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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

STATE OF OREGON, ex rel. Ellen
Rosenblum, Attorney General,

Plaintiff,

v.

LG ELECTRONICS, INC., a foreign
corporation; LG ELECTRONICS U.S.A, a
Delaware corporation; KONINKLIJKE
PHILIPS ELECTRONICS N.V., a/k/a
ROYAL PHILIPS ELECTRONICS N.V., a
foreign corporation; PHILIPS
ELECTRONICS NORTH AMERICA
CORPORATION, a Delaware corporation;
PHILIPS ELECTRONICS INDUSTRIES
(TAIWAN), LTD, a foreign corporation;
PHILIPS DA AMAZONIA INDUSTRIA
ELECTRONICA LTDA, a foreign
corporation; LP DISPLAYS
INTERNATIONAL, LTD. f/k/a/ LG PHILIPS
DISPLAYS, a foreign corporation; ORION
ELECTRIC COMPANY, a foreign
corporation; DAEWOO ELECTRONICS
COMPANY, LTD., a foreign corporation;
DAEWOO-ORION SOCIÉTÉ ANONYME, a
foreign corporation; PT TOSUMMIT
ELECTRONIC DEVICES, a foreign
corporation; SAMSUNG ELECTRONICS
CO., LTD., a foreign corporation; SAMSUNG
ELECTRONICS AMERICA, INC., a New
York Corporation; SAMSUNG SDI CO.,
LTD. f/k/a SAMSUNG DISPLAY DEVICE

Case No.: 1208 10246

**DECLARATION OF TIM D. NORD
IN SUPPORT OF OREGON'S
SECOND MOTION FOR
APPROVAL OF SETTLEMENTS,
NOTICE AND ENTRY OF
LIMITED JUDGMENT AS TO
FIVE DEFENDANTS**

(Oral Argument Requested)

1 CO., LTD., a foreign corporation; SAMSUNG
2 SDI AMERICA INC., a California
3 corporation; SAMSUNG SDI MEXICO S.A.
4 DE C.V., a foreign corporation; SAMSUNG
5 SDI BRASIL LTDA., a foreign corporation;
6 SHENZHEN SAMSUNG SDI CO., LTD., a
7 foreign corporation; TIANJIN SAMSUNG
8 SDI CO., LTD., a foreign corporation;
9 SAMSUNG SDI (MALAYSIA) SDN. BHD.,
10 a foreign corporation; TOSHIBA
11 CORPORATION, a foreign corporation;
12 TOSHIBA AMERICA, INC., a Delaware
13 corporation; TOSHIBA AMERICA
14 ELECTRONIC COMPONENTS, INC., a
15 California corporation; TOSHIBA AMERICA
16 INFORMATION SYSTEMS, INC., a
17 California corporation; TOSHIBA DISPLAY
18 DEVICES (THAILAND) COMPANY, LTD.
19 ("TDDT"), a foreign corporation; MT
20 PICTURE DISPLAY CO. LTD., a foreign
21 corporation; PANASONIC CORPORATION,
22 a foreign corporation; PANASONIC
23 CORPORATION OF NORTH AMERICA, a
Delaware corporation; HITACHI, LTD., a
foreign corporation; HITACHI DISPLAYS,
LTD., a foreign corporation; HITACHI
ELECTRONIC DEVICES (USA), INC., a
Delaware corporation; HITACHI AMERICA,
LTD., a New York corporation, HITACHI
ASIA, LTD., a foreign corporation;

Defendants.

