondo de revocación y un fondo de no revocación. El fondo de revocación (90% del fondo neto del acuerdo) se pondrá a disposición para distribuirse entre los miembros de la demanda colectiva que residan en los siguientes estados con revocación: Alabama, Arizona, Arkansas, California, Carolina del Norte, Dakota del Norte, Dakota del Sur, Distrito de Columbia, Florida, Hawái, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, Nuevo México, Nueva York, Oregón, Tennessee, Utah, Vermont, Virginia Occidental y Wisconsin. El resto de los estados y/o jurisdicciones están en la categoría "estados sin revocación". El fondo de no revocación (10% del fondo neto del acuerdo) se pondrá a disposición para distribuirse entre los miembros de la demanda colectiva que residan en los estados sin revocación. Sin embargo, el plan para la distribución de los fondos del acuerdo no es definitivo y el tribunal podría modificarlo tras considerar todas y cada una de las objeciones de los miembros de la demanda colectiva. Si el tribunal decide que proceden cambios en la asignación de los fondos del acuerdo entre el fondo de revocación y el fondo de no revocación, dichos cambios se publicarán en el sitio web del acuerdo (www.reversethecharge.com), mismo que incluye más detalles sobre los acuerdos.

¿Cómo puedo obtener una paga y cuál será el monto?

El dinero de todos los acuerdos en este caso se distribuirá de forma conjunta a cada miembro de la demanda colectiva, pero la cantidad que reciba de cada acuerdo dependerá del plan de distribución que apruebe el tribunal. Aún no se distribuirá ningún dinero. Si la aprobación definitiva se otorga a los acuerdos con los demandados en conciliación, los miembros de la demanda colectiva que ya hayan presentado un reclamo válido y oportuno recibirán pagos en efectivo. El plazo para presentar un reclamo ya venció. El plazo fue el 19 de julio de 2019. Si usted no presentó un reclamo, no recibirá un pago en efectivo de los acuerdos con los demandados en conciliación a menos que previamente haya solicitado excluirse del acuerdo y le sea concedida una solicitud para volver a formar parte de la demanda colectiva tal como se describe en el aviso de formulario extenso.

¿Qué derechos tengo?

Aun cuando no haga nada, usted quedará comprometido por las decisiones del tribunal en relación con estos acuerdos. Si desea conservar su derecho de demandar a los demandados en conciliación respecto de las baterías con iones de litio, debe excluirse de la demanda colectiva por escrito a más tardar el **13 de abril de 2020**. Si permanece dentro de

la demanda colectiva, puede objetar los acuerdos con los demandados en conciliación por escrito a más tardar el **13 de abril de 2020**. Los acuerdos, así como los detalles sobre cómo excluirse de los acuerdos, volver a formar parte de la demanda colectiva u objetar los acuerdos con los demandados en conciliación se encuentran a su disposición en el sitio web de los acuerdos (www.reversethecharge.com).

El tribunal llevará a cabo una audiencia final de justicia a las 2:00pm del miércoles, 20 de mayo de 2020, en el Tribunal de los Estados Unidos sito en el 1301 de Clay Street, sala 1, 4º piso, Oakland, CA 94612, para considerar la aprobación de los acuerdos con los demandados en conciliación. El abogado de la demanda colectiva puede solicitar, durante la audiencia, que los honorarios profesionales no excedan el 30% del Fondo del Acuerdo acumulativo de \$113.45 obtenido en este caso hasta ahora, o \$33,829,176, más costos y gastos, en un monto que no exceda los \$6,751,735.84 y cuotas por servicios a los representantes de la demanda colectiva por el monto de \$10,000 cada uno por la labor realizada en representación de los demandantes, y por \$25,000 para dos entidades gubernamentales. Si objeta, usted o su abogado pueden comparecer y hablar durante la audiencia a fin de comentar los acuerdos con los demandados en conciliación y/o cualquier solicitud de honorarios, cuota por servicios públicos de los abogados representantes de la demanda colectiva, o el reembolso de costos y gastos por su propia cuenta, pero no es requisito que comparezca. La audiencia podría cambiar de fecha u hora sin posterior aviso, de manera que le aconsejamos buscar información adicional en el sitio web. Por favor, no se comunique al tribunal en relación con este caso. Los detalles están a su disposición en el sitio web del acuerdo (www.reversethecharge.com) y mediante llamada telefónica al 1-855-730-8645.

