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# [***Best Buy Co. v. Hitachi, Ltd. (In re Cathode Ray Tube (CRT) Antitrust Litig.)***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=)

United States District Court for the Northern District of California

October 25, 2016, Decided; October 25, 2016, Filed

MDL No. 1917; Case No. C-07-5944 JST; No. 11-cv-05513-JST; No. 13-cv-05264-JST; No. 3:07-cv-05514-JST; Case No. 3:11-cv-05514-JST; No. 11-cv-05502-JST; No. 13-cv-05261-JST; No. 11-cv-5514; No. 3:13-cv-05262; No. 13-cv-01173-JST; No. 13-cv-2776-JST; No. 14-cv-02510

**Reporter**

2016 U.S. Dist. LEXIS 166396 \*

IN RE: CATHODE RAY TUBE (CRT) ***ANTITRUST*** LITIGATION. This Order Relates To: Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al., No. 11-cv-05513-JST; Best Buy Co., Inc., et al. v. Technicolor SA, et al., No. 13-cv-05264-JST; Target Corp. v. Chunghwa Pictures Tubes, Ltd., et al., No. 3:07-cv-05514-JST; Target Corp. v. Technicolor SA, et al., Case No. 3:11-cv-05514-JST; Alfred H. Siegel, as Trustee of the Circuit City Stores, Inc. Liquidating Trust v. Hitachi, Ltd., et al., No. 11-cv-05502-JST; Alfred H. Siegel, as Trustee of the Circuit City Stores, Inc. Liquidating Trust v. TechnicolorSA, et al., No. 13-cv-05261-JST; Sears, Roebuck and Co., et. al. v. Chunghwa Picture Tubes, Ltd., et al., No. 11-cv-5514; Sears, Roebuck & Co. and Kmart Corp. v. Technicolor SA., No. 3:13-cv-05262; Sharp Electronics Corporation, et al. v. Hitachi, Ltd., et al., No. 13-cv-01173-JST; Sharp Electronics Corp., et al. v. Koninklijke Philips Electronics N.V., et al., No. 13-cv-2776-JST; ViewSonic Corporation v. Chunghwa Picture Tubes, Ltd., et al., No. 14-cv-02510

**Prior History:** [*Crago, Inc. v. Chunghwa Picture Tubes, Ltd. (In re Cathode Ray Tube (CRT)* ***Antitrust*** *Litig.), 536 F. Supp. 2d 1364, 2008 U.S. Dist. LEXIS 12204 (J.P.M.L., Feb. 15, 2008)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4RW4-WYX0-TXG3-V2B4-00000-00&context=)

**Core Terms**

damages, pre judgment interest, inflation, settlement, Plaintiffs', mitigate, competitive, exchanges, Defendants', competitors, ***Antitrust***, witness's, exclude evidence, overcharge, practices, bias, intelligence, treble damages, conspiracy, introducing evidence, references, cooperate, calculated, parties, price-fixing, settlement amount, opportunity cost, witness bias, compensate, Reply

**Case Summary**

**Overview**

HOLDINGS: [1]-The court granted defendants' motion to exclude certain direct action plaintiffs' (DAPs') inflation-adjusted damages on the ground that inflation adjusted damages were indistinguishable from prejudgment interest barred by the [*Clayton Act*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=); the prohibition on prejudgment interest included a prohibition on an adjustment for inflation; [2]-Defendants were permitted to introduce evidence of exchanges of competitive information among DAPs and their competitors for the sole purpose of demonstrating that not all information exchanges among competitors were necessarily illegitimate or illegal; [3]-DAPs' motion to exclude references to absent plaintiffs' claims against defendants was granted because the references were irrelevant; [4]-DAPs' motion to exclude evidence purporting to show that they failed to mitigate their damages was granted because such evidence was irrelevant.

**Outcome**

Defendants' motion granted. DAPs' motions granted in part and denied in part.

**LexisNexis® Headnotes**

Civil Procedure > Remedies > Judgment Interest > Prejudgment Interest

[***HN1***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=LNHNREFclscc1)[] **Judgment Interest, Prejudgment Interest**



The fundamental principle of damages is to restore the injured party, as nearly as possible, to the position he would have been in had it not been for the wrong of the other party. Consistent with that principle, courts often award prejudgment interest in order to compensate the plaintiff for the delay between the time the cause of action arose and the verdict.

Civil Procedure > Remedies > Judgment Interest > Prejudgment Interest

[***HN2***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=LNHNREFclscc2)[] **Judgment Interest, Prejudgment Interest**



Because federal statutes do not define the rate of prejudgment interest, an award of prejudgment interest in a federal question case is addressed to the sound discretion of the trial court. Discretion is not, however, authorization to decide who deserves the money more. Compensation deferred is compensation reduced by the time value of money. That is why prejudgment interest is an ingredient of full compensation. Viewed another way, by committing a tort, a wrongdoer creates an involuntary creditor. In voluntary credit transactions, the borrower must pay the market rate for money. The market rate is the minimum appropriate rate for prejudgment interest, because the involuntary creditor might have charged more to make a loan. Prejudgment interest at the market rate puts both parties in the position they would have occupied had compensation been paid promptly.

Civil Procedure > Remedies > Judgment Interest > Prejudgment Interest

[***HN3***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=LNHNREFclscc3)[] **Judgment Interest, Prejudgment Interest**



In the United States Court of Appeals for the Ninth Circuit, the measure of interest rates prescribed for post-judgment interest in [*28 U.S.C.S. § 1961(a)*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GST1-NRF4-40JD-00000-00&context=) is also appropriate for fixing the rate for pre-judgment interest unless the trial judge finds, on substantial evidence, that the equities of the particular case require a different rate. Accordingly, the interest rate for prejudgment interest in the Ninth Circuit is typically calculated at a rate equal to the weekly average one-year constant maturity treasury yield. [*28 U.S.C.S. § 1961*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GST1-NRF4-40JD-00000-00&context=).

***Antitrust*** & Trade Law > Clayton Act > Remedies > Damages

[***HN4***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=LNHNREFclscc4)[] **Remedies, Damages**



The [*Clayton Act*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=) generally prohibits an award of prejudgment interest. [*15 U.S.C.S. § 15(a)*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GTP1-NRF4-44B7-00000-00&context=). An award of prejudgment interest serves a remedial purpose by making the plaintiff whole for the intervening loss of use of the money he would have had but for the defendant's unlawful acts. Under [*§ 4 of the Clayton Act*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=), [*15 U.S.C.S. § 15*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GTP1-NRF4-44B7-00000-00&context=), however, the award of multiple damages is designed to take the place of the interest loss, along with all other remedial and punitive factors necessary to vindicate the policies of the underlying substantive law. Ensuring full compensation is even less of a concern where an indirect purchaser claims to have standing pursuant to Royal Printing Co. Such a plaintiff, if successful at trial, is awarded the entire overcharge amount, notwithstanding that its actual damages are likely to be less.

***Antitrust*** & Trade Law > ***Regulated*** Practices > Private Actions > Remedies

[***HN5***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=LNHNREFclscc5)[] **Private Actions, Remedies**



There are two ways ***antitrust*** plaintiffs are made worse off as a result of the passage of time between the date of purchase and the date of judgment. First, plaintiffs incur an opportunity cost during that period as a result of not being able to use the funds spent to pay the overcharge. Second, even if the judgment provides plaintiffs with an award equal to the nominal amount they paid for the overcharge, the purchasing power of that amount will have decreased by the date of judgment such that the present value of the harm will be greater than the present value of the award, assuming that the economy has experienced inflation since the purchase date.

Civil Procedure > Remedies > Judgment Interest > Prejudgment Interest

[***HN6***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=LNHNREFclscc6)[] **Judgment Interest, Prejudgment Interest**



Prejudgment interest compensates a plaintiff for the delay between the time the cause of action arose and the verdict. The compensation for the delay is not partial; it aims to make the plaintiff whole. Prejudgment interest is any award that compensates a plaintiff for the reduction in a judgement's real value due to the passage of time between when the violation occurred and when a judgment is rendered.

Civil Procedure > Remedies > Judgment Interest > Prejudgment Interest

[***HN7***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=LNHNREFclscc7)[] **Judgment Interest, Prejudgment Interest**



"Prejudgment interest" is a legal term of art used for the amount courts award to compensate plaintiffs for reductions in value due to the passage of time. Such an award is prejudgment interest regardless of whether a court decides to calculate it using the Consumer Price Index, Treasury yields, or some other metric.

Civil Procedure > Remedies > Judgment Interest > Prejudgment Interest

[***HN8***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=LNHNREFclscc8)[] **Judgment Interest, Prejudgment Interest**



Any compensation for the delay between the time a cause of action arose and the verdict is, by definition, prejudgment interest. An adjustment for inflation is squarely within the definition.

Evidence > Relevance > Exclusion of Relevant Evidence > Confusion, Prejudice & Waste of Time

Evidence > Relevance > Relevant Evidence

[***HN9***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=LNHNREFclscc9)[] **Exclusion of Relevant Evidence, Confusion, Prejudice & Waste of Time**



Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action. [*Fed. R. Evid. 401*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11X6-00000-00&context=). Irrelevant evidence is not admissible. [*Fed. R. Evid. 402*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11X8-00000-00&context=). A court may exclude relevant evidence, however, if its probative value is substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence. [*Fed. R. Evid. 403*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XB-00000-00&context=).

Civil Procedure > Remedies > Damages

Civil Procedure > Trials > Jury Trials > Province of Court & Jury

[***HN10***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=LNHNREFclscc10)[] **Remedies, Damages**



Argument or evidence regarding treble damages is not admissible when used as an invitation to the jury to negate the United States Congress's determination that actual damages should be trebled. Proof of bias is almost always relevant, however, because the jury, as finder of fact and weigher of credibility, is to assess all evidence which might bear on the accuracy and truth of a witness's testimony.

Evidence > Admissibility > Statements as Evidence > Compromise & Settlement Negotiations

[***HN11***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=LNHNREFclscc11)[] **Statements as Evidence, Compromise & Settlement Negotiations**



[*Fed. R. Evid. 408*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XP-00000-00&context=) prohibits the use of settlement agreements to prove liability for, invalidity of, or amount of a claim. [*Rule 408*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XP-00000-00&context=) allows courts, however, to admit settlement evidence for another purpose, such as to prove a witness's bias or prejudice. [*Fed. R. Evid. 408(b)*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XP-00000-00&context=). Care should be taken that an indiscriminate and mechanistic application of the exception to [*Rule 408*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XP-00000-00&context=), does not result in undermining the rule's public policy objective. A trial judge should weigh the need for such evidence against the potentiality of discouraging future settlement negotiations.

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For Barbara Caldwell, on behalf of herself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Christopher L. Lebsock, Hausfeld LLP, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Henry A. Cirillo, Smith Dollar PC, Santa Rosa, CA; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jon T. King, Hagens Berman Sobol Shapiro LLP, Berkeley, CA; Kathleen Styles Rogers, The Kralowec Law Group, San Francisco, CA; Lori A. Fanning, Miller**[\*9]** Law LLC, Chicago, IL; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Marvin A. Miller, Miller Law LLC, Chicago, IL; Matthew E. Van Tine, Miller Law LLC, Chicago, IL; Michael S. Christian, Zelle LLP, San Francisco, CA; Shpetim Ademi, Cudahy, WI; Thomas Patrick Dove, The Furth Firm LLP, San Francisco, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY.

For Jeffrey Figone, a California resident, on behalf of himself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Brian Joseph Barry, Law Offices of Brian Barry, Los Angeles, CA; Dennis Stewart, Hulett Harper Stewart LLP, San Diego, CA; Donald L. Perelman, Fine Kaplan & Black RPC, Philadelphia, PA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Gerard A Dever, Fine Kaplan and Black, RPC, Philadelphia, PA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Joseph Goldberg, Freedman Boyd Hollander Goldberg Urias & Ward PA, Albuquerque, NM; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Josh**[\*10]** Ewing, Freedman Boyd Hollander Goldberg Urias & Ward PA, Albuquerque, NM; Julie A. Kearns, Hulett Harper Stewart LLP, San Diego, CA; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario N. Alioto, Trump Alioto Trump & Prescott, LLP, San Francisco, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Matthew Duncan, Fine, Kaplan and Black, RPC, Philadelphia, PA; Shpetim Ademi, Cudahy, WI; Veronica Besmer, Besmer Law Firm, Los Angeles, CA; Vincent J. Ward, Freedman Boyd Hollander Goldberg Urias & Ward PA, Albuquerque, NM.

For Chad Klebs, a Minnesota resident, on behalf of themselves and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Craig C. Corbitt, LEAD ATTORNEY, Zelle LLP, San Francisco, CA; Andrus Star Liberty, Andrus Anderson LLP, San Francisco, CA; Christopher Thomas Micheletti, Zelle LLP, San Francisco, CA; Francis Onofrei Scarpulla, Law Offices of Francis O. Scarpulla, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart,**[\*11]** Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennie Lee Anderson, Andrus Anderson LLP, San Francisco, CA; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Judith A. Zahid, Zelle LLP, San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lori Erin Andrus, Andrus Anderson LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Matthew Rutledge Schultz, Diamond McCarthy LLP, San Francisco, CA; Michael Jacobs, Zelle Hofmann Voelbel Mason & Gette LLP, Minneapolis, MN; Patrick Bradford Clayton, Law Offices of Francis O. Scarpulla, San Francisco, CA; Qianwei Fu, Zelle LLP, San Francisco, CA; Richard Michael Hagstrom, Hellmuth & Johnson, Edina, MN; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Central New York Univision Video Systems, Inc., Plaintiff (3:07-cv-05944-JST): Christopher T. Heffelfinger, Berman DeValerio, San Francisco, CA; Gary L. Halling,**[\*12]** Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Joseph J. Tabacco, Jr., Berman DeValerio, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Manuel Juan Dominguez, Cohen Milstein Sellers & Toll, Palm Beach Gardens, FL; Marc Jeffrey Greenspon, Berman DeValerio, Palm Beach Gardens, FL; Matthew David-Craig Pearson, Berman DeValerio Pease Tabacco et al, San Francisco, CA; Shpetim Ademi, Cudahy, WI.

For Crimson Tech, Inc., Plaintiff (3:07-cv-05944-JST): Christopher T. Heffelfinger, Berman DeValerio, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Joseph J. Tabacco, Jr., Berman DeValerio, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Manuel Juan Dominguez, Cohen Milstein Sellers & Toll, Palm Beach Gardens, FL; Marc Jeffrey Greenspon, Berman DeValerio, Palm Beach Gardens, FL; Matthew David-Craig Pearson, Berman DeValerio Pease**[\*13]** Tabacco et al, San Francisco, CA; Shpetim Ademi, Cudahy, WI.

For The Stroud Group, Inc., Plaintiff (3:07-cv-05944-JST): Eric B. Fastiff, LEAD ATTORNEY, Lieff Cabraser Heimann & Bernstein LLP, San Francisco, CA; Brendan Patrick Glackin, Lieff, Cabraser, Heimann & Bernstein LLP, San Francisco, CA; Daniel Bruce Allanoff, Meredith Cohen Greenfogel & Skirnick, P.C., Philadelphia, PA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Joel Cary Meredith, Meredith & Associates, Philadelphia, PA; Joseph R. Saveri, Joseph Saveri Law Firm, Inc., San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Martin E. Grossman, Law Offices of Martin E. Grossman, Villanova, PA; Michele Chickerell Jackson, Lieff Cabraser Heimann & Bernstein, LLP, San Francisco, CA; Richard Martin Heimann, Lieff Cabraser Heimann & Bernstein, San Francisco, CA; Shpetim Ademi, Cudahy, WI; Steven J. Greenfogel, Lite DePalma Greenburg, LLC, Philadelphia, PA.

For Paula Call, dba Poway-Rancho Beranrdo TV a California business, Plaintiff (3:07-cv-05944-JST):**[\*14]** Cadio R. Zirpoli, Saveri & Saveri, Inc., San Francisco, CA; Christopher D. Jennings, Emerson Poynter LLP, Little Rock, AR; Corey D. McGaha, Crowder McGaha LLP, Little Rock, AR; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guido Saveri, Saveri & Saveri, Inc., San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; John G. Emerson, Emerson Scott LLP, Houston, TX; John G. Emerson, PRO HAC VICE, Emerson Scott LLP, Houston, TX; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lawrence D. McCabe, Murray Frank & Sailer LLP, New York, NY; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Richard Alexander Saveri, Saveri & Saveri, Inc., San Francisco, CA; Scott E. Poynter, Steel, Wright & Collier, PLLC, Little Rock, AR; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Mark Pierce, Plaintiff (3:07-cv-05944-JST):**[\*15]** Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Henry A. Cirillo, Smith Dollar PC, Santa Rosa, CA; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jonathan Mark Watkins, Pearson Simon Warshaw & Penny LLP, San Francisco, CA; Joseph M. Alioto, Sr., Alioto Law Firm, San Francisco, CA; Lori A. Fanning, Miller Law LLC, Chicago, IL; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Matthew E. Van Tine, Miller Law LLC, Chicago, IL; Michael S. Christian, Zelle LLP, San Francisco, CA; Shpetim Ademi, Cudahy, WI; Thomas Patrick Dove, The Furth Firm LLP, San Francisco, CA.

For Princeton Display Technologies, Inc., on behalf of itself and all others similarly situated, a New Jersey corporation, Plaintiff (3:07-cv-05944-JST): Bryan L. Clobes, LEAD ATTORNEY, Cafferty Clobes Meriwether & Sprengel LLP, Philadelphia, PA; Lee Albert, LEAD ATTORNEY, Glancy Prongay & Murray LLP, New York, NY; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James E. Cecchi, Carella Byrne Cecchi Olstein Brody & Agnello, P.C., Roseland, NJ;**[\*16]** James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jayne Arnold Goldstein, PRO HAC VICE, Pomerantz LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lindsey H. Taylor, Carella Byrne, Roseland, NJ; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Marisa C. Livesay, San Diego, CA; Shpetim Ademi, Cudahy, WI; Susan Gilah Kupfer, Glancy Prongay & Murray LLP, Berkeley, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Betsy Carol Manifold, Wolf Haldenstein Adler Freeman & Herz; Francis M. Gregorek, Wolf Haldenstein Adler Freeman & Herz LLP; James P. McCarthy, Lindquist & Vennum; Mary Jane Edelstein Fait, Chicago, IL; Rachele R. Rickert, Wolf Haldenstein Adler Freeman & Herz LLP.

For Greg A Glanz, on behalf of himself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): John Gressette Felder, Jr., LEAD ATTORNEY, McGowan Hood Felder and Johnson, Columbia, SC; Steven Randall Hood, LEAD ATTORNEY, Rock Hill, SC; William Angus McKinnon,**[\*17]** LEAD ATTORNEY, McGowan, Hood & Felder, Rock Hill, SC; Derek G. Howard, Howard Law Firm, Mill Valley, CA; Fernando Xaxier Starkes, Starkes Law Firm, Columbia, SC; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI.