I, Tim D. Nord, declare as follows:

1. I am an attorney licensed to practice in the State of Oregon and am an Assistant Attorney General for the State of Oregon, in which capacity I serve as Special Counsel for the Oregon Attorney General. In this capacity I represent the State of

**PAGE 2 – DECLARATION OF TIM D. NORD IN
SUPPORT OF OREGON’S SECOND MOTION
FOR APPROVAL OF SETTLEMENTS, NOTICE
AND ENTRY OF LIMITED JUDGMENT AS TO
FIVE DEFENDANTS**

Haglund Kelley LLP
200 SW Market Street, Suite 1777
Portland, OR 97201
Tel: (503) 225-0777 / Fax: (503) 225-1257
PL197--48478

1 Oregon in this action. I make this declaration in support of the State of Oregon's Second
2 Motion for Approval of Settlements, Notice and Entry of Limited Judgments as to Five
3 Defendant Groups. I have personal knowledge of the facts stated herein and, if called as
4 a witness, I could and would testify competently to them.

5 2. I have been a practicing attorney for over 25 years and have been handling
6 antitrust matters as antitrust counsel for the Oregon Attorney General's office for 12
7 years.

8 3. I participated in all negotiations that have resulted in the settlements that
9 are now pending the Court's approval. Joining Oregon's litigation team were counsel
10 from the law firm of Haglund and Kelley, all of whom have had substantial experience in
11 both antitrust and complex litigation. All of the settlement agreements referenced herein
12 are the result of arm's-length negotiations conducted by counsel experienced in antitrust
13 class actions.

14 4. Prior to filing suit in this Court, the State of Oregon engaged in extensive
15 pre-litigation discovery independently and with other states, utilizing investigative
16 subpoena authority and reviewing documents produced by Chunghwa Picture Tubes and
17 which were available as a result of the CRT MDL (In re: Cathode Ray Tube Antitrust
18 Litigation MDL No. 1917). After initiating this litigation in 2012, the State of Oregon
19 engaged in discovery and prosecuted state law antitrust claims against the respective
20 defendants as more fully explained in the Declaration of Michael G. Neff in Support of
21
22

1 Motion for Approval of Settlements, Notice, and Entry of Limited Judgment as to Five
2 Defendant Groups ("Neff Declaration").

3 5. Prior to commencing this litigation in 2012, the Oregon Attorney General
4 entered into a settlement agreement with Chunghwa Pictures Tubes, Ltd (Chunghwa).
5 This settlement did not require judicial approval. As part of this settlement, Chunghwa
6 paid \$21,146.00 to the state of Oregon for settlement of State purchase claims and agreed
7 to provide additional substantial cooperation to Oregon – including providing percipient
8 witnesses at trial – to assist prosecution of the case against other CRT cartel participants.
9 The \$21,146.00 paid by Chunghwa as reimbursement for attorney fees and expenses was
10 deposited into Oregon’s antitrust and consumer protection account pursuant to ORS
11 180.095 for use in accordance with the laws governing the account. The funds already
12 received from Chunghwa will be taken into account as part of the Attorney General’s fee
13 application.

14 6. Chunghwa provided substantial pre-filing cooperation to Oregon and to
15 date has cooperated as agreed to by the terms of the Oregon/Chunghwa settlement
16 agreement.

17 7. The State of Oregon brought this enforcement action, asserting violations
18 of Oregon state law which give rise to civil penalties. Oregon also made damages and
19 unjust enrichment claims based on purchases made by state governmental entities and
20 Oregon natural persons. Those claims were brought under Oregon’s authority to sue on
21 behalf of the state and *parens patriae* authority under applicable state laws.

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1 8. As described in greater detail in the Neff Declaration, Oregon has entered
2 into settlements with all of the defendants representing the six corporate defendant groups
3 identified in Oregon's Complaint. I participated in the settlement negotiations that
4 resulted in each of the settlements now pending Court approval. As to these corporate
5 defendant groups, these settlements resolve all of the claims the Attorney General has
6 brought including claims for civil penalties, damages from state agency purchases and
7 *parens patriae* redress claims, and injunctive relief. Each settlement has been determined
8 to be reasonable, in the best interests of the state and its citizens and was authorized and
9 approved by the Oregon Attorney General.

