

**NOTICE OF CERTIFICATION/AUTHORIZATION AND  
SETTLEMENT APPROVAL HEARINGS REGARDING  
NATIONAL SETTLEMENT AGREEMENTS WITH HYNIX,  
MITSUBISHI/RENESAS, CYPRESS, TOSHIBA AND ETRON**

**IN THE MATTER OF SRAM (STATIC RANDOM ACCESS MEMORY)  
CLASS ACTION LITIGATION**

**READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR LEGAL RIGHTS.**

**TO: All Persons in Canada who purchased Static Random Access Memory (“SRAM”) or products containing SRAM, between January 1, 1998 through December 31, 2005, except for the defendants or parties related to a defendant (“Settlement Class”).**

**NATURE OF LAWSUITS**

SRAM is a type of memory commonly used in computers, mobile phones and other hand held communication devices.

Class action proceedings were commenced in Ontario (Court File No. CV-08-0035836800CP, Toronto Registry), British Columbia (Court File No. S-070350, Vancouver Registry), and Quebec (Court File No. 200-06-000083-074, District of Quebec) alleging that the defendants, conspired to fix prices in the market for SRAM (collectively the "SRAM Proceedings").

The plaintiffs on behalf of themselves and the classes are claiming damages from the defendants for unlawfully conspiring to fix, maintain or increase the price of SRAM. The defendants include: Samsung Electronics Co. Ltd., Samsung Semiconductor, Inc. and Samsung Electronics Canada Inc. (“Samsung”), Hynix Semiconductor, Inc. and Hynix Semiconductor America, Inc. (“Hynix”), Micron Technology, Inc., Micron Semiconductor Canada and Micron Semiconductor Products, Inc. (“Micron”), Cypress Semiconductor Corporation and Cypress Semiconductor, Inc. (“Cypress”), Etron Technology Inc. and Etron Technology America, Inc. (“Etron”), Mitsubishi Electric Corporation, Mitsubishi Electric Sales Canada Inc., Mitsubishi Electric & Electronics USA, Inc., Renesas Electronics Corporation *fka* Renesas Technology Corporation, Renesas Electronics Canada Limited *fka* Renesas Technology Canada Limited, Renesas Electronics America Inc. *fka* Renesas Technology America, Inc. *fka* NEC Electronics America, Inc. (“Mitsubishi/Renesas”), NEC Corporation, Toshiba Corporation, Toshiba Du Canada Ltée./Toshiba of Canada Limited, Toshiba America Inc. and Toshiba America Electronic Components, Inc. (“Toshiba”).

The courts in British Columbia, Ontario and Quebec have previously certified or authorized the SRAM Proceedings for settlement purposes only against Micron and Samsung and approved settlements reached with those defendants in the amount of \$300,000CDN and \$1,500,000CDN, respectively.

## **SETTLEMENTS WITH ADDITIONAL DEFENDANTS**

Settlements have now been reached in the SRAM Proceedings with Hynix, Mitsubishi/Renesas, Cypress, Toshiba and Etron, subject to approval by the three courts. Pursuant to the settlements, Hynix has agreed to pay \$275,000CDN, Mitsubishi/Renesas has agreed to pay \$1,750,000CDN, Cypress has agreed to pay \$400,000CDN, Toshiba has agreed to pay \$475,000CDN and Etron has agreed to pay \$150,000CDN in exchange for a full and final release of claims relating to the pricing of SRAM or products containing SRAM. The settlements represent a resolution of disputed claims. Hynix, Mitsubishi/Renesas, Cypress, Toshiba and Etron do not admit any wrongdoing or liability.

In order to implement the settlements, the courts in Ontario, British Columbia and Quebec have certified/authorized the SRAM Proceedings as against Hynix, Mitsubishi/Renesas, Cypress, Toshiba and Etron for the purposes of settlement only. The settlements will only become effective if approved by the three courts.

## **SETTLEMENT CLASS MEMBERS**

All Persons in Canada who bought SRAM or products containing SRAM during the period January 1, 1998 through December 31, 2005 are Settlement Class members, except for the defendants and parties related to a defendant. The deadline to opt out (or exclude oneself) from the SRAM Proceedings has passed. No one opted out of the Settlement Class. Settlement Class members will be bound by the terms of the settlement agreements if approved by the courts.

## **SETTLEMENT APPROVAL HEARINGS**

Motions to approve the settlements will be heard by the Ontario Court in the City of Toronto on December 11, 2015 at 10:00 a.m., the British Columbia Court in the City of Vancouver on October 19, 2015 at 9:00 a.m., and the Quebec Court in Quebec City on November 11, 2015 at 9:30 a.m.

At these settlement approval hearings, the Ontario, British Columbia and Quebec courts will determine whether the settlements are fair, reasonable, and in the best interests of the Settlement Class and the amount to be paid to class counsel for fees and disbursements and decide on a distribution process. Class counsel will collectively request that legal fees of 25% of the settlement funds, plus disbursements and applicable taxes be approved by the courts and paid out of the settlement funds.

At the settlement approval hearings the plaintiffs will seek a dismissal/discontinuance of the SRAM Proceedings against the sole remaining defendant, NEC Corporation, on the basis that it is not the company responsible for any SRAM liabilities of the NEC group of companies.