For Carmen Gonzalez, a California resident, on behalf of herself and others similarly situated, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; James McManis, McManis Faulkner, San Jose, CA; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Marwa Elzankaly,**[\*18]** McManis, Faulkner, San Jose, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For William E. Stack, a Tennessee resident, on behalf of himself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Craig C. Corbitt, LEAD ATTORNEY, Zelle LLP, San Francisco, CA; Terry Rose Saunders, LEAD ATTORNEY, The Saunders Law Firm, Chicago, IL; Thomas Arthur Doyle, LEAD ATTORNEY, Thomas A. Doyle, Ltd., La Grange, IL; Christopher Lovell, Lovell Stewart Halebian LLP, New York, NY; Francis Onofrei Scarpulla, Law Offices of Francis O. Scarpulla, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Imtiaz A. Siddiqui, Cotchett Pitre & McCarthy, New York, NY; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Judith A. Zahid, Zelle LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Matthew Rutledge Schultz, Diamond McCarthy LLP, San Francisco, CA; Patrick Bradford Clayton, Law Offices of Francis O. Scarpulla, San Francisco, CA; Shpetim Ademi, Cudahy, WI; Traviss Levine**[\*19]** Galloway, Zelle Hofmann Voelbel Mason & Gette, San Francisco, CA.

For Margo Stack, a Tennessee resident, on behalf of herself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Craig C. Corbitt, LEAD ATTORNEY, Zelle LLP, San Francisco, CA; Terry Rose Saunders, LEAD ATTORNEY, The Saunders Law Firm, Chicago, IL; Thomas Arthur Doyle, LEAD ATTORNEY, Thomas A. Doyle, Ltd., La Grange, IL; Christopher Lovell, Lovell Stewart Halebian LLP, New York, NY; Francis Onofrei Scarpulla, Law Offices of Francis O. Scarpulla, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Imtiaz A. Siddiqui, Cotchett Pitre & McCarthy, New York, NY; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Judith A. Zahid, Zelle LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Matthew Rutledge Schultz, Diamond McCarthy LLP, San Francisco, CA; Patrick Bradford Clayton, Law Offices of Francis O. Scarpulla, San Francisco, CA; Shpetim Ademi, Cudahy, WI; Traviss Levine Galloway, Zelle Hofmann Voelbel Mason & Gette, San Francisco, CA.

For Donna Ellingson, Plaintiff**[\*20]** (3:07-cv-05944-JST): Alan Roth Plutzik, Bramson Plutzik Mahler & Birkhaeuser, LLP, Walnut Creek, CA; Christopher Le, Straus & Boies, LLP, Fairfax, VA; Daniel Edward Birkhaeuser, Bramson, Plutzik, Mahler & Birkhaeuser, Walnut Creek, CA; David Boies, III, Straus & Boies, LLP, Fairfax, VA; Eric James Pickar, Bangs, McCullen, Butler, Foye & Simmons, L.L.P., Rapid City, SD; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Susan Rosenberg, Bramson, Plutzik, Mahler & Birkhaeuser, Walnut Creek, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Shpetim Ademi, Cudahy, WI; Timothy D. Battin, Straus & Boies LLP, Fairfax, VA.

For Samuel J. Nasto, a Nevada resident, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and**[\*21]** Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Joel Flom, Jeffries Olson & Flom PA, Fargo, ND; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Kenneth Leo Valinoti, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence Genaro Papale, Law Offices of Lawrence G. Papale, St. Helena, CA; M. Eric Frankovitch, Frankovitch Anetakis Colantonio & Simon, Weirton, WV; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Michael G. Simon, Frankovitch Anetakis Colantonio & Simon - Weirton, Weirton, WV; Robert B. Gerard, Gerard Selden & Osuch, San Diego, CA; Seymour J. Mansfield, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, Law Offices of Sherman Kassof, Lafayette, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Patrick Piper, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter**[\*22]** & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Joel Flom, Jeffries Olson & Flom PA, Fargo, ND; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kenneth Leo Valinoti, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence Genaro Papale, Law Offices of Lawrence G. Papale, St. Helena, CA; M. Eric Frankovitch, Frankovitch Anetakis Colantonio & Simon, Weirton, WV; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Michael G. Simon, Frankovitch Anetakis Colantonio & Simon - Weirton, Weirton, WV; Robert B. Gerard, Gerard Selden & Osuch, San Diego, CA; Seymour J. Mansfield, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, Law Offices of Sherman Kassof, Lafayette, CA; Shpetim Ademi, Cudahy, WI.

For Craig Stephenson, a New Mexico resident, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James**[\*23]** M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Joel Flom, Jeffries Olson & Flom PA, Fargo, ND; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Kenneth Leo Valinoti, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence Genaro Papale, Law Offices of Lawrence G. Papale, St. Helena, CA; M. Eric Frankovitch, Frankovitch Anetakis Colantonio & Simon, Weirton, WV; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Michael G. Simon, Frankovitch Anetakis Colantonio & Simon - Weirton, Weirton, WV; Robert B. Gerard, Gerard Selden & Osuch, San Diego, CA; Seymour J. Mansfield, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, Law Offices of Sherman Kassof, Lafayette, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany,**[\*24]** NY; James P. McCarthy, Lindquist & Vennum.

For David G. Norby, a Minnesota resident, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Joel Flom, Jeffries Olson & Flom PA, Fargo, ND; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Kenneth Leo Valinoti, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence Genaro Papale, Law Offices of Lawrence G. Papale, St. Helena, CA; M. Eric Frankovitch, Frankovitch Anetakis Colantonio & Simon, Weirton, WV; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Michael G. Simon, Frankovitch Anetakis Colantonio & Simon - Weirton, Weirton, WV; Robert B. Gerard, Gerard**[\*25]** Selden & Osuch, San Diego, CA; Seymour J. Mansfield, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, Law Offices of Sherman Kassof, Lafayette, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For John Larch, a West Virginia resident, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Joel Flom, Jeffries Olson & Flom PA, Fargo, ND; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Kenneth Leo Valinoti, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence Genaro Papale, Law Offices of Lawrence G. Papale, St. Helena, CA; M. Eric Frankovitch, Frankovitch Anetakis Colantonio & Simon, Weirton, WV; Manfred Patrick Muecke,**[\*26]** Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Michael G. Simon, Frankovitch Anetakis Colantonio & Simon - Weirton, Weirton, WV; Robert B. Gerard, Gerard Selden & Osuch, San Diego, CA; Seymour J. Mansfield, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, Law Offices of Sherman Kassof, Lafayette, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Constance Hare, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Joel Flom, Jeffries Olson & Flom PA, Fargo, ND; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kenneth Leo Valinoti, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence Genaro Papale, Law Offices of Lawrence G. Papale, St. Helena, CA; M. Eric Frankovitch, Frankovitch Anetakis Colantonio & Simon, Weirton, WV; Manfred Patrick Muecke, Bonnett,**[\*27]** Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Michael G. Simon, Frankovitch Anetakis Colantonio & Simon - Weirton, Weirton, WV; Robert B. Gerard, Gerard Selden & Osuch, San Diego, CA; Seymour J. Mansfield, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, Law Offices of Sherman Kassof, Lafayette, CA; Shpetim Ademi, Cudahy, WI.

For James Stringwell, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Joel Flom, Jeffries Olson & Flom PA, Fargo, ND; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kenneth Leo Valinoti, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence Genaro Papale, Law Offices of Lawrence G. Papale, St. Helena, CA; M. Eric Frankovitch, Frankovitch Anetakis Colantonio & Simon, Weirton, WV; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP,**[\*28]** San Francisco, CA; Michael G. Simon, Frankovitch Anetakis Colantonio & Simon - Weirton, Weirton, WV; Robert B. Gerard, Gerard Selden & Osuch, San Diego, CA; Seymour J. Mansfield, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, Law Offices of Sherman Kassof, Lafayette, CA; Shpetim Ademi, Cudahy, WI.

For Gary Hanson, a North Dakota resident, on behalf of themselves and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Joel Flom, Jeffries Olson & Flom PA, Fargo, ND; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Kenneth Leo Valinoti, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence Genaro Papale, Law Offices of Lawrence G. Papale, St. Helena, CA; M. Eric Frankovitch,**[\*29]** Frankovitch Anetakis Colantonio & Simon, Weirton, WV; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Michael G. Simon, Frankovitch Anetakis Colantonio & Simon - Weirton, Weirton, WV; Robert B. Gerard, Gerard Selden & Osuch, San Diego, CA; Seymour J. Mansfield, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, Law Offices of Sherman Kassof, Lafayette, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Margaret Slagle, a Vermont resident, on behalf of herself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Daniel R. Karon, LEAD ATTORNEY, Karon LLC, Cleveland, OH; Joseph M. Alioto, Sr., LEAD ATTORNEY, Alioto Law Firm, San Francisco, CA; Angelina Alioto-Grace, Alioto Law Firm, San Francisco, Ca; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington,**[\*30]** DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Joseph Michelangelo Alioto, Jr, Alioto Law Firm, San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Mary Gilmore Kirkpatrick, Kirkpatrick & Goldborough PLLC, South Burlington, VT; Shpetim Ademi, Cudahy, WI; Theresa Driscoll Moore, Alioto Law Firm, San Francisco, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Barry Kushner, on behalf of themselves and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Joseph M. Alioto, Sr., LEAD ATTORNEY, Alioto Law Firm, San Francisco, CA; Angelina Alioto-Grace, Alioto Law Firm, San Francisco, Ca; Daniel R. Karon, Karon LLC, Cleveland, OH; Daniel Joseph Mulligan, St. James Recovery Services, P.C., San Francisco, CA; Derek G. Howard, Howard Law Firm, Mill Valley, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL;**[\*31]** Jeffrey D. Bores, Chestnut & Cambronne, Minneapolis, MN; Joseph Michelangelo Alioto, Jr, Alioto Law Firm, San Francisco, CA; Karl L. Cambronne, Chestnut & Cambronne, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI; Theresa Driscoll Moore, Alioto Law Firm, San Francisco, CA.

For Jerry Cook, on behalf of himself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Joseph M. Alioto, Sr., LEAD ATTORNEY, Alioto Law Firm, San Francisco, CA; Angelina Alioto-Grace, Alioto Law Firm, San Francisco, Ca; Bruce L. Mulkey, The Mulkey Attorneys Group P.A., Rogers, AR; Charles M. Kester, The Kester Law Firm, Fayetteville, AR; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Joseph Michelangelo Alioto, Jr, Alioto Law Firm, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI; Theresa Driscoll Moore, Alioto Law Firm, San Francisco, CA.

For Brian A. Luscher, a Arizona resident, on behalf of himself and all others**[\*32]** similarly situated, Plaintiff (3:07-cv-05944-JST): Angelina Alioto-Grace, Alioto Law Firm, San Francisco, Ca; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Joseph Michelangelo Alioto, Jr, Alioto Law Firm, San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Robert James Pohlman, Ryley Carlock & Applewhite PC, Phoenix, AZ; Shpetim Ademi, Cudahy, WI; Theresa Driscoll Moore, Alioto Law Firm, San Francisco, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Scott Friedson, on behalf of himself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Joseph M. Alioto, Sr., LEAD ATTORNEY, Alioto Law Firm, San Francisco, CA; Angelina Alioto-Grace, Alioto**[\*33]** Law Firm, San Francisco, Ca; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Joseph Michelangelo Alioto, Jr, Alioto Law Firm, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Robert James Pohlman, Ryley Carlock & Applewhite PC, Phoenix, AZ; Shpetim Ademi, Cudahy, WI; Theresa Driscoll Moore, Alioto Law Firm, San Francisco, CA.

For Wettstein and Sons, Inc, on behalf of itself and all others similarly situated, is a corporation of Wisconsin, doing business as Wettstein's, Plaintiff (3:07-cv-05944-JST): Katherine T. Kelly, LEAD ATTORNEY, Heins Mills & Olson PLC, Mpls, MN; Ranae D. Steiner, LEAD ATTORNEY, Heins Mills & Olson PLC, Minneapolis, MN; Samuel D. Heins, LEAD ATTORNEY, Heins Mills & Olson, P.L.C., Minneapolis, MN; Troy J. Hutchinson, LEAD ATTORNEY, Heins Mills & Olson PLC, Mpls, MN; Vincent J. Esades, LEAD ATTORNEY, Heins Mills & Olson, P.L.C., Minneapolis, MN; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guido Saveri, Saveri & Saveri, Inc., San Francisco, CA; Guri Ademi,**[\*34]** Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Joel Cary Meredith, Meredith & Associates, Philadelphia, PA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Scott W. Carlson, Heins Mills & Olson PLC, Minneapolis, MN; Shpetim Ademi, Cudahy, WI.

For Industrial Computing, Inc., on behalf of Itself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Jeffrey Alan Klafter, Klafter & Olsen LLP, White Plains, NY; Joseph M. Barton, Law Offices of Joseph M. Barton, Corte Madera, CA.

For Steven Ganz, a California resident, Plaintiff (3:07-cv-05944-JST): Terry Gross, LEAD ATTORNEY, Gross Belsky Alonso LLP, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; John Dmitry Bogdanov, Cooper & Kirkham, P.C., San Francisco, CA; Josef**[\*35]** Deen Cooper, Cooper & Kirkham, P.C., San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum; Tracy R. Kirkman, Cooper & Kirkham PC.

For Dennis Patrick, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Reginald Von Terrell, The Terrell Law Group, Oakland, CA; Shpetim Ademi, Cudahy, WI.

For Dana Ross, a California resident, Plaintiff (3:07-cv-05944-JST): Kathleen Styles Rogers, LEAD ATTORNEY, The Kralowec Law Group, San Francisco, CA; Susan Gilah Kupfer, LEAD ATTORNEY, Glancy Prongay & Murray LLP, Berkeley, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart,**[\*36]** Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Electronic Design Company, Plaintiff (3:07-cv-05944-JST): Charles H. Johnson, LEAD ATTORNEY, Charles H Johnson & Associates PA, New Brighton, MN; Eugene A. Spector, LEAD ATTORNEY, Spector Roseman Kodroff & Willis, PC, Philadelphia, PA; Garrett D. Blanchfield, Jr., LEAD ATTORNEY, Reinhardt Wendorf & Blanchfield, St. Paul, MN; Mark Reinhardt, LEAD ATTORNEY, Reinhardt Wendorf & Blanchfield, St. Paul, MN; Neal A Eisenbraun, LEAD ATTORNEY, Neal A Eisenbraun, Chartered, New Brighton, MN; William G. Caldes, LEAD ATTORNEY, Spector, Roseman, Kodroff & Willis, P.C., Philadelphia, PA; Cadio R. Zirpoli, Saveri & Saveri, Inc., San Francisco, CA; Gary L.**[\*37]** Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guido Saveri, Saveri & Saveri, Inc., San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Richard Alexander Saveri, Saveri & Saveri, Inc., San Francisco, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Brigid Terry, a Wisconsin resident, on behalf of herself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Jean B. Roth, LEAD ATTORNEY, Mansfield Tanick & Cohen, Minneapolis, MN; Joseph Mario Patane, LEAD ATTORNEY, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kenneth Leo Valinoti, LEAD ATTORNEY, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, LEAD ATTORNEY, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence**[\*38]** Genaro Papale, LEAD ATTORNEY, Law Offices of Lawrence G. Papale, St. Helena, CA; Lawrence P. Schaefer, LEAD ATTORNEY, Mansfield Tanick & Cohen, Minneapolis, MN; Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Robert J. Bonsignore, LEAD ATTORNEY, Bonsignore Trial Lawyers, PLLC, Las Vegas, NV; Seymour J. Mansfield, LEAD ATTORNEY, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, LEAD ATTORNEY, Law Offices of Sherman Kassof, Lafayette, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Anthony Gianasca, on behalf of himself and all others similarly situated, Plaintiff (3:07-cv-05944-JST):**[\*39]** Jean B. Roth, LEAD ATTORNEY, Mansfield Tanick & Cohen, Minneapolis, MN; Joseph Mario Patane, LEAD ATTORNEY, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kenneth Leo Valinoti, LEAD ATTORNEY, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, LEAD ATTORNEY, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence Genaro Papale, LEAD ATTORNEY, Law Offices of Lawrence G. Papale, St. Helena, CA; Lawrence P. Schaefer, LEAD ATTORNEY, Mansfield Tanick & Cohen, Minneapolis, MN; Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Robert J. Bonsignore, LEAD ATTORNEY, Bonsignore Trial Lawyers, PLLC, Las Vegas, NV; Seymour J. Mansfield, LEAD ATTORNEY, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, LEAD ATTORNEY, Law Offices of Sherman Kassof, Lafayette, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI.

For Brighid Flaherty, on behalf of herself and all others similarly situated,**[\*40]** Plaintiff (3:07-cv-05944-JST): Jean B. Roth, LEAD ATTORNEY, Mansfield Tanick & Cohen, Minneapolis, MN; Joseph Mario Patane, LEAD ATTORNEY, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kenneth Leo Valinoti, LEAD ATTORNEY, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, LEAD ATTORNEY, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence Genaro Papale, LEAD ATTORNEY, Law Offices of Lawrence G. Papale, St. Helena, CA; Lawrence P. Schaefer, LEAD ATTORNEY, Mansfield Tanick & Cohen, Minneapolis, MN; Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Robert J. Bonsignore, LEAD ATTORNEY, Bonsignore Trial Lawyers, PLLC, Las Vegas, NV; Seymour J. Mansfield, LEAD ATTORNEY, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, LEAD ATTORNEY, Law Offices of Sherman Kassof, Lafayette, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI.

For Bridget Ten Eyck, on behalf of herself and**[\*41]** all others similarly situated, Plaintiff (3:07-cv-05944-JST): Jean B. Roth, LEAD ATTORNEY, Mansfield Tanick & Cohen, Minneapolis, MN; Joseph Mario Patane, LEAD ATTORNEY, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Kenneth Leo Valinoti, LEAD ATTORNEY, Valinoti & Dito LLP, San Francisco, CA; Lauren Clare Capurro, LEAD ATTORNEY, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lawrence Genaro Papale, LEAD ATTORNEY, Law Offices of Lawrence G. Papale, St. Helena, CA; Lawrence P. Schaefer, LEAD ATTORNEY, Mansfield Tanick & Cohen, Minneapolis, MN; Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Robert J. Bonsignore, LEAD ATTORNEY, Bonsignore Trial Lawyers, PLLC, Las Vegas, NV; Seymour J. Mansfield, LEAD ATTORNEY, Foley & Mansfield, PLLP, Minneapolis, MN; Sherman Kassof, LEAD ATTORNEY, Law Offices of Sherman Kassof, Lafayette, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI.