10 9. The Oregon Department of Justice maintains two websites (“AG
11 websites”) at www.doj.state.or.us/consumer/pages/lcd_antitrust_litigation.aspx and
12 www.OregonScreenSettlements.com to keep Oregonians apprised of the results of this
13 litigation. My office will update the AG websites to inform Oregonians of the settlement
14 approval process.

15 10. Oregon has prepared a draft notice of the action and settlements
16 (“Notice”) for natural persons that will be posted on the AG websites. A form of this
17 Notice will be published in every major paper in Oregon on multiple days, as well as in
18 newspaper publications found in each respective county in Oregon. The notice will direct
19 readers to the AG websites. A copy of the Notice is attached hereto as Exhibit A. This
20 notice and the AG websites will advise Oregon natural persons of: (a) information about
21 the ongoing litigation and the deadline to elect exclusion; (b) the amount of the
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1 settlements if approved by the Court; (c) the process for opting out of the litigation and
2 settlements; and (d) initial information about the process for filing a claim and later
3 distribution of settlement proceeds.

4 11. Oregon has experienced providing similar notices in the Dynamic Random
5 Access Memory (DRAM) Antitrust Litigation (MDL No. 1486) and the TFT-LCD (Flat
6 Panel) Antitrust Litigation (MDL No. 1827). For consumers who have provided contact
7 information, the notice will be sent to these contact addresses or e-mails.

8 12. Following this Court's approval of the settlements with the respective
9 defendant groups and entry of limited final approval of judgments of dismissal as to all
10 the Defendants in the CRT case, I anticipate Oregon will move the Court for an award of
11 administrative costs and attorneys' fees and costs, and approval of the division of
12 remaining settlement funds into separate "natural person" and "state" damages pots based
13 upon information from Oregon's expert. Monies allocated to the "state" pot will be
14 directed to the Oregon General Fund. As part of this motion, I also anticipate Oregon
15 will seek approval of its distribution/claims plan for natural persons supported by
16 Oregon's expert economist.

17 13. Briefly, the Attorney General intends to distribute the "natural person" pot
18 pro rata based upon actual products purchased and estimated overcharge amounts as
19 calculated by Oregon's expert. Payments to Oregon natural persons will be based upon a
20 schedule of minimum and maximum payments, and natural person will not be required to
21 provide documentation for the first two items claimed. The Attorney General anticipates
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1 requesting discretion to take reasonable additional steps to maximize disbursement of
2 funds to natural persons with any residual amount distributed to the Oregon Department
3 of Justice Protection and Education Revolving Account.

4 14. Additional notice will be provided during this claims process. The
5 Attorney General has contracted with Garden City, Inc. to serve as notice and claims
6 administrator. In addition to publication, it is anticipated that notice during the claims
7 process will include radio, television and on-line media. As part of the final distribution
8 process the court will be provided with a detailed plan of notice from Garden City setting
9 out this process.

10 **I hereby declare that the above statement is true to the best of my knowledge**
11 **and belief, and that I understand it is made for use as evidence in court and is**
12 **subject to penalty for perjury.**

13 Executed this 30th day December 2016, in Portland, Oregon.

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s/Tim D. Nord
Tim D. Nord

If You Bought a TV or Computer Monitor That Contained a Cathode Ray Tube ("CRT"), During the Years 1995 through 2007, You May be Affected by This Litigation and Benefits from a Settlement.

Please read this notice carefully as your legal rights are affected whether you act or do not act.

PARA UNA NOTIFICACION EN ESPAÑOL, LLAMAR O VISITAR NUESTRO WEBSITE.

The Oregon Attorney General filed a lawsuit against certain manufacturers of Cathode Ray Tubes ("CRTs"). The lawsuit alleges that CRT manufacturers illegally agreed upon the pricing of CRTs. The Attorney General filed this action in her law enforcement capacity and on behalf of the State of Oregon and Oregon natural persons and sought equitable relief, restitution, civil penalties and injunctive relief.

Oregon has settled with five defendants for a total of \$3,645,000 ("Settlement Fund "). The State of Oregon and Oregon natural persons may be entitled to a portion of the Settlement Fund. "Oregon natural persons" means a human, not a business.

Who Is Included?

The State of Oregon and Oregon natural persons who indirectly purchased at any time during the years 1995 to 2007, for their own use and not for resale, CRTs incorporated in TVs or computer monitors. An indirect purchaser is someone that purchased products containing a CRT from someone other than the company that manufactured the CRT component, such as from an electronics retailer or a device manufacturer other than one of the Defendants.

What Are My Rights And Options?

Exclude yourself: Oregon natural persons have the right to exclude themselves from this action. The State of Oregon cannot be excluded. If you opt out, you will not be legally bound by the litigation or these settlements, but you will not get any money or other benefits from this action or these settlements. You will retain any rights you currently have, if any. Please note that under Oregon law, authority to bring antitrust actions for indirect purchaser claims, like this action, was limited to actions by the Attorney General until January 1, 2010.

To opt-out, complete the opt-out registration online at www.OregonScreenSettlement.com or send a written letter stating that you want to be excluded from the case: *State of Oregon, ex rel Ellen F Rosenblum v. LG Electronics, Inc. et al.*, Multnomah County Circuit Court case no. CV 120810246. The letter must include the case name, your name, address, telephone number, and signature. The letter must be **postmarked on or before XXXX, 2017**, and mailed to: Oregon CRT Settlement, c/o GCG, P.O. Box 10240, Dublin, Ohio 4301 7-5740.

File a claim: Only Oregon natural persons need to file a claim to obtain benefits from these settlements. Claims can be completed online or by mailing the claim form, available for download at www.OregonScreenSettlement.com, to the Settlement Administrator. The Court has not set a deadline for filing claims, as the case has not concluded.

Do nothing: If you do nothing, you will continue to be represented by the Oregon Attorney General in the action. You will be bound by the terms of the settlements, and will release Defendants and related entities from any claims you may have relating to the allegations in this lawsuit. Oregon natural persons that do not file a claim will not be entitled to any benefits in this matter and will be bound by the terms of the settlement.

Who Represents Me?

The Attorney General of Oregon represents the State and Oregon natural persons. You do not have to pay the Attorney General. The Attorney General will request the Court approve attorney fees and litigation costs from the Settlement Fund. Additional costs to administer the Settlements will also come out of the Settlement Fund. If you want to be represented by your own lawyer, and have that lawyer appear in Court for you, you must exclude yourself and hire an attorney at your own expense.

How Do I Get More Information?

This Notice summarizes the lawsuits and the Settlements. You can get more information about the lawsuits and Settlements, the claims process or obtain a claim form at www.OregonScreenSettlement.com, by calling 1-877-940-7791, or writing to: Oregon CRT Settlement, c/o GCG, P.O. Box 10240, Dublin, Ohio 43017-5740.

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of December, 2016, I served the foregoing
**DECLARATION OF TIM D. NORD IN SUPPORT OF OREGON'S SECOND
MOTION FOR APPROVAL OF SETTLEMENTS, NOTICE AND ENTRY OF
LIMITED JUDGMENT AS TO FIVE DEFENDANTS**, on the following:

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Attorneys for Defendants Samsung SDI Co., Ltd.; Samsung SDI America, Inc.; Samsung SDI Mexico S.A. de C.V.; Samsung SDI Brasil Ltda.; Shenzhen Samsung SDI Co., Ltd.; Tianjin Samsung SDI Co., Ltd.; and Samsung SDI (Malaysia) Sdn. Bhd.

*With first-class postage prepaid and deposited in Portland, Oregon.

s/Michael G. Neff
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Michael K. Kelley, OSB 853782
Michael G. Neff, OSB 925360
Attorneys for Plaintiff