If the settlements are approved and the dismissal/discontinuance orders are granted, the litigation will be concluded. If the settlements are not approved, the certifications/authorizations will be revoked against the Hynix, Mitsubishi/Renesas, Cypress, Toshiba and/or Etron defendants and the litigation will continue against them.

The courts have not taken any position as to the merits of the claims or defences asserted by either side.

**OBJECTING TO THE SETTLEMENTS**

Members of the Settlement Class who do not oppose the proposed settlements need not appear at the settlement approval hearings or take any other action at this time.

Members of the Settlement Class are entitled to file written submissions and/or appear and comment on or object to the settlements, distribution process and/or fees being sought by class counsel at the appropriate settlement approval hearing. Settlement Class members who wish to comment or object must submit a written submission by mail or email to the appropriate class counsel at the address listed below postmarked no later than October 14, 2015. The written submission must state the nature of any comments or objections, and whether the Settlement Class member intends to appear at the appropriate settlement approval hearing. Class counsel will forward all such submissions to the appropriate court. All timely written submissions will be considered by the appropriate court. If you do not submit a written submission by the relevant deadline, you might not be entitled to participate, through oral submissions or otherwise, in the settlement approval hearings.

**DISTRIBUTION OF SETTLEMENT FUNDS**

The settlement funds, less any fees, disbursement and applicable taxes, as approved by the courts, will be held in trust for the benefit of the Settlement Class members at this time. At the settlement approval hearings the courts will be asked to approve the distribution process. The proposed distribution plan will be posted at [www.cfmlawyers.com](http://www.cfmlawyers.com), at [www.sramclassaction.com](http://www.sramclassaction.com), and at [www.bptavocats.com](http://www.bptavocats.com) by September 25, 2015.

Members of the Settlement Class may be required to submit a claim in a future claims process, so you should retain all records of your SRAM purchases during the period January 1, 1998 through December 31, 2005 and monitor the websites [www.cfmlawyers.com](http://www.cfmlawyers.com), [www.sramclassaction.com](http://www.sramclassaction.com), or [www.bptavocats.com](http://www.bptavocats.com).

Members of the Settlement Class are entitled to file written submissions and/or appear and comment on or object to the distribution plan at the appropriate settlement approval hearing. Settlement Class members who wish to comment or object must submit a written submission by mail or email to the appropriate class counsel at the address listed below postmarked no later than October 14, 2015. The written submission must state the nature of any comments or objections, and whether the Settlement Class member intends to appear at the appropriate settlement approval hearing. Class counsel will forward all such submissions to the appropriate court. All timely written submissions will be considered by the appropriate court. If you do not submit a written submission by the relevant deadline, you might not be entitled to participate, through oral submissions or otherwise, in the settlement approval hearings.

**CLASS COUNSEL**

The law firm of Camp Fiorante Matthews Mogerman which represents the Settlement Class in British Columbia can be reached at:

Telephone: 604-689-7555  
 Email: SRAMSettlement@cfmlawyers.ca  
 Website: www.CFMLawyers.ca  
 Mail: #400 - 856 Homer Street, Vancouver, BC V6B 2W5  
 Attention: J.J. Camp

The law firm of Bouchard Page Tremblay Avocats which represents the Settlement Class of individuals and corporations of 50 or less employees in Quebec can be reached at:

Telephone: 1-855-768-6667  
 Email: recourscollectifs@bptavocats.com  
 Website: www.bptavocats.com  
 Mail: 825, boulevard Lebourgneuf, 510  
 Quebec (Quebec) G2J 0B9  
 Attention: Brian A. Garneau

The law firms of Sutts, Strosberg LLP and Siskinds LLP which represent the Settlement Class in all provinces other than British Columbia or Quebec, as well as corporations of more than 50 employees in Quebec can be reached as follows:

Telephone (toll free): 1-800-229-5323 ext. 8296  
 Email: sramclassaction@strosbergco.com  
 Website: www.sramclassaction.com  
 Mail: 600-251 Goyeau Street, Windsor, ON N9A 6V4  
 Attention: Heather Rumble Peterson

**ADDITIONAL INFORMATION**

This notice contains only a summary of the settlements. Members of the Settlement Class are encouraged to review the complete settlement agreements, which are available online at [www.cfmlawyers.ca](http://www.cfmlawyers.ca), [www.sramclassaction.com](http://www.sramclassaction.com) and [www.bptavocats.com](http://www.bptavocats.com). If you have questions that are not answered online, please contact class counsel.

**INQUIRIES SHOULD NOT BE DIRECTED TO THE COURTS**

Updates and copies of important court filings will be posted online at [www.cfmlawyers.ca](http://www.cfmlawyers.ca), [www.sramclassaction.com](http://www.sramclassaction.com) and [www.bptavocats.com](http://www.bptavocats.com).

**INTERPRETATION**

This notice contains a summary of some of the terms of the settlement agreements. If there is a conflict between the provisions of this notice and the settlement agreements and/or the certification/authorization orders, the terms of the settlement agreements and/or the orders shall prevail.

**This notice has been approved by the Ontario, British Columbia and Quebec courts.**