For Southern Office**[\*42]** Supply, Inc, on behalf of itself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Gilmur Roderick Murray, LEAD ATTORNEY, Murray & Howard, LLP, San Francisco, CA; Daniel R. Karon, Karon LLC, Cleveland, OH; Donna F Solen, Lexington Law Group, San Francisco, CA; Drew A. Carson, Miller Goler Faeges, Cleveland, OH; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Issac L. Diel, Sharp McQueen, Overland Park, KS; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Krishna Brian Narine, Meredith Narine, Philadelphia, PA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Shpetim Ademi, Cudahy, WI; Steven J. Miller, Miller Goler Faeges, Cleveland, OH; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For OK TV & Appliances,**[\*43]** LLC, on behalf of itself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Elizabeth R. Odette, LEAD ATTORNEY, Lockridge Grindal Nauen P.L.L.P., Minneapolis, MN; Lisa J. Rodriguez, LEAD ATTORNEY, Trujillo Rodriguez & Richards LLP, Haddonfield, NJ; W. Joseph Bruckner, LEAD ATTORNEY, Lockridge Grindal Nauen P.L.L.P, Minneapolis, MN; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI.

For Charles Benson, on behalf of himself and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Gordon Ball, LEAD ATTORNEY, Law Office Gordon Ball, Knoxville, TN; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Robert Gordon Methvin, Jr, McCallum, Methvin & Terrell, P.C., Birmingham,**[\*44]** AL; Shpetim Ademi, Cudahy, WI.

For Meijer, Inc., On behalf of themselves and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Gregory K Arenson, LEAD ATTORNEY, Kaplan Fox and Kilsheimer LLP, New York, NY; Robert N. Kaplan, LEAD ATTORNEY, Kaplan Kilsheimer & Fox LLP, New York, NY; David Paul Germaine, PRO HAC VICE, Chicago, IL; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Gary Laurence Specks, Kaplan Fox & Kilsheimer LLP, Highland Park, IL; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Joseph Michael Vanek, PRO HAC VICE, Vanek Vickers & Masini PC, Chicago, IL; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Linda P. Nussbaum, PRO HAC VICE, Nussbaum Law Group PC, New York, NY; Linda Phyllis Nussbaum, Nussbaum Law Group, P.C., New York, NY; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James**[\*45]** P. McCarthy, Lindquist & Vennum.

For Meijer Distribution, Inc., on behalf of themselves and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Gregory K Arenson, LEAD ATTORNEY, Kaplan Fox and Kilsheimer LLP, New York, NY; Robert N. Kaplan, LEAD ATTORNEY, Kaplan Kilsheimer & Fox LLP, New York, NY; David Paul Germaine, PRO HAC VICE, Chicago, IL; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Gary Laurence Specks, Kaplan Fox & Kilsheimer LLP, Highland Park, IL; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Joseph Michael Vanek, PRO HAC VICE, Vanek Vickers & Masini PC, Chicago, IL; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Linda P. Nussbaum, PRO HAC VICE, Nussbaum LLP, Scarsdale, NY; Linda Phyllis Nussbaum, Nussbaum Law Group, P.C., New York, NY; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany,**[\*46]** NY; James P. McCarthy, Lindquist & Vennum.

For Arch Electronics, Inc, Plaintiff (3:07-cv-05944-JST): Anthony J. Bolognese, LEAD ATTORNEY, Bolognese & Associates LLC, Philadelphia, PA; Gregory K Arenson, LEAD ATTORNEY, Kaplan Fox and Kilsheimer LLP, New York, NY; Linda P. Nussbaum, LEAD ATTORNEY, PRO HAC VICE, Kaplan Fox & Kilsheimer, LLP, New York, NY; Robert N. Kaplan, LEAD ATTORNEY, Kaplan Fox & Kilsheimer, LLP, New York, NY; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Joshua H. Grabar, Bolognese & Associates, LLC, Philadelphia, PA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Kevin Bruce Love, PRO HAC VICE, Hanzman Criden & Love, P.A., South Miami, FL; Linda Phyllis Nussbaum, Nussbaum Law Group, P.C., New York, NY; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP,**[\*47]** Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Royal Data Services, Inc., on behalf of itself and all others similarly situated, is a Hawaii corporation, Plaintiff (3:07-cv-05944-JST): Lisa J. Rodriguez, LEAD ATTORNEY, Trujillo Rodriguez & Richards LLP, Haddonfield, NJ; Elizabeth R. Odette, Lockridge Grindal Nauen P.L.L.P., Minneapolis, MN; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI; W. Joseph Bruckner, Lockridge Grindal Nauen P.L.L.P, Minneapolis, MN.

For Dennis Patrick, Plaintiff (3:07-cv-05944-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Reginald Von Terrell, The Terrell Law Group, Oakland, CA; Shpetim Ademi, Cudahy, WI.

For Studio Spectrum, Inc., is a California business, Plaintiff (3:07-cv-05944-JST): Steven F. Benz,**[\*48]** LEAD ATTORNEY, Kellogg, Huber, Hansen, Todd, Washington, DC; David Nathan-Allen Sims, Saveri & Saveri, Inc., San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Guido Saveri, Saveri & Saveri, Inc., San Francisco, CA; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Shpetim Ademi, Cudahy, WI; James P. McCarthy, Lindquist & Vennum.

For James E. Allee, Plaintiff (3:07-cv-05944-JST): Jeff S. Westerman, LEAD ATTORNEY, Westerman Law Corp, Los Angeles, CA; Andrew J. Morganti, Milberg LLP, New York, NY; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Peter G.A. Safirstein, Morgan & Morgan, New York, NY; Shpetim Ademi, Cudahy, WI.

For Kory Pentland, a Michigan resident, Plaintiff (3:07-cv-05944-JST): Elizabeth**[\*49]** Anne McKenna, LEAD ATTORNEY, Milberg LLP, NY, NY; Jeff S. Westerman, LEAD ATTORNEY, Westerman Law Corp, Los Angeles, CA; Paul F. Novak, LEAD ATTORNEY, PRO HAC VICE, Milberg LLP, Detroit, MI; Andrew J. Morganti, Milberg LLP, New York, NY; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Peter G.A. Safirstein, Morgan & Morgan, New York, NY; Shpetim Ademi, Cudahy, WI; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Jim Brown, on behalf of themselves & others similarly situated, Plaintiff (3:07-cv-05944-JST): Jeff S. Westerman, LEAD ATTORNEY, Westerman Law Corp, Los Angeles, CA; Andrew J. Morganti, Milberg LLP, New York, NY; Guri Ademi, Ademi & O'Reilly LLP, Cudahy, WI; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Manfred Patrick Muecke, Bonnett, Fairbourn,**[\*50]** Friedman, & Balint, P.C., San Diego, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Peter G.A. Safirstein, Morgan & Morgan, New York, NY; Shpetim Ademi, Cudahy, WI.

For Radio & TV Equipment, Inc, is a business headquartered in Fargo, North Dakota, Plaintiff (3:07-cv-05944-JST): Lisa J. Rodriguez, LEAD ATTORNEY, Trujillo Rodriguez & Richards LLP, Haddonfield, NJ; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jason Kilene, Gustafson Gluek PLLC, Minneapolis, MN; Jayne A. Goldstein, Mager & Goldstein LLP, Weston, FL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For SOUND INVESTMENTS CORPORATION, doing business as EGGERS AUDIO-VIDEO, Plaintiff (3:07-cv-05944-JST): Lisa J. Rodriguez, LEAD ATTORNEY, Trujillo Rodriguez & Richards LLP, Haddonfield, NJ; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; James P. McCarthy,**[\*51]** Lindquist & Vennum.

For Brady Lane Cotton, a Florida resident, Plaintiff (3:07-cv-05944-JST): Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Christina Diane Crow, Jinks, Crow & Dickson P.C., Union Springs, AL; J. Matthew Stephens, McCallum Methvin & Terrell PC, Birmingham, AL; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; James Michael Terrell, McCallum, Methvin & Terrell, P.C., Birmingham, AL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Robert G. Methvin, McCallum Methvin & Terrell PC, Birmingham, AL; Robert Gordon Methvin, Jr, McCallum, Methvin & Terrell, P.C., Birmingham, AL; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum; Lynn W. Jinks, Jinks Crow & Dickson PC; Nathan A. Dickson, Jinks Crow & Dickson PC.

For Colleen Sobotka, a Florida resident, Plaintiff (3:07-cv-05944-JST): Mario Nunzio Alioto,**[\*52]** LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Christopher William Cantrell, Birmingham, AL; J. Matthew Stephens, McCallum Methvin & Terrell PC, Birmingham, AL; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; James Michael Terrell, McCallum, Methvin & Terrell, P.C., Birmingham, AL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Keith Thomson Belt, Jr., Belt Law Firm, P.C., Birmingham, AL; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Robert Page Bruner, Belt Law Firm, P.C., Birmingham, AL; Robert G. Methvin, McCallum Methvin & Terrell PC, Birmingham, AL; Robert Gordon Methvin, Jr, McCallum, Methvin & Terrell, P.C., Birmingham, AL; William Tipton Johnson, III, Belt Law Firm, P.C, Birmingham, AL; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum; Lynn W. Jinks, Jinks Crow & Dickson PC; Nathan A. Dickson, Jinks Crow & Dickson PC.

For Daniel Riebow, a Hawaii resident, Plaintiff**[\*53]** (3:07-cv-05944-JST): Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Travis Burau, a Iowa resident, Plaintiff (3:07-cv-05944-JST): Elizabeth Anne McKenna, LEAD ATTORNEY, Milberg LLP, NY, NY; Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Paul F. Novak, LEAD ATTORNEY, PRO HAC VICE, Milberg LLP, Detroit, MI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred**[\*54]** Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Andrew Kindt, a Michigan resident, Plaintiff (3:07-cv-05944-JST): James P. McCarthy, LEAD ATTORNEY, Lindquist & Vennum; Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY.

For James Brown, a Michigan resident, Plaintiff (3:07-cv-05944-JST): Elizabeth Anne McKenna, LEAD ATTORNEY, Milberg LLP, NY, NY; Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Paul F. Novak, LEAD ATTORNEY, PRO HAC VICE, Milberg LLP, Detroit, MI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies**[\*55]** Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Alan Rotman, a Minnesota resident, Plaintiff (3:07-cv-05944-JST): Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Ryan Rizzo, a Minnesota resident, Plaintiff (3:07-cv-05944-JST): Elizabeth Anne McKenna, LEAD ATTORNEY, Milberg LLP, NY, NY; Mario**[\*56]** Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Paul F. Novak, LEAD ATTORNEY, PRO HAC VICE, Milberg LLP, Detroit, MI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Charles Jenkins, a Mississippi resident, Plaintiff (3:07-cv-05944-JST): Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; J. Matthew Stephens, McCallum Methvin & Terrell PC, Birmingham, AL; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; James Michael Terrell, McCallum, Methvin & Terrell, P.C., Birmingham, AL; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro,**[\*57]** Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Robert G. Methvin, McCallum Methvin & Terrell PC, Birmingham, AL; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum; Lynn W. Jinks, Jinks Crow & Dickson PC; Nathan A. Dickson, Jinks Crow & Dickson PC.

For Daniel R. Hergert, a Nebraska resident, Plaintiff (3:07-cv-05944-JST): Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Adrienne Belai, a New York resident, Plaintiff (3:07-cv-05944-JST): Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller**[\*58]** and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Joshua Maida, a North Carolina resident, Plaintiff (3:07-cv-05944-JST): Elizabeth Anne McKenna, LEAD ATTORNEY, Milberg LLP, NY, NY; Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Paul F. Novak, LEAD ATTORNEY, PRO HAC VICE, Milberg LLP, Detroit, MI; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Rosemary**[\*59]** Ciccone, a Rhode Island resident, Plaintiff (3:07-cv-05944-JST): Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Robert J. Bonsignore, Bonsignore Trial Lawyers, PLLC, Las Vegas, NV; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Donna Marie Ellington, a South Dakota resident, Plaintiff (3:07-cv-05944-JST): Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA.

For Frank Warner, a Tennessee resident, Plaintiff (3:07-cv-05944-JST): Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco,**[\*60]** CA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Albert Sidney Crigler, a Tennessee resident, Plaintiff (3:07-cv-05944-JST): Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Robert Brent Irby, LEAD ATTORNEY, McCallum, Hoaguland Cook & Irby LLP, Vestavia Hills, AL; Eric D. Hoaglund, McCallum Hoaglund Cook & Irby LLP, Vestavia Hills, AL; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C.,**[\*61]** San Diego, CA; Richard Freeman Horsley, King, Horsley & Lyons, Birmingham, AL; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Direct Purchaser Plaintiffs, Plaintiff (3:07-cv-05944-JST): Richard Alexander Saveri, LEAD ATTORNEY, Saveri & Saveri, Inc., San Francisco, CA; Aaron M. Sheanin, Pearson, Simon & Warshaw, LLP, San Francisco, CA; Allan Steyer, Steyer Lowenthal Boodrookas Alvarez & Smith LLP, San Francisco, CA; Christopher L. Lebsock, Hausfeld LLP, San Francisco, CA; Donald Scott Macrae, Steyer Lowenthal Boodrookas Alvarez & Smith LLP, San Francisco, CA; Guido Saveri, Saveri & Saveri, Inc., San Francisco, CA; Henry A. Cirillo, Smith Dollar PC, Santa Rosa, CA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jayne Ann Peeters, Steyer Lowenthal Boodrookas Alvarez & Smith LLP, San Francisco, CA; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Jill Michelle Manning, Steyer Lowenthal Boodrookas Alvarez & Smith LLP, San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C.,**[\*62]** San Diego, CA; Michael Paul Lehmann, Hausfeld LLP, San Francisco, CA; Stephanie Yunjin Cho, Hausfeld LLP, San Francisco, CA; Travis Luke Manfredi, Saveri and Saveri Inc, San Francisco, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Bruce Lee Simon, Pearson Simon & Warshaw, LLP, San Francisco, CA; Daniel D. Cowen, Shughart Thomson & Kilroy PC; James P. McCarthy, Lindquist & Vennum; P. John Brady, Shughart Thomson & Kilroy PC.

For Indirect Purchaser Plaintiffs, Plaintiff (3:07-cv-05944-JST): Lingel Hart Winters, LEAD ATTORNEY, Law Offices of Lingel H. Winters, San Francisco, CA; Robert J. Gralewski, Jr., LEAD ATTORNEY, Kirby McInerney LLP, San Diego, CA; Charles Matthew Thompson, Charles M. Thompson, P.C., Birmingham, AL; Craig C. Corbitt, Zelle LLP, San Francisco, CA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennie Lee Anderson, Andrus Anderson LLP, San Francisco, CA; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jennifer Susan Rosenberg, Bramson, Plutzik, Mahler & Birkhaeuser, Walnut Creek, CA; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; John Dmitry Bogdanov, Cooper & Kirkham, P.C., San Francisco, CA; Josef Deen Cooper, Cooper**[\*63]** & Kirkham, P.C., San Francisco, CA; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Judith A. Zahid, Zelle LLP, San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Mario Nunzio Alioto, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Sylvie K. Kern, KAG Law Group, San Francisco, CA; Tracy R. Kirkham, Cooper & Kirkham, P.C., San Francisco, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Indirect Purchaser Plaintiffs, Plaintiff (3:07-cv-05944-JST): Mario Nunzio Alioto, LEAD ATTORNEY, Trump Alioto Trump & Prescott LLP, San Francisco, CA; Robert J. Gralewski, Jr., LEAD ATTORNEY, Kirby McInerney LLP, San Diego, CA; Charles Matthew Thompson, Charles M. Thompson, P.C., Birmingham, AL; Christopher Thomas Micheletti, Zelle LLP, San Francisco, CA; Craig C. Corbitt, Zelle LLP, San Francisco, CA; David Nathan Lake, Law Offices of David N. Lake, Encino, CA; Francis Onofrei Scarpulla, Law Offices of Francis O. Scarpulla, San Francisco, CA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennie Lee Anderson,**[\*64]** Andrus Anderson LLP, San Francisco, CA; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Josef Deen Cooper, Cooper & Kirkham, P.C., San Francisco, CA; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Judith A. Zahid, Zelle LLP, San Francisco, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Theresa Driscoll Moore, Alioto Law Firm, San Francisco, CA; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For State of Washington, Plaintiff (3:07-cv-05944-JST): David Michael Kerwin, LEAD ATTORNEY, Washington State Attorney General's Office, Seattle, WA; Jonathan A Mark, LEAD ATTORNEY, Attorney General of Washington, Seattle, WA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For**[\*65]** Electrograph Systems, Inc, Plaintiff (3:07-cv-05944-JST): Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Benjamin Daniel Battles, Boies, Schiller & Flexner LLP, Albany, NY; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Philip J. Iovieno, PRO HAC VICE, Boies Schiller & Flexner LLP, Albany, NY; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; James P. McCarthy, Lindquist & Vennum.

For Electrograph Technologies Corp., Plaintiff (3:07-cv-05944-JST): Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Benjamin Daniel Battles, Boies, Schiller & Flexner LLP, Albany, NY; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Philip J. Iovieno, PRO HAC VICE, Boies Schiller & Flexner LLP, Albany,**[\*66]** NY; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; James P. McCarthy, Lindquist & Vennum.

For Interbond Corporation of America, Plaintiff (3:07-cv-05944-JST): Stuart Harold Singer, LEAD ATTORNEY, Boies Schiller & Flexner, Fort Lauderdale, FL; William A. Isaacson, LEAD ATTORNEY, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Office Depot, Inc., Plaintiff (3:07-cv-05944-JST): Stuart Harold Singer, LEAD ATTORNEY, Boies Schiller & Flexner, Fort Lauderdale, FL; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany,**[\*67]** NY; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; James P. McCarthy, Lindquist & Vennum.

For Compucom Systems Inc, Plaintiff (3:07-cv-05944-JST): Lewis Titus LeClair, LEAD ATTORNEY, McKool Smith, P.C., Dallas, TX; William A. Isaacson, LEAD ATTORNEY, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Mike McKool, McKool Smith, P.C., Dallas, TX; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Scott R. Jacobs, McKool Smith, Dallas, TX; James P. McCarthy, Lindquist & Vennum.