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Exhibit 7



**Lithium ION Batteries Indirect Purchaser
Settlements
Opt Out Report**

Name	Settlements
DIANNA ARENS	Amended LG Chem, Hitachi Maxell, and NEC Settlements
SHELLY BLAYLOCK	Amended LG Chem, Hitachi Maxell, and NEC Settlements
DONALD CLEMENTS	Amended LG Chem, Hitachi Maxell, and NEC Settlements
J MCDUFFIE (PARKER)	Amended LG Chem, Hitachi Maxell, and NEC Settlements
ALEX PLOTKIN	Amended LG Chem, Hitachi Maxell, and NEC Settlements
JULIETTE STRAUSS	Amended LG Chem, Hitachi Maxell, and NEC Settlements
JOSUE VILLESICA	Amended LG Chem, Hitachi Maxell, and NEC Settlements
KAREN BELSKY	SDI, TOKIN, Toshiba, and Panasonic Settlements
JAMES CLAYBURN	SDI, TOKIN, Toshiba, and Panasonic Settlements
DELL INC	SDI, TOKIN, Toshiba, and Panasonic Settlements
CHRIS GILES	SDI, TOKIN, Toshiba, and Panasonic Settlements
HOME DEPOT USA INC	SDI, TOKIN, Toshiba, and Panasonic Settlements
MELANESE JEAN PAYNE	SDI, TOKIN, Toshiba, and Panasonic Settlements
NIGEL DAVID PAYNE	SDI, TOKIN, Toshiba, and Panasonic Settlements
MELISSA SMIDT	SDI, TOKIN, Toshiba, and Panasonic Settlements
ROMAN SMIRNOV	SDI, TOKIN, Toshiba, and Panasonic Settlements
JOSUE VILLESICA	SDI, TOKIN, Toshiba, and Panasonic Settlements
ANGEL RODRIGUEZ	Original LG Chem, Hitachi Maxell, and NEC Settlements
ANITA TURNEY	Original LG Chem, Hitachi Maxell, and NEC Settlements
SYLVIA PROVENCIO	Original LG Chem, Hitachi Maxell, and NEC Settlements
L CASH	Original LG Chem, Hitachi Maxell, and NEC Settlements
ALAN TAYLOR	Original LG Chem, Hitachi Maxell, and NEC Settlements
KAREN LYNCH	Original LG Chem, Hitachi Maxell, and NEC Settlements
ACER INC.	Original LG Chem, Hitachi Maxell, and NEC Settlements
HP INC.	Original LG Chem, Hitachi Maxell, and NEC Settlements
BLAKE MCKINLEY	Original LG Chem, Hitachi Maxell, and NEC Settlements
HOME DEPOT USA INC.	Original LG Chem, Hitachi Maxell, and NEC Settlements
CATHY KAYROUZ	Original LG Chem, Hitachi Maxell, and NEC Settlements
RALPH HOFFMAN	Original LG Chem, Hitachi Maxell, and NEC Settlements
MOHAMMAD QUDEISAT	Original LG Chem, Hitachi Maxell, and NEC Settlements
WILLIS JOHNSON	Original LG Chem, Hitachi Maxell, and NEC Settlements
ALLEN E REEL	Sony Settlement
MICHAEL TKACIK	Sony Settlement
SHARYN DE BERRY	Sony Settlement
DAVID ROSICKE	Sony Settlement
GERALD L. CURD, NOLA SUE CURD	Sony Settlement
TRACFONE WIRELESS, INC	Sony Settlement
BRADFORD K WOLFENDEN II	Sony Settlement
MICHAEL F. MOORE	Sony Settlement
ACER, INC.	Sony Settlement
ACER AMERICA CORPORATION	Sony Settlement
GATEWAY, INC.	Sony Settlement
GATEWAY U.S. RETAIL, INC (F/K/A EMACHINES, INC)	Sony Settlement
PACKARD BELL B.V.	Sony Settlement
WILLIAM KING	Sony Settlement
CATHY KAYROUZ	Sony Settlement
GLEN GREENE	Sony Settlement
HP INC.	Sony Settlement
HOME DEPOT	Sony Settlement