

DID YOU BUY OPTICAL DISC DRIVES (“ODD”) OR ODD PRODUCTS BETWEEN JANUARY 2000 AND DECEMBER 2010?

If so, you might be affected by class action settlements.

The Class Actions

Class actions were commenced in British Columbia, Ontario, and Quebec on behalf of residents of Canada, alleging that numerous ODD manufacturers and distributors conspired to fix the prices for ODD, and that this resulted in consumers, businesses, and other purchasers paying too much for ODD and ODD Products purchased in Canada.

The Settlements

Settlement of the actions have been reached with:

- TEAC Corporation, TEAC America, Inc. and TEAC Canada, Ltd. (“TEAC”) for \$500,000 USD;
- NEC Corporation and NEC Canada, Inc. (“NEC”) for \$730,000 CDN; and
- Hitachi-LG Data Storage, Inc. and Hitachi-LG Data Storage Korea, Inc. (“HLDS”) for \$8,123,940 CDN. This settlement also releases Hitachi, Ltd., Hitachi Canada, Ltd., Hitachi America Ltd., LG Electronics Inc., LG Electronics Canada, Inc., and LG Electronics USA, Inc.

The settlements are subject to Court approval in Ontario, British Columbia and Quebec. The settlements are a resolution of contested claims and are not an admission of liability, fault or wrongdoing.

Certification as Class Proceedings for Settlement Purposes

The Courts in British Columbia, Ontario and Quebec have certified/authorized the actions as class proceedings against the TEAC, NEC and HLDS defendants for settlement purposes only.

Settlement Class Members

You may be a member of the settlement class if you purchased ODD or ODD Products between January 1, 2000 and December 31, 2010.

- ODD means any device which reads and/or writes data from and to an optical disk, including but not limited to, CD-ROMs, CD-recordable/rewritable, DVD-ROM, DVD-recordable/rewritable, Blu-Ray, Blu-Ray-recordable/rewritable, and HD DVD, as well as Super Multi-Drives, other combination drives, and optical disk drives designed to be attached externally to computers or other devices.

- ODD Products means products incorporating ODD, including but not limited to desktop computers, mobile/laptop computers, video game consoles, CD players/recorders, DVD players/recorders and Blu-Ray disc players/recorders.

See www.siskinds.com/odd/ for more information.

Opting Out of the Class Proceedings

Settlement class members have the right to exclude themselves from the proceedings (“opt-out”). If you opt-out, you will not be eligible to participate in, or receive money from, the ongoing class actions, but you will be able to start or continue your own case regarding the claims at issue. If you do nothing, you will be eligible to participate in, and may receive money from, the ongoing class actions, but you will not be able to start or continue your own case regarding the claims at issue.

If you wish to opt-out, you must submit a request to opt-out post-marked no later than April 15, 2018. See www.siskinds.com/odd/ for more information.

Settlement and Fee Approval Hearings

Hearings to consider approval of the TEAC, NEC and HLDS settlements and class counsel’s fee request of 25% of the TEAC, NEC and HLDS settlements, plus disbursements and applicable taxes, will be heard by the British Columbia Court in the City of Vancouver on May 14, 2018 at 9:00 a.m., the Ontario Court in the City of London on April 23, 2018 at 9:30 a.m., and the Quebec Court in the City of Montreal on May 4, 2018 at 9:30 a.m., in room 2.08.

You may express your views on the proposed settlements or class counsel’s fee request to the Courts. If you wish to do so you must act by March 16, 2018. See www.siskinds.com/odd/ for more information.

You are represented by:

- Camp Fiorante Matthews Mogerman
- Siskinds LLP
- Consumer Law Group Inc.

For more information, visit www.siskinds.com/odd/, email swong@cfmlawyers.ca, or call 1.800.689.2322 (toll-free)