For Costco Wholesale Corporation, Plaintiff (3:07-cv-05944-JST): Cori Gordon Moore, Perkins Coie LLP, Seattle, WA; David Burman, PRO HAC VICE, Perkins Coie LLP, Seattle, WA; David P. Chiappetta, Perkins Coie LLP, San Francisco, CA; Eric J. Weiss, PERKINS COIE LLP, Seattle, WA; Euphemia Nikki Thomopulos, Hirschfeld Kraemer LLP, San Francisco, CA; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies**[\*68]** Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Joren Surya Ayala-Bass, The Law Office of Philip A. Leider, Berkeley, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Nicholas H. Hesterberg, PRO HAC VICE, Perkins Coie LLP, Seattle, WA; Noah Guzzo Purcell, Seattle, Seattle, WA; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Steven Douglas Merriman, Perkins Coie LLP, Seattle, WA; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Alfred H. Siegel, Plaintiff (3:07-cv-05944-JST): Brian Gillett, Susman Godfrey L.L.P., Houston, TX; David M. Peterson, Susman Godfrey LLP, Houston, TX; H. Lee Godfrey, Susman Godfrey LLP, Houston, TX; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; John Pierre Lahad, Susman Godfrey LLP, Houston, TX; Johnny William Carter, Susman Godfrey LLP, Houston, TX; Jonathan Jeffrey Ross, N/A, Susman Godfrey L.L.P., Houston, TX; Jonathan Mark Weiss, Klee Tuchin**[\*69]** Bogdanoff Stern LLP, Los Angeles, CA; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Matthew C. Behncke, Susman Godfrey LLP, Houston, TX; Michael Lloyd Tuchin, Klee Tuchin Bogdanoff Stern LLP, Los Angeles, CA; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Robert J. Pfister, Klee, Tuchin, Bogdanoff & Stern LLP, Los Angeles, CA; Robert Sabre Safi, Susman Godfrey L.L.P., Houston, TX; Samuel J Randall, Kenny Nachwalter PA, Miami, FL; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum; Kenneth S. Marks, Susman Godfrey LLP.

For Department of Legal Affairs, Plaintiff (3:07-cv-05944-JST): Eli Andrew Friedman, LEAD ATTORNEY, Office of the Attorney General, ***Antitrust*** Division, Tallahassee, FL; Patricia A. Conners, LEAD ATTORNEY, Attorney General's Office, Department of Legal Affairs, ***Antitrust*** Section, Tallahassee, FL; R. Scott Palmer, LEAD ATTORNEY, Office of the Attorney General, State of Florida, Tallahassee, FL; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist &**[\*70]** Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Liz Ann Brady, Office of the Attorney General, ***Antitrust*** Division, Tallahassee, FL; Nicholas J. Weilhammer, Office of the Attorney General, State of Florida, Tallahassee, FL; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For Office of the Attorney General, Plaintiff (3:07-cv-05944-JST): Eli Andrew Friedman, LEAD ATTORNEY, Office of the Attorney General, ***Antitrust*** Division, Tallahassee, FL; Patricia A. Conners, LEAD ATTORNEY, Attorney General's Office, Department of Legal Affairs, ***Antitrust*** Section, Tallahassee, FL; R. Scott Palmer, LEAD ATTORNEY, Office of the Attorney General, State of Florida, Tallahassee, FL; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Liz Ann Brady, Office of the Attorney General, ***Antitrust*** Division, Tallahassee, FL; Nicholas J. Weilhammer, Office of the Attorney General, State of Florida, Tallahassee, FL; Anne M. Nardacci, Boies, Schiller & Flexner,**[\*71]** LLP, Albany, NY; James P. McCarthy, Lindquist & Vennum.

For State of Florida, Plaintiff (3:07-cv-05944-JST): Anne M. Nardacci, LEAD ATTORNEY, Boies, Schiller & Flexner, LLP, Albany, NY; Eli Andrew Friedman, LEAD ATTORNEY, Office of the Attorney General, ***Antitrust*** Division, Tallahassee, FL; James P. McCarthy, LEAD ATTORNEY, Lindquist & Vennum; Patricia A. Conners, LEAD ATTORNEY, Attorney General's Office, Department of Legal Affairs, ***Antitrust*** Section, Tallahassee, FL; R. Scott Palmer, LEAD ATTORNEY, Office of the Attorney General, State of Florida, Tallahassee, FL; James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Kelly Laudon, Lindquist Vennum, PLLP, Minneapolis, MN; Liz Ann Brady, Office of the Attorney General, ***Antitrust*** Division, Tallahassee, FL; Nicholas J. Weilhammer, Office of the Attorney General, State of Florida, Tallahassee, FL; Satu A Correa, Florida Office of the Attorney General, Tallahassee, FL.

For Best Buy Co., Inc., Plaintiff (3:07-cv-05944-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, LEAD ATTORNEY, Robins**[\*72]** Kaplan LLP, Los Angeles, CA; Elizabeth Diemphuc Le, LEAD ATTORNEY, Robins, Kaplan, Miller & Ciresi L.L.P., Los Angeles, CA; Jordan Samuel Paul, LEAD ATTORNEY, Robins Kaplan Miller Ciresi LLP, Los Angeles, CA; Laura Elizabeth Nelson, LEAD ATTORNEY, Robins Kaplan Miller and Ciresi, Minneapolis, MN; Lauren Elizabeth Wood, LEAD ATTORNEY, Glynn & Finley LLP, Walnut Creek, CA; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Samuel J Randall, Kenny Nachwalter PA, Miami, FL; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi; K. Craig Wildfang, Attorney at Law, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Best Buy Enterprise Services, Inc., Plaintiff (3:07-cv-05944-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Elizabeth Diemphuc Le, LEAD**[\*73]** ATTORNEY, Robins, Kaplan, Miller & Ciresi L.L.P., Los Angeles, CA; Jordan Samuel Paul, LEAD ATTORNEY, Robins Kaplan Miller Ciresi LLP, Los Angeles, CA; Laura Elizabeth Nelson, LEAD ATTORNEY, Robins Kaplan Miller and Ciresi, Minneapolis, MN; Lauren Elizabeth Wood, LEAD ATTORNEY, Glynn & Finley LLP, Walnut Creek, CA; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Samuel J Randall, Kenny Nachwalter PA, Miami, FL; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi; K. Craig Wildfang, Attorney at Law, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Best Buy Purchasing LLC, Plaintiff (3:07-cv-05944-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Elizabeth Diemphuc Le, LEAD ATTORNEY, Robins, Kaplan, Miller & Ciresi L.L.P., Los Angeles, CA;**[\*74]** Jordan Samuel Paul, LEAD ATTORNEY, Robins Kaplan Miller Ciresi LLP, Los Angeles, CA; Laura Elizabeth Nelson, LEAD ATTORNEY, Robins Kaplan Miller and Ciresi, Minneapolis, MN; Lauren Elizabeth Wood, LEAD ATTORNEY, Glynn & Finley LLP, Walnut Creek, CA; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Samuel J Randall, Kenny Nachwalter PA, Miami, FL; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi; K. Craig Wildfang, Attorney at Law, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Best Buy Stores, L.P., Plaintiff (3:07-cv-05944-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Elizabeth Diemphuc Le, LEAD ATTORNEY, Robins, Kaplan, Miller & Ciresi L.L.P., Los Angeles, CA; Jordan Samuel Paul, LEAD ATTORNEY, Robins Kaplan Miller Ciresi LLP,**[\*75]** Los Angeles, CA; Laura Elizabeth Nelson, LEAD ATTORNEY, Robins Kaplan Miller and Ciresi, Minneapolis, MN; Lauren Elizabeth Wood, LEAD ATTORNEY, Glynn & Finley LLP, Walnut Creek, CA; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Samuel J Randall, Kenny Nachwalter PA, Miami, FL; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi; K. Craig Wildfang, Attorney at Law, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Best Buy.com LLC, Plaintiff (3:07-cv-05944-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Elizabeth Diemphuc Le, LEAD ATTORNEY, Robins, Kaplan, Miller & Ciresi L.L.P., Los Angeles, CA; Jordan Samuel Paul, LEAD ATTORNEY, Robins Kaplan Miller Ciresi LLP, Los Angeles, CA; Laura Elizabeth Nelson, LEAD ATTORNEY, Robins Kaplan Miller**[\*76]** and Ciresi, Minneapolis, MN; Lauren Elizabeth Wood, LEAD ATTORNEY, Glynn & Finley LLP, Walnut Creek, CA; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Samuel J Randall, Kenny Nachwalter PA, Miami, FL; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi; K. Craig Wildfang, Attorney at Law, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Magnolia Hi-Fi, Inc., Plaintiff (3:07-cv-05944-JST): David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Elizabeth Diemphuc Le, LEAD ATTORNEY, Robins, Kaplan, Miller & Ciresi L.L.P., Los Angeles, CA; Jordan Samuel Paul, LEAD ATTORNEY, Robins Kaplan Miller Ciresi LLP, Los Angeles, CA; Laura Elizabeth Nelson, LEAD ATTORNEY, Robins Kaplan Miller and Ciresi, Minneapolis, MN; Lauren Elizabeth Wood, LEAD ATTORNEY, Glynn & Finley LLP, Walnut Creek, CA; Jennifer Milici, Boies Schiller**[\*77]** and Flexner LLP, Washington, DC; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P.; K. Craig Wildfang, Attorney at Law, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Good Guys, Inc., Plaintiff (3:07-cv-05944-JST): Jason C. Murray, LEAD ATTORNEY, Crowell & Moring LLP, Los Angeles, CA; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; William A. Isaacson, Boies Schiller & Flexner, Washington, DC.

For KMart Corporation, Plaintiff (3:07-cv-05944-JST): Jason C. Murray, LEAD ATTORNEY, Crowell & Moring LLP, Los Angeles, CA; William J. Blechman, LEAD ATTORNEY, Kenny Nachwalter PA, Miami, FL; Gavin David Whitis, Pond North LLP, Los Angeles, CA; Jalaine Garcia, Miami, FL; James T Almon, Kenny Nachwalter, PA, Miami, FL; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Kevin J. Murray, Kenny Nachwalter PA, Miami, FL; Philip J Iovieno, Boies, Schiller & Flexner**[\*78]** LLP, Albany, NY; Richard A. Arnold, Kenny Nachwalter, Miami, FL; Ryan C Zagare, Kenny Nachwalter, PA, Miami, Fl; Samuel J Randall, Kenny Nachwalter PA, Miami, FL; William A. Isaacson, Boies Schiller & Flexner, Washington, DC.

For Old Comp Inc., Plaintiff (3:07-cv-05944-JST): Jason C. Murray, LEAD ATTORNEY, Crowell & Moring LLP, Los Angeles, CA; Daniel Allen Sasse, Crowell & Moring LLP, Irvine, CA; Deborah Ellen Arbabi, Crowell and Moring LLP, Irvine, CA; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; William A. Isaacson, Boies Schiller & Flexner, Washington, DC.

For Radioshack Corp., Plaintiff (3:07-cv-05944-JST): Jason C. Murray, LEAD ATTORNEY, Crowell & Moring LLP, Los Angeles, CA; Daniel Allen Sasse, Crowell & Moring LLP, Irvine, CA; Deborah Ellen Arbabi, Crowell and Moring LLP, Irvine, CA; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; William A. Isaacson, Boies Schiller & Flexner, Washington, DC.

For Sears, Roebuck and Co., Plaintiff (3:07-cv-05944-JST): Jason C. Murray, LEAD ATTORNEY, Crowell & Moring LLP, Los Angeles, CA; William J. Blechman, LEAD ATTORNEY, Kenny Nachwalter PA, Miami, FL; Gavin David Whitis, Pond North LLP, Los Angeles, CA; Jalaine Garcia,**[\*79]** Miami, FL; James T Almon, Kenny Nachwalter, PA, Miami, FL; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Richard A. Arnold, Kenny Nachwalter, Miami, FL; Ryan C Zagare, Kenny Nachwalter, PA, Miami, Fl; Samuel J Randall, Kenny Nachwalter PA, Miami, FL; William A. Isaacson, Boies Schiller & Flexner, Washington, DC; Kevin J. Murray, Kenny Nachwalter PA, Miami, FL.

For Target Corp., Plaintiff (3:07-cv-05944-JST): Jason C. Murray, LEAD ATTORNEY, Crowell & Moring LLP, Los Angeles, CA; Astor Henry Lloyd Heaven, III, Crowell and Moring LLP, Washington, DC; Jerome A. Murphy, Crowell & Moring LLP, Washington, DC; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Matthew J. McBurney, Crowell & Moring LLP, Washington, DC; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Robert Brian McNary, Crowell & Moring LLP, Los Angeles, CA; Samuel J Randall, Kenny Nachwalter PA, Miami, FL; William A. Isaacson, Boies Schiller & Flexner, Washington, DC.

For Giovanni Constabile, On behalf of themselves and all others similarly situated, Plaintiff (3:07-cv-05944-JST): Lingel Hart Winters, LEAD ATTORNEY, Law Offices of Lingel H. Winters,**[\*80]** San Francisco, CA.

For Gio's Inc, a California corporation, Plaintiff (3:07-cv-05944-JST): Lingel Hart Winters, LEAD ATTORNEY, Law Offices of Lingel H. Winters, San Francisco, CA.

For Schultze Agency Services, LLC, on behalf of Tweeter Opco, LLC and Tweeter Newco, LLC, Plaintiff (3:07-cv-05944-JST): William A. Isaacson, LEAD ATTORNEY, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Christopher V. Fenlon, Boies, Schiller & Flexner, LLP, Albany, NY; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Philip J. Iovieno, PRO HAC VICE, Boies, Schiller & Flexner LLP, Albany, NY.

For Tweeter Newco, LLC, Plaintiff (3:07-cv-05944-JST): Anne M. Nardacci, LEAD ATTORNEY, Boies, Schiller & Flexner, LLP, Albany, NY; Philip J. Iovieno, LEAD ATTORNEY, Boies, Schiller & Flexner LLP, Albany, NY; William A. Isaacson, LEAD ATTORNEY, Boies Schiller & Flexner, Washington, DC; Christopher V. Fenlon, Boies, Schiller & Flexner, LLP, Albany, NY; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY.

For ABC Appliance, Inc., Plaintiff (3:07-cv-05944-JST): Christopher V. Fenlon, LEAD ATTORNEY, Boies, Schiller & Flexner, LLP, Albany, NY; Anne M.**[\*81]** Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; William A. Isaacson, Boies Schiller & Flexner, Washington, DC.

For Marta Cooperative of America, Inc., Plaintiff (3:07-cv-05944-JST): Christopher V. Fenlon, LEAD ATTORNEY, Boies, Schiller & Flexner, LLP, Albany, NY; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; William A. Isaacson, Boies Schiller & Flexner, Washington, DC.

For P.C. Richard & Son Long Island Corporation, Plaintiff (3:07-cv-05944-JST): Christopher V. Fenlon, LEAD ATTORNEY, Boies, Schiller & Flexner, LLP, Albany, NY; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; William A. Isaacson, Boies Schiller & Flexner, Washington, DC.

For Sharp Corporation, Plaintiff (3:07-cv-05944-JST): Colin C. West, Morgan Lewis & Bockius LLP, San Francisco, CA; Jonathan Alan Patchen, Taylor & Company Law Offices, LLP, San Francisco, CA.

For -----Plaintiff, Plaintiff (3:07-cv-05944-JST): Gloria Comeaux Robert J. Bonsignore,**[\*82]** Bonsignore Trial Lawyers, PLLC, Las Vegas, NV.

For Kerry Lee Hall, Plaintiff (3:07-cv-05944-JST): Robert J. Gralewski, Jr., LEAD ATTORNEY, Gergosian & Gralewski LLP, San Diego, CA; Daniel Hume, Kirby McInerney LLP, New York, NY.

For Jeff Speaect, Plaintiff (3:07-cv-05944-JST): Robert J. Bonsignore, Bonsignore Trial Lawyers, PLLC, Las Vegas, NV.

For Tech Data Corporation, Plaintiff (3:07-cv-05944-JST): Melissa Willett, LEAD ATTORNEY, Boies, Schiller & Flexner, Washington, DC; Mitchell E. Widom, LEAD ATTORNEY, Bilzin Sumberg Baena Price & Axelrod, LLP, Miami, FL; Robert Turken, LEAD ATTORNEY, Bilzin Sumberg Baena Price & Axelrod LLP, Miami, FL; Scott N. Wagner, LEAD ATTORNEY, PRO HAC VICE, Bilzin Sumberg Baena Price & Axelrod LLP, Miami, FL; Stuart Harold Singer, LEAD ATTORNEY, Boies Schiller & Flexner, Fort Lauderdale, FL; William A. Isaacson, LEAD ATTORNEY, Boies Schiller & Flexner, Washington, DC; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Philip J. Iovieno, PRO HAC VICE, Boies Schiller & Flexner LLP, Albany, NY.

For Tech Data Product Management, Inc., Plaintiff (3:07-cv-05944-JST): Robert Turken, LEAD ATTORNEY,**[\*83]** Bilzin Sumberg Baena Price & Axelrod LLP, Miami, FL; Anne M. Nardacci, Boies, Schiller & Flexner, LLP, Albany, NY; Jennifer Milici, Boies Schiller and Flexner LLP, Washington, DC; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; Scott N. Wagner, Bilzin Sumberg Baena Price & Axelrod LLP, Miami, FL; William A. Isaacson, Boies Schiller & Flexner, Washington, DC.

For Sharp Electronics Corporation, Plaintiff (3:07-cv-05944-JST): Cheryl Ann Galvin, Quinn Emmanuel Urquhart & Sullivan LLP, Redwood Shores, CA; Craig A Benson, Paul Weiss LLP, Washington, DC; Gary R Carney, PRO HAC VICE, Paul, Weiss, Rifkind, Wharton and Garrison LLP, New York, NY; Jonathan Alan Patchen, Taylor & Company Law Offices, LLP, San Francisco, CA; Joseph J Simons, Paul Weiss LLP, Washington, DC; Kenneth A. Gallo, Paul, Weiss, Rifkind, Wharton & Garrison LLP, Washington, DC; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Kira A Davis, PRO HAC VICE, Paul, Weiss, Rifkind, Wharton and Garrison LLP, New York, NY; Stephen E. Taylor, Taylor & Company Law Offices, LLP.

For Sharp Electronics Manufacturing Company of America, Inc., Plaintiff (3:07-cv-05944-JST): Cheryl Ann Galvin, Quinn Emmanuel Urquhart & Sullivan**[\*84]** LLP, Redwood Shores, CA; Craig A Benson, Paul Weiss LLP, Washington, DC; Gary R Carney, PRO HAC VICE, Paul, Weiss, Rifkind, Wharton and Garrison LLP, New York, NY; Jonathan Alan Patchen, Taylor & Company Law Offices, LLP, San Francisco, CA; Joseph J Simons, Paul Weiss LLP, Washington, DC; Kenneth A. Gallo, Paul, Weiss, Rifkind, Wharton & Garrison LLP, Washington, DC; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Kira A Davis, PRO HAC VICE, Paul, Weiss, Rifkind, Wharton and Garrison LLP, New York, NY; Stephen E. Taylor, Taylor & Company Law Offices, LLP.

For Dell Inc., Plaintiff (3:07-cv-05944-JST): Debra Dawn Bernstein, LEAD ATTORNEY, Alston & Bird LLP, Atlanta, GA; Elizabeth Helmer Jordan, LEAD ATTORNEY, Alston & Bird LLP, Atlanta, GA; Jon G. Shepherd, LEAD ATTORNEY, Gibson Dunn & Crutcher, Dallas, TX; Matthew David Kent, LEAD ATTORNEY, Alston + Bird LLP, Atlanta, GA; Melissa Mahurin Whitehead, LEAD ATTORNEY, Alston and Bird, Atlanta, GA; Michael P. Kenny, LEAD ATTORNEY, Alston & Bird LLP, Atlanta, GA; Rodney J Ganske, LEAD ATTORNEY, Alston & Bird LLP, Atlanta, GA; James Matthew Wagstaffe, Kerr & Wagstaffe LLP, San Francisco, CA; Michael John Newton, Alston & Bird, Dallas, TX.**[\*85]**

For Dell Products L.P., Plaintiff (3:07-cv-05944-JST): Debra Dawn Bernstein, LEAD ATTORNEY, Alston & Bird LLP, Atlanta, GA; Elizabeth Helmer Jordan, LEAD ATTORNEY, Alston & Bird LLP, Atlanta, GA; Jon G. Shepherd, LEAD ATTORNEY, Gibson Dunn & Crutcher, Dallas, TX; Matthew David Kent, LEAD ATTORNEY, Alston + Bird LLP, Atlanta, GA; Melissa Mahurin Whitehead, LEAD ATTORNEY, Alston and Bird, Atlanta, GA; Michael P. Kenny, LEAD ATTORNEY, Alston & Bird LLP, Atlanta, GA; Rodney J Ganske, LEAD ATTORNEY, Alston & Bird LLP, Atlanta, GA; James Matthew Wagstaffe, Kerr & Wagstaffe LLP, San Francisco, CA; Michael John Newton, Alston & Bird, Dallas, TX.

For Magnolia Hi-Fi, LLC, Plaintiff (3:07-cv-05944-JST): David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Laura Elizabeth Nelson, LEAD ATTORNEY, Robins Kaplan Miller and Ciresi, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Viewsonic Corporation, Plaintiff (3:07-cv-05944-JST): Jason C. Murray, LEAD ATTORNEY, Crowell & Moring LLP, Los Angeles, CA; Astor Henry Lloyd Heaven,**[\*86]** III, Crowell and Moring LLP, Washington, DC; Daniel Allen Sasse, Crowell & Moring LLP, Irvine, CA; Deborah Ellen Arbabi, Crowell and Moring LLP, Irvine, CA; Jerome A. Murphy, Crowell & Moring LLP, Washington, DC; Kenneth S. Marks, Susman Godfrey LLP, Houston, TX; Matthew J. McBurney, Crowell & Moring LLP, Washington, DC; Robert Brian McNary, Crowell & Moring LLP, Los Angeles, CA; Samuel J Randall, Kenny Nachwalter PA, Miami, FL.

For YRC, INC., Creditor (3:07-cv-05944-JST): Jeffrey M. Judd, Judd Law Group, San Francisco, CA.

For Chunghwa Picture Tubes, LTD. ("Chunghwa PT") is a Taiwanese company, Defendant (3:07-cv-05944-JST): Joel Steven Sanders, LEAD ATTORNEY, Gibson, Dunn & Crutcher LLP, San Francisco, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Austin Van Schwing, Gibson, Dunn & Crutcher LLP, San Francisco, CA; David C. Brownstein, Farmer Brownstein Jaeger LLP, San Francisco, CA; Jacob P. Alpren, Farmer Brownstein Jaeger LLP, San Francisco, CA; Joel Calcar Willard, Gibson, Dunn Crutcher LLP, San Francisco, CA; William S Farmer, Farmer Brownstein Jaeger LLP, San Francisco, CA; Rachel S. Brass, Gibson Dunn & Crutcher LLP.

For Chunghwa Picture Tubes (Malaysia) Sdn.**[\*87]** Bhd. ("Chunghwa Malaysia") is a Malaysian company, Defendant (3:07-cv-05944-JST): Joel Steven Sanders, LEAD ATTORNEY, Gibson, Dunn & Crutcher LLP, San Francisco, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Austin Van Schwing, Gibson, Dunn & Crutcher LLP, San Francisco, CA; David C. Brownstein, Farmer Brownstein Jaeger LLP, San Francisco, CA; Jacob P. Alpren, Farmer Brownstein Jaeger LLP, San Francisco, CA; Rachel S. Brass, Gibson Dunn & Crutcher LLP, San Francisco, CA; William S Farmer, Farmer Brownstein Jaeger LLP, San Francisco, CA.

For Hitachi, Ltd., is a Japanese company, Defendant (3:07-cv-05944-JST): Diane Leslie Webb, LEAD ATTORNEY, San Francisco, CA; Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; John Clayton Everett, LEAD ATTORNEY, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; Michelle Park Chiu, LEAD ATTORNEY, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, LEAD ATTORNEY, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James Mutchnik,**[\*88]** PRO HAC VICE, Chicago, IL; Jason Bruce Allen, Morgan, Lewis & Bockius LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Katherine Hamilton Wheaton, PRO HAC VICE, Chicago, IL; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Thomas R. Green, United States Attorney's Office, Northern District of California, Oakkland, CA.

For Hitachi America, Ltd. ("Hitachi America") is a New York company, Defendant (3:07-cv-05944-JST): Diane Leslie Webb, LEAD ATTORNEY, San Francisco, CA; Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; Kent Michael Roger, LEAD ATTORNEY, Morgan Lewis & Bockius LLP, San Francisco, CA; Michelle Park Chiu, LEAD ATTORNEY, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, LEAD ATTORNEY, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Christine S. Safreno, Morgan Lewis & Bockius,**[\*89]** LLP, San Francisco, CA; D. Eric Shapland, Heller Ehrman White & McAuliffe LLP; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James Mutchnik, PRO HAC VICE, Chicago, IL; Jason Bruce Allen, Morgan, Lewis & Bockius LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jonathan DeGooyer, Morgan Lewis & Bockius LLP, San Francisco, CA; Katherine Hamilton Wheaton, Chicago, IL; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Rebecca Ann Falk, Morgan, Lewis & Bockius LLP, San Francisco, CA; Thomas R. Green, United States Attorney's Office, Northern District of California, Oakkland, CA.

For Hitachi Asia, Ltd. ("Hitachi Asia") is a Singaporean company, Defendant (3:07-cv-05944-JST): Diane Leslie Webb, LEAD ATTORNEY, San Francisco, CA; Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; John Clayton Everett, LEAD ATTORNEY, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; Michelle Park Chiu, LEAD ATTORNEY, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, LEAD ATTORNEY, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Adam C. Hemlock, Weil Gotshal and Manges**[\*90]** LLP, New York, NY; Barack Shem Echols, PRO HAC VICE, Kirkland Ellis LLP, Chicago, IL; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James Mutchnik, PRO HAC VICE, Chicago, IL; Jason Bruce Allen, Morgan, Lewis & Bockius LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Katherine Hamilton Wheaton, Chicago, IL; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Matthew J. Hertko, PRO HAC VICE, Jones Day, Chicago, IL; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Thomas R. Green, United States Attorney's Office, Northern District of California, Oakkland, CA.

For Irico Group Corp. ("IGC") is a Chinese entity, Defendant (3:07-cv-05944-JST): Joseph R. Tiffany, II, LEAD ATTORNEY, Pillsbury Winthrop Shaw Pittman LLP, Palo Alto, CA;**[\*91]** Philip Andrew Simpkins, Littler Mendelson, Walnut Creek, CA; Terrence A. Callan, Pillsbury Winthrop Shaw Pittman LLP, San Francisco, CA.

For Irico Display Devices Co., Ltd. ("IDDC") is a Chinese entity, Defendant (3:07-cv-05944-JST): Joseph R. Tiffany, II, LEAD ATTORNEY, Pillsbury Winthrop Shaw Pittman LLP, Palo Alto, CA; Philip Andrew Simpkins, Littler Mendelson, Walnut Creek, CA; Terrence A. Callan, Pillsbury Winthrop Shaw Pittman LLP, San Francisco, CA.

For LG Electronics, Inc. ("LGEI") is a South Korean entity, Defendant (3:07-cv-05944-JST): Brad D. Brian, LEAD ATTORNEY, Munger Tolles & Olson LLP, Los Angeles, CA; Douglas L Wald, LEAD ATTORNEY, Washington, DC; Miriam Kim, LEAD ATTORNEY, Munger, Tolles & Olson, San Francisco, CA; Samuel R. Miller, LEAD ATTORNEY, Sidley Austin LLP, San Francisco, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Benjamin Edward Waldin, PRO HAC VICE, Eimer Stahl LLP, Chicago, IL; Beth Harrison Parker, Arnold & Porter LLP, San Francisco, CA; Cathleen Hamel Hartge, Munger Tolles and Olson LLP, San Francisco, CA; Christopher M. Curran, White & Case, Washington, DC; D. Eric Shapland, Arnold & Porter LLP, Los Angeles, CA; Esteban Martin Estrada,**[\*92]** Munger Tolles and Olson, Los Angeles, CA; Gregory J. Weingart, Munger, Tolles and Olson LLP, Los Angeles, CA; Hojoon Hwang, Munger Tolles & Olson LLP, San Francisco, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jason Sheffield Angell, Freitas Angell & Weinberg LLP, Redwood Shores, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jerome Cary Roth, Munger Tolles & Olson LLP, San Francisco, CA; Jessica Barclay-Strobel, Munger, Tolles and Olson LLP, Los Angeles, CA; Jessica Nicole Leal, Freitas Angell & Weinberg LLP, Redwood Shores, CA; John Clayton Everett, Jr., PRO HAC VICE, Morgan, Lewis & Bockius LLP, Washington, DC; John David Lombardo, Arnold & Porter LLP, Los Angeles, CA; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Marie L. Fiala, Sidley Austin LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Nana Little, Arnold Porter, Los Angeles, CA; Nathan P. Eimer, Eimer Stahl LLP, Chicago, IL; Paul Lionel Yanosy, Jr,**[\*93]** Sidley Austin LLP, San Francisco, CA; Robert E. Freitas, Freitas Angell & Weinberg LLP, Redwood Shores, CA; Robert Brooks Martin, III, Sidley Austin LLP, San Francisco, CA; Ronald Charles Redcay, Arnold & Porter LLP, Los Angeles, CA; Ryan M. Sandrock, Sidley Austin, LLP, San Francisco, CA; Sarah Hargadon, PRO HAC VICE, Eimer Stahl LLP, Chicago, IL; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Susan Elizabeth Nash, Munger Tolles Olson LLP, Los Angeles, CA; Xiaochin Claire Yan, Munger Tolles and Olson, LLP, Los Angeles, CA; Bethany Woodard Kristovich, Munger Tolles and Olson LLP, Los Angeles, CA; Eric Daniel Mason, Arnold and Porter, Los Angeles, CA; James Cooper, Arnold & Porter; Jonathan Ellis Altman, Munger Tolles and Olson, Los Angeles, CA; Kim YoungSang, ARNOLD & PORTER LLP; Laura K Lin, Munger, Tolles and Olson LLP, San Francisco, CA; William David Temko, Munger, Tolles & Olson LLP, Los Angeles, CA; Wilson D. Mudge, Arnold and Porter LLP, Washington, DC; YongSang Kim.

For Matsushita Electric Industrial Co, Ltd., Defendant (3:07-cv-05944-JST):**[\*94]** Bambo Obaro, Weil, Gotshal and Manges, Redwood Shores, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Kris Hue Chau Man, Dewey & LeBoeuf LLP, San Francisco, CA.

For Panasonic Corporation of North America ("PCNA") is a Delaware corporation, Defendant (3:07-cv-05944-JST): Alan Feigenbaum, LEAD ATTORNEY, Weil, Gotshal & Manges LLP, New York, NY; David L. Yohai, LEAD ATTORNEY, Weil, Gotshal, & Manges, LLP, New York, NY; Eva W. Cole, LEAD ATTORNEY, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Kris Hue Chau Man, LEAD ATTORNEY, Dewey & LeBoeuf LLP, San Francisco, CA; Lucia Freda, LEAD ATTORNEY, Weil. Gotshal & Manges LLP; Michelle Lo, LEAD ATTORNEY, Dewey & LeBoeuf LLP, New York, NY; Richard H. Epstein, LEAD ATTORNEY, Sills Cummis Epstein & Gross PC, Newark, NJ; A. Paul Victor, Winston & Strawn LLP, New York, NY; Aldo A. Badini, Winston & Strawn LLP, New York, NY; Amy Lee Stewart, PRO HAC VICE, Rose Law Firm, Little Rock, AR; Andrew R. Tillman, Paine Tarwater Bickers & Tillman, Knoxville, TN; Bambo Obaro, Weil, Gotshal and Manges, Redwood Shores, CA; Christopher M. Curran, White & Case, Washington, DC; Craig Y. Allison, Bunsow, De Mory, Smith & Allison LLP, Redwood City,**[\*95]** CA; David E. Yolkut, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Diana Arlen Aguilar, PRO HAC VICE, Weil, Gotshal and Manges, New York, NY; Douglas L Wald, Washington, DC; Gregory Hull, Law Offices of Steven A. Ellenberg, San Jose, CA; James F. Lerner, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jennifer Stewart, Winston and Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; John Selim Tschirgi, PRO HAC VICE, Winston and Strawn LLP, NYC, NY; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Joseph Richard Wetzel, King & Spalding, San Francisco, CA; Kajetan Rozga, PRO HAC VICE, New York, NY; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Kevin B. Goldstein, Weil, Gotshal and Manges LLP, Washington, DC; Lara Elvidge Veblen, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Margaret Anne Keane, DLA Piper LLP, San Francisco, CA; Marjan Hajibandeh, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Martin C. Geagan, PRO HAC VICE, Jr., Winston and Strawn LLP, New**[\*96]** York, NY; Matthew Robert DalSanto, Winston and Strawn LLP, San Francisco, CA; Meaghan Parfitt Thomas-Kennedy, Weil Gotshal and Manges LLP, New York City, NY; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Molly Donovan, Winston & Strawn LLP, New York, NY; Peter Edward Root, Kaye Scholer LLP, Palo Alto, CA; Ryan Michael Goodland, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Sofia Arguello, PRO HAC VICE, Winston and Strawn LLP, New York, NY; Steven A. Reiss, Weil Gotshal & Manges LLP, New York, NY; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Molly M Donovan, Dewey & LeBoeuf LLP.

For Orion Electric Co., Ltd., Defendant (3:07-cv-05944-JST): Anthony J. Viola, PRO HAC VICE, Edwards Angell Palmer & Dodge LLP, New York, NY; Barry J. Bendes, PRO HAC VICE, Edwards Angell Palmer & Dodge LLP, New York, PA; David W. Evans, Haight Brown & Bonesteel LLP, San Francisco, CA; Joseph Edward Czerniawski, PRO HAC VICE, Edwards Angell Palmer & Dodge LLP, New York, NY.**[\*97]**

For Orion America, Inc., Defendant (3:07-cv-05944-JST): Anthony J. Viola, PRO HAC VICE, Edwards Angell Palmer & Dodge LLP, New York, NY; Barry J Bendes, PRO HAC VICE, Edwards Angell Palmer & Dodge LLP, New York, NY; David W. Evans, Haight Brown & Bonesteel LLP, San Francisco, CA; Joseph Edward Czerniawski, PRO HAC VICE, Edwards Angell Palmer & Dodge LLP, New York, NY.

For Koninklijke Philips N.V. ("Royal Philips") is a Dutch entity, Defendant (3:07-cv-05944-JST): Andreas Stargard, PRO HAC VICE, Baker Botts LLP, Washington, DC; Christopher M. Curran, White & Case, Washington, DC; David Michael Lisi, Reed Smith LLP, Palo Alto, CA; Douglas L Wald, Washington, DC; Emily L. Maxwell, Esq., HOWREY LLP, San Francisco, CA; Erik T. Koons, Baker Botts LLP, Washington, DC; Ethan E. Litwin, Hughes Hubbard & Reed LLP, New York, NY; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco,**[\*98]** CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Richard A. Ripley, RuyakCherian LLP, Washington, DC.

For Philips Electronics North America ("Philips America") is a Delaware corporation, Defendant (3:07-cv-05944-JST): Gregory Hull, LEAD ATTORNEY, Law Offices of Steven A. Ellenberg, San Jose, CA; David Michael Lisi, Reed Smith LLP, Palo Alto, CA; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA.

For Samsung SDI Co., Ltd., formerly know as Samsung Display Device Co., Defendant (3:07-cv-05944-JST): Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; D. Eric Shapland, Arnold & Porter LLP, Los Angeles, CA; Douglas L Wald, Washington, DC; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts**[\*99]** L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Samsung SDI America, Inc. ("Samsung America") is a California corporation, Defendant (3:07-cv-05944-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE,**[\*100]** Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Samtel Color, Ltd. ("Samtel") is a Indian company, Defendant (3:07-cv-05944-JST): William Diaz, McDermott Will & Emery LLP, Irvine, CA.

For Toshiba Corporation ("TC") is a Japanese company, Defendant (3:07-cv-05944-JST): Christopher M. Curran, LEAD ATTORNEY, White & Case, Washington, DC; Dana E. Foster, LEAD ATTORNEY, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Aya Kobori, PRO HAC VICE, White and Case LLP, New York, NY; Bijal**[\*101]** Vijay Vakil, White & Case LLP, Palo Alto, CA; Douglas L Wald, Washington, DC; George L. Paul, White & Case LLP, Washington, DC; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jeremy Kent Ostrander, White & Case LLP, Palo Alto, CA; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John Mark Gidley, White & Case LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Lucius Bernard Lau, White & Case LLP, Washington, DC; Michael E. Hamburger, White & Case LLP, New York, NY; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Samuel J. Sharp, PRO HAC VICE, Washington, DC; Samuel James Sharp, White and Case LLP, Washington, DC; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Tsung-Hui (Danny) Wu, PRO HAC VICE, White**[\*102]** and Case LLP, Washington, DC; William H. Bave, III, PRO HAC VICE, New York, NY; Charise Naifeh, White & Case LLP; Matthew Frutig, White & Case LLP.

For Beijing-Matsushita Color CRT Company, Ltd. ("BMCC") is a Chinese company, Defendant (3:07-cv-05944-JST): Terry Calvani, LEAD ATTORNEY, Freshfields Bruckhaus Deringer US LLP, Washington, DC; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Bruce C. McCulloch, Freshfields Bruckhaus Deringer US LLP, Washington, DC; Christine A. Laciak, Freshfields Bruckhaus Deringer US LLP, Washington, DC; Craig D. Minerva, Freshfields Bruckhaus Deringer US LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Kate S. McMillan, Washington, DC; Michael Lacovara, Freshfields Bruckhaus Deringer US LLP, New York, NY; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Richard Sutton Snyder, Freshfields Bruckhaus Deringer US LLP, Washington, DC.

For Matsushita Toshiba Picture Display Co., Ltd., Defendant (3:07-cv-05944-JST): David L. Yohai, LEAD ATTORNEY, Weil, Gotshal, & Manges, LLP, New York, NY; Eva W. Cole, Winston & Strawn LLP, New York, NY; Jeffrey L. Kessler, Winston & Strawn LLP, New York,**[\*103]** NY.

For LP Displays International, Ltd., fka LG.Philips Displays ("LP Displays"), Defendant (3:07-cv-05944-JST): Jeremy James Calsyn, LEAD ATTORNEY, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC; Michael Robert Lazerwitz, LEAD ATTORNEY, Cleary Gottlieb Steen & Hamilton, Washington, DC.

For LG Electronics U.S.A., Inc. ("LGEUSA") is a Delaware corporation, Defendant (3:07-cv-05944-JST): Miriam Kim, LEAD ATTORNEY, Munger, Tolles & Olson, San Francisco, CA; Samuel R. Miller, LEAD ATTORNEY, Sidley Austin LLP, San Francisco, CA; Cathleen Hamel Hartge, Munger Tolles and Olson LLP, San Francisco, CA; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Esteban Martin Estrada, Munger Tolles and Olson, Los Angeles, CA; Hojoon Hwang, Munger Tolles & Olson LLP, San Francisco, CA; Jason Sheffield Angell, Freitas Angell & Weinberg LLP, Redwood Shores, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jerome Cary Roth, Munger Tolles & Olson LLP, San Francisco, CA; Jessica Barclay-Strobel, Munger, Tolles and Olson LLP, Los Angeles, CA; Jessica Nicole Leal, Freitas Angell & Weinberg LLP, Redwood Shores, CA; John Clayton Everett, PRO HAC VICE, Jr., Morgan,**[\*104]** Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Laura K Lin, Munger, Tolles and Olson LLP, San Francisco, CA; Marie L. Fiala, Sidley Austin LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Nana Little, Arnold Porter, Los Angeles, CA; Paul Lionel Yanosy, Jr, Sidley Austin LLP, San Francisco, CA; Robert E. Freitas, Freitas Angell & Weinberg LLP, Redwood Shores, CA; Robert Brooks Martin, III, Sidley Austin LLP, San Francisco, CA; Ryan M. Sandrock, Sidley Austin, LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Xiaochin Claire Yan, Munger Tolles and Olson, LLP, Los Angeles, CA; Beth Harrison Parker, Bingham McCutchen LLP; D. Eric Shapland, Arnold & Porter LLP, Los Angeles, CA; Eric Daniel Mason, Arnold and Porter, Los Angeles, CA; John David**[\*105]** Lombardo, Arnold & Porter LLP, Los Angeles, CA; Ronald Charles Redcay, Arnold & Porter LLP; William David Temko, Munger, Tolles & Olson LLP, Los Angeles, CA.

For Tatung Company of America, Inc. ("Tatung America") is a California corporation, Defendant (3:07-cv-05944-JST): Bruce H. Jackson, LEAD ATTORNEY, Baker & McKenzie, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Joel Steven Sanders, Gibson, Dunn & Crutcher LLP, San Francisco, CA; Karen Sewell, PRO HAC VICE, Baker & McKenzie LLP, Chicago, Il; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Nancy Chung Allred, Baker & McKenzie LLP, San Francisco, CA; Patrick J. Ahern, PRO HAC VICE, Baker & McKenzie, Chicago, IL; Robert Walter Tarun, Baker & McKenzie LLP, San Francisco, CA; Roxane Busey, PRO HAC VICE, Baker & McKenzie LLP, Chicago, IL; Austin Van Schwing, Gibson, Dunn & Crutcher LLP; Joel Calcar Willard, Gibson, Dunn Crutcher LLP; Rachel S. Brass, Gibson Dunn & Crutcher LLP, San Francisco, CA.

For LG Philips Display USA, Inc., Defendant (3:07-cv-05944-JST): Hojoon Hwang, Munger Tolles & Olson LLP, San Francisco, CA.

For Philips Electronics North America Corporation ("PENAC")**[\*106]** is a Delaware corporation, Defendant (3:07-cv-05944-JST): Charles M Malaise, LEAD ATTORNEY, Washington, DC; David T. Emanuelson, LEAD ATTORNEY, Baker Botts L.L.P.; Eric Berman, LEAD ATTORNEY, Baker Botts L.L.P., Washington, DC; Richard A. Ripley, LEAD ATTORNEY, PRO HAC VICE, RuyakCherian LLP, Washington, DC; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; David Michael Lisi, Reed Smith LLP, Palo Alto, CA; Douglas L Wald, Washington, DC; Emily L. Maxwell, Esq., HOWREY LLP, San Francisco, CA; Ethan E. Litwin, Hughes Hubbard & Reed LLP, New York, NY; Gregg Aaron Myers, Piatnicia Law, San Jose, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Joseph A. Ostoyich, Howrey LLP, Washington, DC; Joseph Song, Morgan, Lewis & Bockius LLP, San Francisco, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Marc Howard Kallish, Roetzel & Andress LPA, Chicago, IL; Michael W. Scarborough, Sheppard Mullin Richter &**[\*107]** Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Richard P. Sobiecki, PRO HAC VICE, Baker Botts LLP, Washington, DC; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Stephen M. Ng, PRO HAC VICE, Baker Botts LLP, Washington, DC; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Tiffany Belle Gelott, PRO HAC VICE, Baker Botts LLP, Washington, DC; Van H. Beckwith, PRO HAC VICE, Baker Botts L.L.P., Dallas, TX; Andreas Stargard, PRO HAC VICE, Baker Botts LLP, Washington, DC; Erik T. Koons, Baker Botts LLP.

For Samsung Electronics Co Ltd ("SEC") is a South Korean company, Defendant (3:07-cv-05944-JST): Ian T Simmons, LEAD ATTORNEY, O'Melveny & Myers LLP, Washington, DC; Michael Frederick Tubach, LEAD ATTORNEY, O'Melveny & Myers LLP, San Francisco, CA; Courtney C Byrd, PRO HAC VICE, Washington, DC; David Kendall Roberts, O'Melveny and Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Kevin Douglas Feder, O'Melveny and Myers LLP, Washington, DC; Michael**[\*108]** W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Anton Metlitsky; David Roberts, O'Melveny & Myers LLP; Haidee L. Schwartz, O'Melveny & Myers LLP, Washington, DC.

For Samsung Electronics America, Inc. ("SEAI") is a New York corporation, Defendant (3:07-cv-05944-JST): Ian T Simmons, LEAD ATTORNEY, O'Melveny & Myers LLP, Washington, DC; Michael Frederick Tubach, LEAD ATTORNEY, O'Melveny & Myers LLP, San Francisco, CA; Benjamin Gardner Bradshaw, O'Melveny & Meyers LLP, Washington, DC; Courtney C Byrd, PRO HAC VICE, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Kevin Douglas Feder, O'Melveny and Myers LLP, Washington, DC; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Anton Metlitsky; David Roberts, O'Melveny & Myers LLP; Haidee L. Schwartz, O'Melveny & Myers LLP, Washington, DC; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP.

For Toshiba America Electronics Components, Inc ("TAEP") is headquartered in Irvine, California, Defendant (3:07-cv-05944-JST): Bernadette Shawan Gillians, LEAD ATTORNEY, Buist Moore Smythe and McGee,**[\*109]** Charleston, SC; Christopher M. Curran, LEAD ATTORNEY, White & Case, Washington, DC; George L. Paul, LEAD ATTORNEY, White & Case LLP, Washington, DC; Lucius Bernard Lau, LEAD ATTORNEY, White & Case LLP, Washington, DC; William C. Cleveland, LEAD ATTORNEY, Buist Moore Smythe and McGee, Charleston, SC; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Aya Kobori, PRO HAC VICE, White and Case LLP, New York, NY; Bijal Vijay Vakil, White & Case LLP, Palo Alto, CA; Douglas L Wald, Washington, DC; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Samuel J. Sharp, PRO HAC VICE, Washington, DC; Samuel James Sharp, White and Case LLP, Washington, DC; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC;**[\*110]** Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; William H. Bave, III, PRO HAC VICE, New York, NY; Charise Naifeh, White & Case LLP; Dana E. Foster, White and Case LLP, Washington, D.C., DC; Matthew Frutig, White & Case LLP.

For Toshiba America Information Systems, Inc. ("TAIP") is headquartered in Irvine, California, Defendant (3:07-cv-05944-JST): Bernadette Shawan Gillians, LEAD ATTORNEY, Buist Moore Smythe and McGee, Charleston, SC; Christopher M. Curran, LEAD ATTORNEY, White & Case, Washington, DC; George L. Paul, LEAD ATTORNEY, White & Case LLP, Washington, DC; Lucius Bernard Lau, LEAD ATTORNEY, White & Case LLP, Washington, DC; William C. Cleveland, LEAD ATTORNEY, Buist Moore Smythe and McGee, Charleston, SC; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Aya Kobori, PRO HAC VICE, White and Case LLP, New York, NY; Bijal Vijay Vakil, White & Case LLP, Palo Alto, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jeremy Kent Ostrander, White & Case LLP, Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michael**[\*111]** E. Hamburger, White & Case LLP, New York, NY; Samuel J. Sharp, PRO HAC VICE, Washington, DC; Samuel James Sharp, White and Case LLP, Washington, DC; Tsung-Hui (Danny) Wu, PRO HAC VICE, White and Case LLP, Washington, DC; William H. Bave, III, PRO HAC VICE, New York, NY; Charise Naifeh, White & Case LLP; Dana E. Foster, White and Case LLP, Washington, D.C., DC; Matthew Frutig, White & Case LLP.

For Toshiba America, Inc ("Toshiba America") is a Delaware corporation, Defendant (3:07-cv-05944-JST): Christopher M. Curran, LEAD ATTORNEY, White & Case, Washington, DC; George L. Paul, LEAD ATTORNEY, White & Case LLP, Washington, DC; Lucius Bernard Lau, LEAD ATTORNEY, White & Case LLP, Washington, DC; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Aya Kobori, PRO HAC VICE, White and Case LLP, New York, NY; Bijal Vijay Vakil, White & Case LLP, Palo Alto, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jeremy Kent Ostrander, White & Case LLP, Palo Alto, CA; Michael E. Hamburger, White & Case LLP, New York, NY; Samuel J. Sharp, PRO HAC VICE, Washington, DC; Samuel James Sharp, White and Case LLP, Washington, DC; Tsung-Hui (Danny) Wu, PRO HAC VICE, White and Case LLP, Washington,**[\*112]** DC; William H. Bave, III, PRO HAC VICE, New York, NY; Charise Naifeh, White & Case LLP; Dana E. Foster, White and Case LLP, Washington, D.C., DC.

For MT Picture Display Co., LTD, fka Matsushita Toshiba Picture Display Co., Ltd. ("MTPD") is a Japanese entity, Defendant (3:07-cv-05944-JST): Lucia Freda, LEAD ATTORNEY, Weil. Gotshal & Manges LLP; A. Paul Victor, Winston & Strawn LLP, New York, NY; Aldo A. Badini, Winston & Strawn LLP, New York, NY; Bambo Obaro, Weil, Gotshal and Manges, Redwood Shores, CA; Christopher M. Curran, White & Case, Washington, DC; Craig Y. Allison, Bunsow, De Mory, Smith & Allison LLP, Redwood City, CA; David E. Yolkut, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Diana Arlen Aguilar, PRO HAC VICE, Weil, Gotshal and Manges, New York, NY; Douglas L Wald, Washington, DC; Eva W. Cole, Winston & Strawn LLP, New York, NY; Gregory Hull, Law Offices of Steven A. Ellenberg, San Jose, CA; Gregory Hull, Law Offices of Steven A. Ellenberg, San Jose, CA; James F. Lerner, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jennifer Stewart, Winston and Strawn LLP, New York, NY; John Clayton Everett, PRO HAC**[\*113]** VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kajetan Rozga, PRO HAC VICE, New York, NY; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Kris Hue Chau Man, Dewey & LeBoeuf LLP, San Francisco, CA; Lara Elvidge Veblen, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Margaret Anne Keane, DLA Piper LLP, San Francisco, CA; Martin C. Geagan, PRO HAC VICE, Jr., Winston and Strawn LLP, New York, NY; Matthew Robert DalSanto, Winston and Strawn LLP, San Francisco, CA; Meaghan Parfitt Thomas-Kennedy, Weil Gotshal and Manges LLP, New York City, NY; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Molly Donovan, Winston & Strawn LLP, New York, NY; Peter Edward Root, Kaye Scholer LLP, Palo Alto, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Sofia Arguello, PRO HAC VICE, Winston and Strawn LLP, New York, NY; Steven A. Reiss, Weil Gotshal & Manges LLP, New York, NY; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Adam C. Hemlock, Weil**[\*114]** Gotshal and Manges LLP, New York, NY; David L. Yohai, Weil, Gotshal, & Manges, LLP.

For MT Picture Display Corporation of America (New York), Defendant (3:07-cv-05944-JST): Gregory Hull, Law Offices of Steven A. Ellenberg, San Jose, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Kris Hue Chau Man, Dewey & LeBoeuf LLP, San Francisco, CA; Steven A. Reiss, Weil Gotshal & Manges LLP, New York, NY.

For Samsung SDI Co., Defendant (3:07-cv-05944-JST): Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Thomson S.A., Defendant (3:07-cv-05944-JST): Calvin Lee Litsey, LEAD ATTORNEY, Faegre Baker Daniels LLP, East Palo Alto, CA; Jason de Bretteville, LEAD ATTORNEY, Stradling Yocca Carlson & Rauth, Newport Beach, CA; Robert Andrew Sacks, LEAD ATTORNEY, Sullivan & Cromwell LLP, Los Angeles, CA; Brendan P. Cullen, Sullivan & Cromwell LLP, Palo Alto, CA; Kathy L. Osborn, Faegre Baker Daniels LLP, Indianapolis, IN; Laura Kabler Oswell, Sullivan & Cromwell LLP, Palo Alto, CA.

For Samsung SDI Co. Ltd, fka Samsung Display Device Company ("Samsung SDI") is a South Korean company, formerly known as Samsung Display Device Co., Defendant (3:07-cv-05944-JST): Adam**[\*115]** C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Samsung SDI Co., Ltd., Defendant (3:07-cv-05944-JST):**[\*116]** Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Dylan Ian Ballard, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; James Landon McGinnis, Sheppard Mullin Richter**[\*117]** & Hampton LLP, San Francisco, CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Toshiba America Consumer Products, LLC ("TACP") is a limited liability company, is headquartered in Wayne, New Jersey, Defendant (3:07-cv-05944-JST): Christopher M. Curran, LEAD ATTORNEY, White & Case, Washington, DC; George L. Paul, LEAD ATTORNEY, White & Case LLP, Washington, DC; Lucius Bernard Lau, LEAD ATTORNEY, White & Case LLP, Washington, DC; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Aya Kobori, PRO HAC VICE, White and Case LLP, New York, NY; Bijal Vijay Vakil, White & Case LLP, Palo Alto, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jeremy Kent Ostrander, White & Case LLP, Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michael E. Hamburger, White & Case LLP, New York, NY; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Samuel J. Sharp, PRO HAC VICE, Washington, DC; Samuel James Sharp, White and Case LLP, Washington, DC; Tsung-Hui (Danny) Wu, PRO HAC VICE,**[\*118]** White and Case LLP, Washington, DC; William H. Bave, III, PRO HAC VICE, New York, NY; Charise Naifeh, White & Case LLP; Dana E. Foster, White and Case LLP, Washington, D.C., DC; Matthew Frutig, White & Case LLP.

For TVP International (USA), Inc, Defendant (3:07-cv-05944-JST): Curt Holbreich, LEAD ATTORNEY, Sidley Austin LLP, San Francisco, CA; Mark D. Marino, LEAD ATTORNEY, Kirkpatrick & Lockhart Preston Gates Ellis, Newark, NJ.

For Koninklijke Philips N.V., aka Royal Philips Electronics N.V. ("Royal Philip") is a Dutch company, also known as Royal Philips Electronics N.V., Defendant (3:07-cv-05944-JST): Andreas Stargard, LEAD ATTORNEY, PRO HAC VICE, Baker Botts LLP, Washington, DC; Charles M Malaise, Washington, DC; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Emily L. Maxwell, Esq., HOWREY LLP, San Francisco, CA; Erik T. Koons, Baker Botts LLP; Ethan E. Litwin, Hughes Hubbard & Reed LLP, New York, NY; Gregg Aaron Myers, Piatnicia Law, San Jose, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA;**[\*119]** Joseph Song, Morgan, Lewis & Bockius LLP, San Francisco, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; John M. Taladay, Baker Botts L.L.P., Washington, DC; Richard A. Ripley, RuyakCherian LLP, Washington, DC.

For Matsushita Toshiba Picture Display Co., Ltd., also known as MT Picture Display Co., Ltd., Defendant (3:07-cv-05944-JST): Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY.

For MT Picture Display, Defendant (3:07-cv-05944-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY.

For Thomas S.A., Defendant (3:07-cv-05944-JST): Calvin Lee Litsey, LEAD ATTORNEY, Faegre Baker Daniels LLP, East Palo Alto, CA; Jason de Bretteville, Stradling Yocca Carlson & Rauth, Newport Beach, CA.

For Panasonic Corporation, fka Matsushita Electric Industrial Co., Ltd. ("MEI"), is a Japanese entity, Defendant (3:07-cv-05944-JST): David L. Yohai, LEAD ATTORNEY, Weil, Gotshal, & Manges, LLP, New York, NY; Gregory**[\*120]** Hull, LEAD ATTORNEY, Law Offices of Steven A. Ellenberg, San Jose, CA; Lucia Freda, LEAD ATTORNEY, Weil. Gotshal & Manges LLP; A. Paul Victor, Winston & Strawn LLP, New York, NY; Aldo A. Badini, Winston & Strawn LLP, New York, NY; Amy Lee Stewart, PRO HAC VICE, Rose Law Firm, Little Rock, AR; Bambo Obaro, Weil, Gotshal and Manges, Redwood Shores, CA; Christopher M. Curran, White & Case, Washington, DC; Craig Y. Allison, Bunsow, De Mory, Smith & Allison LLP, Redwood City, CA; David E. Yolkut, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Diana Arlen Aguilar, PRO HAC VICE, Weil, Gotshal and Manges, New York, NY; Douglas L Wald, Washington, DC; Eva W. Cole, Winston & Strawn LLP, New York, NY; Gregory Hull, Law Offices of Steven A. Ellenberg, San Jose, CA; James F. Lerner, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jennifer Stewart, Winston and Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; John Selim Tschirgi, PRO HAC VICE, Winston and Strawn LLP, NYC, NY; Jon Vensel Swenson, Baker Botts L.L.P.,**[\*121]** Palo Alto, CA; Kajetan Rozga, PRO HAC VICE, New York, NY; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Kevin B. Goldstein, Weil, Gotshal and Manges LLP, Washington, DC; Kris Hue Chau Man, Dewey & LeBoeuf LLP, San Francisco, CA; Lara Elvidge Veblen, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Margaret Anne Keane, DLA Piper LLP, San Francisco, CA; Marjan Hajibandeh, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Martin C. Geagan, PRO HAC VICE, Jr., Winston and Strawn LLP, New York, NY; Meaghan Parfitt Thomas-Kennedy, Weil Gotshal and Manges LLP, New York City, NY; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Molly Donovan, Winston & Strawn LLP, New York, NY; Molly M Donovan, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Peter Edward Root, Kaye Scholer LLP, Palo Alto, CA; Ryan Michael Goodland, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Sofia Arguello, PRO HAC VICE, Winston and Strawn LLP, New York, NY; Steven A. Reiss, PRO HAC VICE, Weil Gotshal & Manges LLP, New York,**[\*122]** NY; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY.

For Daewoo International Corporation ("Daewoo International") is a corporation organized under the laws of Korea, Defendant (3:07-cv-05944-JST): Jane E. Willis, LEAD ATTORNEY, Ropes & Gray LLP, Boston, MA; Thad Alan Davis, LEAD ATTORNEY, Gibson, Dunn & Crutcher LLP, San Francisco, CA.

For Daewoo Electronics Corporation, fka Daewoo Electronics Company, Ltd. ("Daewoo Electronics") is a corporation organized under the laws of South Korea, formerly known as Daewoo Electronics Company Ltd., Defendant (3:07-cv-05944-JST): Jeffrey Jay Lederman, Winston & Strawn LLP, San Francisco, CA.

For Hitachi Displays, Ltd. ("Hitachi Displays") is a Japanese company, also known as Japan Display Inc, Defendant (3:07-cv-05944-JST): Diane Leslie Webb, LEAD ATTORNEY, San Francisco, CA; Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; John Clayton Everett, LEAD ATTORNEY, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; Scott A. Stempel, LEAD ATTORNEY, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Christopher M. Curran, White & Case, Washington,**[\*123]** DC; Douglas L Wald, Washington, DC; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James Mutchnik, PRO HAC VICE, Chicago, IL; Jason Bruce Allen, Morgan, Lewis & Bockius LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Katherine Hamilton Wheaton, PRO HAC VICE, Chicago, IL; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Thomas R. Green, United States Attorney's Office, Northern District of California, Oakkland, CA.

For Hitachi Electronic Devices (USA) ("HEDUS") is a Delaware corporation, Defendant (3:07-cv-05944-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; John Clayton Everett, LEAD ATTORNEY, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; Scott A. Stempel, LEAD ATTORNEY, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington,**[\*124]** DC; Diane Leslie Webb, San Francisco, CA; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James Mutchnik, Chicago, IL; Jason Bruce Allen, Shearman & Sterling LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Katherine Hamilton Wheaton, Chicago, IL; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA.

For LG Electronics Taiwan Taipei Co., Ltd. ("LGETT") is a Taiwanese entity, Defendant (3:07-cv-05944-JST): Beth Harrison Parker, LEAD ATTORNEY, Bingham McCutchen LLP; D. Eric Shapland, LEAD ATTORNEY, Arnold & Porter LLP, Los Angeles, CA; Eric Daniel Mason, LEAD ATTORNEY, Arnold and Porter, Los Angeles, CA; Hojoon Hwang, LEAD ATTORNEY, Munger Tolles & Olson LLP, San Francisco, CA; John David Lombardo, LEAD ATTORNEY, Arnold & Porter LLP, Los Angeles, CA; Miriam Kim, LEAD ATTORNEY, Munger, Tolles & Olson, San Francisco, CA; Ronald Charles Redcay, LEAD ATTORNEY, Arnold & Porter LLP; Ryan M. Sandrock, LEAD ATTORNEY, Sidley Austin, LLP; Cathleen Hamel Hartge, Munger Tolles and Olson LLP, San Francisco, CA; Esteban Martin Estrada, Munger Tolles and Olson, Los Angeles, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jerome**[\*125]** Cary Roth, Munger Tolles & Olson LLP, San Francisco, CA; Jessica Barclay-Strobel, Munger, Tolles and Olson LLP, Los Angeles, CA; Marie L. Fiala, Sidley Austin LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Nana Little, Arnold Porter, Los Angeles, CA; Robert E. Freitas, Freitas Angell & Weinberg LLP, Redwood Shores, CA; Robert Brooks Martin, III, Sidley Austin LLP, San Francisco, CA; Samuel R. Miller, Sidley Austin LLP, San Francisco, CA; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Bethany Woodard Kristovich, Munger Tolles and Olson LLP, Los Angeles, CA; Jonathan Ellis Altman, Munger Tolles and Olson, Los Angeles, CA; Laura K Lin, Munger, Tolles and Olson LLP, San Francisco, CA; William David Temko, Munger, Tolles & Olson LLP, Los Angeles, CA.

For Philips Electronics Industries (Taiwan), Ltd. ("Philips Taiwan") is a Taiwanese company, Defendant (3:07-cv-05944-JST): Ethan E. Litwin, Hughes Hubbard & Reed LLP, New York, NY; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA.

For Philips da Amazonia Industria Electronica Ltda. ("Philips Brazil") is a Brazilian**[\*126]** company, Defendant (3:07-cv-05944-JST): David Michael Lisi, Reed Smith LLP, Palo Alto, CA; Ethan E. Litwin, Hughes Hubbard & Reed LLP, New York, NY; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA.

For Samsung SDI (Malaysia) Sdn Bhd. ("Samsung Malaysia") is a Malaysian corporation, Defendant (3:07-cv-05944-JST): Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Dylan Ian Ballard, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michael W. Scarborough, Sheppard**[\*127]** Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Samsung SDI Mexico S.A. de C.V. ("Samsung SDI Mexico") is a Mexican company, Defendant (3:07-cv-05944-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC;**[\*128]** Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Samsung SDI Brasil Ltda. ("Samsung SDI Brazil") is a Brazilian company, Defendant (3:07-cv-05944-JST): Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Dylan Ian Ballard, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler,**[\*129]** Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Shenzhen Samsung SDI Co. Ltd ("Samsung SDI Shenzhen") is a Chinese company, Defendant (3:07-cv-05944-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White**[\*130]** & Case, Washington, DC; Douglas L Wald, Washington, DC; Dylan Ian Ballard, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Tianjin Samsung SDI Co., Ltd. ("Samsung**[\*131]** SDI Tianjin") is a Chinese company, Defendant (3:07-cv-05944-JST): Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Toshiba America Consumer**[\*132]** Products, Inc. ("TACPI") is a company that is headquartered in Lebanon, Tennessee, Defendant (3:07-cv-05944-JST): John Mark Gidley, White & Case LLP, Washington, DC.

For Philips Electronics Industries (Taiwan), Ltd. ("Philips Electronics Taiwan") is a Taiwanese company, Defendant (3:07-cv-05944-JST): David Michael Lisi, Reed Smith LLP, Palo Alto, CA; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA.

For Samsung SDI America, Inc. ("Samsung SDI America") is a California corporation, Defendant (3:07-cv-05944-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil,**[\*133]** Gotshal & Mangesl LLP, New York, NY; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP.

For Hitachi Electronic Devices (USA), Inc. ("HEDUS") is a Delaware corporation, Defendant (3:07-cv-05944-JST): Diane Leslie Webb, LEAD ATTORNEY, San Francisco, CA; Michelle Park Chiu, LEAD ATTORNEY, Morgan Lewis & Bockius LLP, San Francisco, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Barack Shem Echols, PRO HAC VICE, Kirkland Ellis LLP, Chicago, IL; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Eliot A. Adelson, Kirkland & Ellis LLP, San Francisco, CA; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James Mutchnik, Chicago, IL; Jason Bruce Allen, Morgan, Lewis & Bockius LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Katherine Hamilton Wheaton, Chicago, IL; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo,**[\*134]** Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Thomas R. Green, United States Attorney's Office, Northern District of California, Oakkland, CA.

For Samtel Color Ltd., Defendant (3:07-cv-05944-JST): William Diaz, LEAD ATTORNEY, McDermott Will & Emery LLP, Irvine, CA.

For Beijing Matsushita Color Crt Company, LTD., Defendant (3:07-cv-05944-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Richard Sutton Snyder, Freshfields Bruckhaus Deringer US LLP, Washington, DC.

For Hitachi America, Ltd, Defendant (3:07-cv-05944-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Barack Shem Echols, PRO HAC VICE, Kirkland Ellis LLP, Chicago, IL; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James Mutchnik, PRO HAC VICE, Chicago, IL; Jason Bruce Allen, Morgan, Lewis & Bockius LLP, San Francisco, CA; Katherine Hamilton Wheaton, Chicago, IL; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Matthew J. Hertko, PRO HAC VICE, Jones Day, Chicago, IL.

For Hitachi**[\*135]** Asia, Ltd., Defendant (3:07-cv-05944-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; Jason Bruce Allen, Morgan, Lewis & Bockius LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY.

For Hitachi Displays, Ltd., also known as Japan Display Inc, Defendant (3:07-cv-05944-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; Adam C. Hemlock, Weil**[\*136]** Gotshal and Manges LLP, New York, NY; Barack Shem Echols, PRO HAC VICE, Kirkland Ellis LLP, Chicago, IL; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James Mutchnik, Chicago, IL; Jason Bruce Allen, Morgan, Lewis & Bockius LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Katherine Hamilton Wheaton, Chicago, IL; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Matthew J. Hertko, PRO HAC VICE, Jones Day, Chicago, IL; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY.

For Hitachi Electronic Devices (USA), Defendant (3:07-cv-05944-JST):**[\*137]** Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James Mutchnik, PRO HAC VICE, Chicago, IL; Jason Bruce Allen, Morgan, Lewis & Bockius LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Katherine Hamilton Wheaton, PRO HAC VICE, Chicago, IL; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Matthew J. Hertko, PRO HAC VICE, Jones Day, Chicago, IL; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA.

For Hitachi Ltd., Defendant (3:07-cv-05944-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Barack Shem Echols, PRO HAC VICE, Kirkland Ellis LLP, Chicago, IL; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James Mutchnik, PRO HAC VICE, Chicago, IL; Jason Bruce**[\*138]** Allen, Morgan, Lewis & Bockius LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Katherine Hamilton Wheaton, PRO HAC VICE, Chicago, IL; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Matthew J. Hertko, PRO HAC VICE, Jones Day, Chicago, IL; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY.

For Koninklijke Philips N.V., Defendant (3:07-cv-05944-JST): "KPNV" Charles M Malaise, LEAD ATTORNEY, Washington, DC; David T. Emanuelson, LEAD ATTORNEY, Baker Botts L.L.P.; Eric Berman, LEAD ATTORNEY, Baker Botts L.L.P., Washington, DC; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE,**[\*139]** Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Joseph A. Ostoyich, Howrey LLP, Washington, DC; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Marc Howard Kallish, Roetzel & Andress LPA, Chicago, IL; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Richard P. Sobiecki, PRO HAC VICE, Baker Botts LLP, Washington, DC; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Stephen M. Ng, PRO HAC VICE, Baker Botts LLP, Washington, DC; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Tiffany Belle Gelott, PRO HAC VICE, Baker Botts LLP, Washington, DC; Van H. Beckwith, PRO HAC VICE, Baker Botts L.L.P., Dallas, TX; Erik T. Koons, Baker Botts LLP.

For LG Electronics Taiwan Taipei Co., Ltd., Defendant (3:07-cv-05944-JST): Beth Harrison Parker, LEAD ATTORNEY, Bingham McCutchen LLP; D. Eric Shapland, LEAD ATTORNEY, Heller Ehrman White & McAuliffe LLP, Los Angeles, CA; Douglas L Wald,**[\*140]** LEAD ATTORNEY, Washington, DC; Eric Daniel Mason, LEAD ATTORNEY, Arnold and Porter, Los Angeles, CA; James Cooper, LEAD ATTORNEY, Arnold & Porter; John David Lombardo, LEAD ATTORNEY, Arnold & Porter LLP, Los Angeles, CA; Marie L. Fiala, LEAD ATTORNEY, Sidley Austin LLP; Miriam Kim, LEAD ATTORNEY, Munger, Tolles & Olson, San Francisco, CA; Robert Brooks Martin, LEAD ATTORNEY, III, Sidley Austin LLP; Ronald Charles Redcay, LEAD ATTORNEY, Arnold & Porter LLP; Ryan M. Sandrock, LEAD ATTORNEY, Sidley Austin, LLP, San Francisco, CA; Samuel R. Miller, LEAD ATTORNEY, Sidley Austin LLP; Sharon D. Mayo, LEAD ATTORNEY, Arnold & Porter LLP, San Francisco, CA; Wilson D. Mudge, LEAD ATTORNEY, Arnold and Porter LLP, Washington, DC; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Esteban Martin Estrada, Munger Tolles and Olson, Los Angeles, CA; Hojoon Hwang, Munger Tolles & Olson LLP, San Francisco, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jerome Cary Roth, Munger Tolles & Olson LLP, San Francisco, CA; Jessica Barclay-Strobel, Munger, Tolles and Olson LLP, Los Angeles, CA; Kim YoungSang, ARNOLD & PORTER LLP; William David Temko, Munger, Tolles & Olson LLP, Los Angeles,**[\*141]** CA.

For LG Electronics USA, Inc., Defendant (3:07-cv-05944-JST): D. Eric Shapland, LEAD ATTORNEY, Arnold & Porter LLP, Los Angeles, CA; Douglas L Wald, LEAD ATTORNEY, Washington, DC; Eric Daniel Mason, LEAD ATTORNEY, Arnold and Porter, Los Angeles, CA; Miriam Kim, LEAD ATTORNEY, Munger, Tolles & Olson, San Francisco, CA; William David Temko, LEAD ATTORNEY, Munger, Tolles & Olson LLP, Los Angeles, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Cathleen Hamel Hartge, Munger Tolles and Olson LLP, San Francisco, CA; Esteban Martin Estrada, Munger Tolles and Olson, Los Angeles, CA; Gregory J. Weingart, Munger, Tolles and Olson LLP, Los Angeles, CA; Hojoon Hwang, Munger Tolles & Olson LLP, San Francisco, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jason Sheffield Angell, Freitas Angell & Weinberg LLP, Redwood Shores, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jerome Cary Roth, Munger Tolles & Olson LLP, San Francisco, CA; Jessica Barclay-Strobel, Munger, Tolles and Olson LLP, Los Angeles, CA; Jessica Nicole Leal, Freitas Angell & Weinberg LLP, Redwood Shores, CA; Robert E. Freitas, Freitas Angell & Weinberg LLP, Redwood Shores, CA; Xiaochin**[\*142]** Claire Yan, Munger Tolles and Olson, LLP, Los Angeles, CA; Beth Harrison Parker, Bingham McCutchen LLP; Bethany Woodard Kristovich, Munger Tolles and Olson LLP, Los Angeles, CA; James Cooper, Arnold & Porter; John David Lombardo, Arnold & Porter LLP, Los Angeles, CA; Jonathan Ellis Altman, Munger Tolles and Olson, Los Angeles, CA; Kim YoungSang, ARNOLD & PORTER LLP; Laura K Lin, Munger, Tolles and Olson LLP, San Francisco, CA; Marie L. Fiala, Sidley Austin LLP, San Francisco, CA; Robert Brooks Martin, III, Sidley Austin LLP, San Francisco, CA; Ronald Charles Redcay, Arnold & Porter LLP; Ryan M. Sandrock, Sidley Austin, LLP, San Francisco, CA; Samuel R. Miller, Sidley Austin LLP, San Francisco, CA; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Wilson D. Mudge, Arnold and Porter LLP, Washington, DC; YongSang Kim.

For MT Picture Display Co., LTD, Defendant (3:07-cv-05944-JST): Adam C. Hemlock, LEAD ATTORNEY, Weil Gotshal and Manges LLP, New York, NY; David L. Yohai, LEAD ATTORNEY, Weil, Gotshal, & Manges, LLP, New York, NY; Lucia Freda, LEAD ATTORNEY, Weil. Gotshal & Manges LLP; A. Paul Victor, Winston & Strawn LLP, New York, NY; Aldo A. Badini, Winston & Strawn LLP, New York,**[\*143]** NY; Amy Lee Stewart, PRO HAC VICE, Rose Law Firm, Little Rock, AR; Bambo Obaro, Weil, Gotshal and Manges, Redwood Shores, CA; Christopher M. Curran, White & Case, Washington, DC; Craig Y. Allison, Bunsow, De Mory, Smith & Allison LLP, Redwood City, CA; Diana Arlen Aguilar, PRO HAC VICE, Weil, Gotshal and Manges, New York, NY; Douglas L Wald, Washington, DC; Eva W. Cole, Winston & Strawn LLP, New York, NY; Gregory Hull, Law Offices of Steven A. Ellenberg, San Jose, CA; James F. Lerner, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jennifer Stewart, Winston and Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; John Selim Tschirgi, PRO HAC VICE, Winston and Strawn LLP, NYC, NY; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Kevin B. Goldstein, Weil, Gotshal and Manges LLP, Washington, DC; Lara Elvidge Veblen, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Marjan Hajibandeh, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY;**[\*144]** Martin C. Geagan, PRO HAC VICE, Jr., Winston and Strawn LLP, New York, NY; Meaghan Parfitt Thomas-Kennedy, Weil Gotshal and Manges LLP, New York City, NY; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Molly Donovan, Winston & Strawn LLP, New York, NY; Molly M Donovan, Dewey & LeBoeuf LLP; Ryan Michael Goodland, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Sofia Arguello, PRO HAC VICE, Winston and Strawn LLP, New York, NY; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY.

For Panasonic Corporation, Defendant (3:07-cv-05944-JST): David L. Yohai, LEAD ATTORNEY, Weil, Gotshal, & Manges, LLP, New York, NY; Lucia Freda, LEAD ATTORNEY, Weil. Gotshal & Manges LLP; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Amy Lee Stewart, PRO HAC VICE, Rose Law Firm, Little Rock, AR; Bambo Obaro, Weil, Gotshal and Manges, Redwood Shores, CA; Christopher M. Curran, White & Case, Washington, DC; Craig Y. Allison, Bunsow, De Mory, Smith &**[\*145]** Allison LLP, Redwood City, CA; Douglas L Wald, Washington, DC; Eva W. Cole, Winston & Strawn LLP, New York, NY; Gregory Hull, Law Offices of Steven A. Ellenberg, San Jose, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jennifer Stewart, Winston and Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Martin C. Geagan, PRO HAC VICE, Jr., Winston and Strawn LLP, New York, NY; Matthew Robert DalSanto, Winston and Strawn LLP, San Francisco, CA; Meaghan Parfitt Thomas-Kennedy, Weil Gotshal and Manges LLP, New York City, NY; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Molly Donovan, Winston & Strawn LLP, New York, NY; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Sofia Arguello, PRO HAC VICE, Winston and Strawn LLP, New York, NY; Steven Alan Reiss, Weil, Gotshal**[\*146]** & Mangesl LLP, New York, NY.

For Panasonic Corporation of North America, Defendant (3:07-cv-05944-JST): David L. Yohai, LEAD ATTORNEY, Weil, Gotshal, & Manges, LLP, New York, NY; Lucia Freda, LEAD ATTORNEY, Weil. Gotshal & Manges LLP; Amy Lee Stewart, PRO HAC VICE, Rose Law Firm, Little Rock, AR; Bambo Obaro, Weil, Gotshal and Manges, Redwood Shores, CA; Christopher M. Curran, White & Case, Washington, DC; Craig Y. Allison, Bunsow, De Mory, Smith & Allison LLP, Redwood City, CA; Diana Arlen Aguilar, PRO HAC VICE, Weil, Gotshal and Manges, New York, NY; Douglas L Wald, Washington, DC; Gregory Hull, Law Offices of Steven A. Ellenberg, San Jose, CA; James F. Lerner, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jennifer Stewart, Winston and Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Lara Elvidge Veblen, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Martin C. Geagan, PRO HAC VICE,**[\*147]** Jr., Winston and Strawn LLP, New York, NY; Meaghan Parfitt Thomas-Kennedy, Weil Gotshal and Manges LLP, New York City, NY; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Sofia Arguello, PRO HAC VICE, Winston and Strawn LLP, New York, NY; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY.

For Philips Electronics Industries (Taiwan), Ltd., Defendant (3:07-cv-05944-JST): David Michael Lisi, Reed Smith LLP, Palo Alto, CA; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA.

For Philips Electronics North America, Defendant (3:07-cv-05944-JST): Charles M Malaise, LEAD ATTORNEY, Washington, DC; Jon Vensel Swenson, LEAD ATTORNEY, Baker Botts L.L.P., Palo Alto, CA; David Michael Lisi, Reed Smith LLP, Palo Alto, CA; John M. Taladay, Baker Botts L.L.P., Washington, DC; Joseph A. Ostoyich, Howrey LLP, Washington, DC; Erik T. Koons, Baker Botts LLP.

For Philips da Amazonia Industria Electronica Ltda., Defendant (3:07-cv-05944-JST): Jon Vensel Swenson, Baker**[\*148]** Botts L.L.P., Palo Alto, CA.

For Samsung Electronics America, Inc., Defendant (3:07-cv-05944-JST): David Kendall Roberts, O'Melveny and Myers LLP, Washington, DC; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Samsung Electronics Co., Ltd, Defendant (3:07-cv-05944-JST): Ian T Simmons, LEAD ATTORNEY, O'Melveny & Myers LLP, Washington, DC; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Samsung SDI (Malaysia) SDN BHD, Defendant (3:07-cv-05944-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis &**[\*149]** Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Samsung SDI America, Inc., Defendant (3:07-cv-05944-JST): Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Dylan Ian Ballard, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin**[\*150]** Richter & Hampton LLP, Los Angeles, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Samsung SDI Brasil LTDA, Defendant (3:07-cv-05944-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Bruce Cobath, PRO HAC VICE, Sheppard Mullin**[\*151]** Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco,**[\*152]** CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Samsung SDI Co., Ltd., Defendant (3:07-cv-05944-JST): Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Dylan Ian Ballard, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington,**[\*153]** DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Samsung SDI Mexico S.A. de C.V., Defendant (3:07-cv-05944-JST): Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Dylan Ian Ballard, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco,**[\*154]** CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Samtel Color, Ltd., Defendant (3:07-cv-05944-JST): William Diaz, McDermott Will & Emery LLP, Irvine, CA.

For Shenzhen Samsung SDI Co. LTD., Defendant (3:07-cv-05944-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Dylan Ian Ballard, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC**[\*155]** VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Tianjin Samsung SDI Co., Ltd., Defendant (3:07-cv-05944-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Bruce Cobath, PRO HAC VICE, Sheppard Mullin Richter & Hampton LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Douglas L Wald, Washington, DC; Dylan Ian Ballard, San Francisco, CA; Gary L. Halling,**[\*156]** Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Leo David Caseria, Sheppard Mullin Richter Hampton LLP, Los Angeles, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Mona Solouki, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton.

For Toshiba America Consumer Products, Inc., Defendant (3:07-cv-05944-JST):**[\*157]** Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Samuel J. Sharp, PRO HAC VICE, Washington, DC; William H. Bave, III, PRO HAC VICE, New York, NY.

For Toshiba America Electronics Components, Inc, Defendant (3:07-cv-05944-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Aya Kobori, PRO HAC VICE, White and Case LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Dana E. Foster, White and Case LLP, Washington, D.C., DC; Douglas L Wald, Washington, DC; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Jeremy Kent Ostrander, White & Case LLP, Palo Alto, CA; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John Mark Gidley, White & Case LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Lucius Bernard Lau, White & Case LLP, Washington, DC; Michael E. Hamburger, White & Case LLP, New York, NY; Michelle Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Samuel J. Sharp, PRO HAC VICE, Washington,**[\*158]** DC; Samuel James Sharp, White and Case LLP, Washington, DC; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; Tsung-Hui (Danny) Wu, PRO HAC VICE, White and Case LLP, Washington, DC; William H. Bave, III, PRO HAC VICE, New York, NY; Charise Naifeh, White & Case LLP; Matthew Frutig, White & Case LLP.

For Toshiba America Information Systems, Inc., Defendant (3:07-cv-05944-JST): Aya Kobori, PRO HAC VICE, White and Case LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Dana E. Foster, White and Case LLP, Washington, D.C., DC; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; John Mark Gidley, White & Case LLP, Washington, DC; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Lucius Bernard Lau, White & Case LLP, Washington, DC; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Samuel J. Sharp, PRO HAC VICE, Washington, DC; Samuel James Sharp, White and Case LLP, Washington, DC; William H. Bave, III, PRO HAC VICE, New York, NY; Charise Naifeh, White & Case LLP; Matthew Frutig,**[\*159]** White & Case LLP.

For Toshiba America, Inc, Defendant (3:07-cv-05944-JST): Aya Kobori, PRO HAC VICE, White and Case LLP, New York, NY; Christopher M. Curran, White & Case, Washington, DC; Dana E. Foster, White and Case LLP, Washington, D.C., DC; Ian T Simmons, O'Melveny & Myers LLP, Washington, DC; John Mark Gidley, White & Case LLP, Washington, DC; Lucius Bernard Lau, White & Case LLP, Washington, DC; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Samuel J. Sharp, PRO HAC VICE, Washington, DC; Samuel James Sharp, White and Case LLP, Washington, DC; William H. Bave, III, PRO HAC VICE, New York, NY; Charise Naifeh, White & Case LLP.

For Toshiba Corporation, Defendant (3:07-cv-05944-JST): Aya Kobori, PRO HAC VICE, White and Case LLP, New York, NY; Dana E. Foster, White and Case LLP, Washington, D.C., DC; Douglas L Wald, Washington, DC; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; John Clayton Everett, PRO HAC VICE, Jr., Morgan, Lewis & Bockius LLP, Washington, DC; John M. Taladay, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, Baker Botts L.L.P., Palo Alto, CA; Kent Michael Roger, Morgan Lewis & Bockius LLP, San Francisco, CA; Michelle**[\*160]** Park Chiu, Morgan Lewis & Bockius LLP, San Francisco, CA; Samuel J. Sharp, PRO HAC VICE, Washington, DC; Scott A. Stempel, PRO HAC VICE, Morgan, Lewis Bockius LLP, Washington, DC; Sharon D. Mayo, Arnold & Porter LLP, San Francisco, CA; Steven Alan Reiss, Weil, Gotshal & Mangesl LLP, New York, NY; William H. Bave, III, PRO HAC VICE, New York, NY; Christopher M. Curran White & Case George L. Paul Lucius Bernard Lau, White & Case LLP, Washington, DC; Matthew Frutig, White & Case LLP.

For Mitsubishi Electric Corporation, Defendant (3:07-cv-05944-JST): Brent Caslin, LEAD ATTORNEY, Jenner & Block LLP, Los Angeles, CA; Terrence Joseph Truax, LEAD ATTORNEY, Jenner & Block LLC, Chicago, IL; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Charles B. Sklarsky, PRO HAC VICE, Jenner and Block, LLP, Chicago, IL; Gabriel A. Fuentes, Jenner & Block, LLP, Chicago, IL; Harold A. Barza, Quinn Emanuel Urquhart & Sullivan, LLP, Los Angeles, CA; Kevin Yoshiwo Teruya, Quinn Emanuel Urquhart and Sullivan LLP, Los Angeles, CA; Michael T. Brody, Jenner & Block LLP, Chicago, IL; Molly McGrail Powers, Jenner And Block LLP, Chicago, IL; Ryan Seth Goldstein, Quinn Emanuel Urquhart & Sullivan LLP, Tokyo**[\*161]** Japan; Shaun M. Van Horn, Jenner And Block LLP, Chicago, IL.

For Thomson Consumer Electronics, Inc., also known as Technicolor USA, Inc., Defendant (3:07-cv-05944-JST): Calvin Lee Litsey, LEAD ATTORNEY, PRO HAC VICE, Faegre Baker Daniels LLP, East Palo Alto, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Anna Marie Konradi, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN; Emily E. Chow, PRO HAC VICE, Faegre Baker Daniels LLP, Minneapolis, MN; Jeffrey Scott Roberts, PRO HAC VICE, Faegre Baker Daniels, Denver, CO; Kathy L. Osborn, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN; Laura Kabler Oswell, Sullivan & Cromwell LLP, Palo Alto, CA; Ryan M Hurley, Indianapolis, IN; Stephen Michael Judge, Faegre Baker Daniels LLP, South Bend, IN; Robert Andrew Sacks, Sullivan & Cromwell LLP.

For Thomson S.A., also known as Technicolor SA, Defendant (3:07-cv-05944-JST): Calvin Lee Litsey, LEAD ATTORNEY, Faegre Baker Daniels LLP, East Palo Alto, CA; Robert Andrew Sacks, LEAD ATTORNEY, Sullivan & Cromwell LLP, Los Angeles, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Anna Marie Konradi, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN; Calvin**[\*162]** L. Litsey, PRO HAC VICE, Faegre Baker Daniels LLP, East Palo Alto, CA; Emily E. Chow, PRO HAC VICE, Faegre Baker Daniels LLP, Minneapolis, MN; Jason de Bretteville, Stradling Yocca Carlson & Rauth, Newport Beach, CA; Jeffrey Scott Roberts, PRO HAC VICE, Faegre Baker Daniels, Denver, CO; Kathy L. Osborn, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN; Ryan M Hurley, Indianapolis, IN; Stephen Michael Judge, Faegre Baker Daniels LLP, South Bend, IN.

PT.MT Picture Display Indonesia, Defendant (3:07-cv-05944-JST), Pro se.

For PT.MT Picture Display Indonesia, Defendant (3:07-cv-05944-JST): Craig Y. Allison, Bunsow, De Mory, Smith & Allison LLP, Redwood City, CA.

For Technologies Displays Americas LLC, formerly known as Thomson Displays Americas LLC, Defendant (3:07-cv-05944-JST): Arthur Slezak Gaus, LEAD ATTORNEY, Dillingham Murphy, LLP, San Francisco, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Donald Arthur Wall, PRO HAC VICE, Squire Patton Boggs (US) LLP, Phoenix, AZ; Ellen Tobin, PRO HAC VICE, Curtis, Mallet-Provost, Colt Mosle LLP, New York, NY; Jeffrey Ira Zuckerman, PRO HAC VICE, Buris, Mallet Prevost, Colt Mosle LLP, Washington, DC; Mark C. Dosker, Squire**[\*163]** Patton Boggs (US) LLP, San Francisco, CA; Nathan Lane, III, Belvedere, CA.

For Technicolor S.A, formerly known as Thomson S.A., Defendant (3:07-cv-05944-JST): Calvin L. Litsey, LEAD ATTORNEY, Faegre Baker Daniels LLP, East Palo Alto, CA; Anna Marie Konradi, Faegre Baker Daniels LLP, Indianapolis, IN; Calvin Lee Litsey, Faegre Baker Daniels LLP, East Palo Alto, CA; Stephen Michael Judge, Faegre Baker Daniels LLP, South Bend, IN.

For Technicolor USA, Inc., formerly known as Thomson Consumer Electronics, Inc., Defendant (3:07-cv-05944-JST): Calvin L. Litsey, LEAD ATTORNEY, Faegre Baker Daniels LLP, East Palo Alto, CA; Anna Marie Konradi, Faegre Baker Daniels LLP, Indianapolis, IN; Calvin Lee Litsey, Faegre Baker Daniels LLP, East Palo Alto, CA; Stephen Michael Judge, Faegre Baker Daniels LLP, South Bend, IN.

For Koninklijke Philips Electronics N.V., Defendant (3:07-cv-05944-JST): Erik T. Koons, LEAD ATTORNEY, Baker Botts LLP; Jon Vensel Swenson, LEAD ATTORNEY, Baker Botts L.L.P., Palo Alto, CA; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Jeffrey L. Kessler, Winston & Strawn LLP, New York, NY; Marc Howard Kallish, Roetzel & Andress LPA, Chicago, IL.

For Mitsubishi Electric**[\*164]** Visual Solutions America, Inc, Defendant (3:07-cv-05944-JST): Terrence Joseph Truax, LEAD ATTORNEY, Jenner & Block LLC, Chicago, IL; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Charles B. Sklarsky, Jenner and Block, LLP, Chicago, IL; Gabriel A. Fuentes, Jenner & Block, LLP, Chicago, IL; Harold A. Barza, Quinn Emanuel Urquhart & Sullivan, LLP, Los Angeles, CA; Kevin Yoshiwo Teruya, Quinn Emanuel Urquhart and Sullivan LLP, Los Angeles, CA; Michael T. Brody, Jenner & Block LLP, Chicago, IL; Molly McGrail Powers, Jenner And Block LLP, Chicago, IL; Ryan Seth Goldstein, Quinn Emanuel Urquhart & Sullivan LLP, Tokyo Japan; Shaun M. Van Horn, Jenner And Block LLP, Chicago, IL.

For Philips Taiwan Limited, Defendant (3:07-cv-05944-JST): Charles M Malaise, LEAD ATTORNEY, PRO HAC VICE, Washington, DC; Erik T. Koons, LEAD ATTORNEY, PRO HAC VICE, Baker Botts LLP; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; John M. Taladay, PRO HAC VICE, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, PRO HAC VICE, Baker Botts L.L.P., Palo Alto, CA; Joseph A. Ostoyich, PRO HAC VICE, Howrey LLP, Washington, DC; Tiffany Belle Gelott, Baker Botts LLP, Washington, DC.

For Philips**[\*165]** do Brasil Ltda., Defendant (3:07-cv-05944-JST): Charles M Malaise, LEAD ATTORNEY, PRO HAC VICE, Washington, DC; Erik T. Koons, LEAD ATTORNEY, PRO HAC VICE, Baker Botts LLP; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; John M. Taladay, PRO HAC VICE, Baker Botts L.L.P., Washington, DC; Jon Vensel Swenson, PRO HAC VICE, Baker Botts L.L.P., Palo Alto, CA; Joseph A. Ostoyich, PRO HAC VICE, Howrey LLP, Washington, DC; Tiffany Belle Gelott, Baker Botts LLP, Washington, DC.

For Mitsubishi Electric US, Inc., Defendant (3:07-cv-05944-JST): Michael T. Brody, LEAD ATTORNEY, Jenner & Block LLP, Chicago, IL; Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY; Charles B. Sklarsky, Jenner and Block, LLP, Chicago, IL; Gabriel A. Fuentes, Jenner & Block, LLP, Chicago, IL; Harold A. Barza, Quinn Emanuel Urquhart & Sullivan, LLP, Los Angeles, CA; Kevin Yoshiwo Teruya, Quinn Emanuel Urquhart and Sullivan LLP, Los Angeles, CA; Terrence Joseph Truax, Jenner & Block LLC, Chicago, IL.

Alan Frankel, Respondent (3:07-cv-05944-JST), Pro se.

For Alan Frankel, Respondent (3:07-cv-05944-JST): Norman T. Finkel, LEAD ATTORNEY, Schoenberg Finkel Newman Rosenberg LLC, Chicago, IL; Richard M. Goldwasser,**[\*166]** Schoenberg Finkel Newman & Rosenberg LLC, Chicago, IL; Richard Marc Goldwasser, Schoenberg Finkel Newman Rosenberg LLC, Chicago, IL.

For Donna Ellingson, Movant (3:07-cv-05944-JST): Alan Roth Plutzik, Bramson Plutzik Mahler & Birkhaeuser, LLP, Walnut Creek, CA; Jennifer Susan Rosenberg, Bramson, Plutzik, Mahler & Birkhaeuser, Walnut Creek, CA.

Christopher Donnelly, Movant (3:07-cv-05944-JST), Pro se, Bellefonte, PA.

Christopher Wirth, Movant (3:07-cv-05944-JST), Pro se, Bellefonte, PA.

Jimmy Jahar Thule, Movant (3:07-cv-05944-JST), Pro se, Toms River, NJ.

Jonathan Rich, Movant (3:07-cv-05944-JST), Pro se, Bellefonte, CA.

Ramzi Yusef, Movant (3:07-cv-05944-JST), Pro se, Florence, CO.

Edward Breivik, Movant (3:07-cv-05944-JST), Pro se, Lawrence, NJ.

Richard Reid, Movant (3:07-cv-05944-JST), Pro se, Florence, CO.

For Nathan Muchnick, Inc., Interested Party (3:07-cv-05944-JST): Brendan Patrick Glackin, Lieff, Cabraser, Heimann & Bernstein LLP, San Francisco, CA; Eric B. Fastiff, Lieff Cabraser Heimann & Bernstein LLP, San Francisco, CA; Joseph R. Saveri, Joseph Saveri Law Firm, Inc., San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Richard**[\*167]** Martin Heimann, Lieff Cabraser Heimann & Bernstein LLP, San Francisco, CA.

For Jeffrey Figone, Interested Party (3:07-cv-05944-JST): Brian Joseph Barry, Law Offices of Brian Barry, Los Angeles, CA; Joseph Mario Patane, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Lauren Clare Capurro, Trump, Alioto, Trump & Prescott, LLP, San Francisco, CA; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Sylvie K. Kern, KAG Law Group, San Francisco, CA.

For Wettstein & Sons, Inc, Interested Party (3:07-cv-05944-JST): Ranae D. