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13 *Indirect Purchaser Plaintiffs*  
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15 [Additional Counsel Listed on Signature Page]

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 OAKLAND DIVISION

19 IN RE LITHIUM ION BATTERIES  
ANTITRUST LITIGATION,  
20

Case No. 13-MD-02420 YGR (DMR)

MDL No. 2420

21  
22 This Documents Relates to:  
23 ALL INDIRECT PURCHASER ACTIONS  
24

SUPPLEMENTAL SUBMISSION  
CONCERNING PRELIMINARY  
APPROVAL OF LG CHEM, HITACHI  
MAXELL, AND NEC SETTLEMENTS

Date: March 14, 2017  
Time: 2:00 p.m.  
Judge: Hon. Yvonne Gonzalez Rogers  
Location: Courtroom 1- 4th Floor

DATE ACTION FILED: Oct. 3, 2012

1 Indirect Purchaser Plaintiffs (IPPs) herein provide updated information regarding their  
2 motions for preliminary approval of class action settlements with Defendants Hitachi Maxell, Ltd.  
3 and Maxell Corporation of America (collectively, Hitachi Maxell), NEC Corporation (NEC), and  
4 LG Chem, Ltd. and LG Chem America, Inc. (collectively, LG Chem).

5 IPPs submit both an updated Long-Form Notice of Settlement and an updated Summary  
6 Notice of Settlement. A *redlined* version of the Long-Form Notice, which shows the changes  
7 made since the hearing on February 28, 2017 regarding the motions for preliminary approval, is  
8 attached as Exhibit 1 to the Supplemental Declaration of Jeff D. Friedman in Support of Motions  
9 for Preliminary Approval of Settlements with LG Chem, Hitachi Maxell, and NEC Corporation  
10 (Friedman Declaration), submitted concurrently herewith.<sup>1</sup> A *clean* version of the updated Long-  
11 Form Notice without redlines is attached as Exhibit 2. A *redlined* version of the Summary Notice,  
12 which shows the changes made since the February 28, 2017 hearing, is attached as Exhibit 3. A  
13 *clean* version of the Summary Notice without redlines is attached as Exhibit 4.

14 The revised notices explain, among other things, that IPPs may distribute the settlement  
15 funds electronically, using a third party company experienced in electronic payments. Electronic  
16 distribution of funds can be effectuated using a Class Member's e-mail address and does away with  
17 the need for mailing addresses and the costs associated with printing and postage for hundreds of  
18 thousands – or even millions – of mailed check payments, by using an electronic payment  
19 platform. In addition to greater efficiencies (translating to higher potential payouts to eligible class  
20 members), electronic payment can also potentially increase the number of class members who  
21 actually receive settlements funds.

22 In addition to the modification in the proposed forms of notice to alert Class Members of  
23 the potential for electronic payment, the Proposed Order has also been modified so that the Court  
24 may approve using Sipree, Inc. as a third party administrator to help facilitate notice and execute an  
25 electronic payment plan.

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<sup>1</sup> Unless otherwise noted, all references to “Exhibit” refer to exhibits to the Friedman Declaration.

1 Finally, pursuant to the Court's request, IPPs have submitted one consolidated [Proposed]  
2 Order Granting IPPs' Motions for Preliminary Approval of Settlements with Hitachi Maxell, NEC,  
3 and LG Chem. Like with the modified notices, IPPs submit *redlined* and *clean* versions of the  
4 proposed order so that the Court can more easily see the changes that have been made since the  
5 February 28, 2017 hearing. The redlined version of the Proposed Order is attached as Exhibit 5 to  
6 the Friedman Declaration. The clean version is submitted concurrently herewith as a standalone  
7 Proposed Order.

8 DATED: March 9, 2017

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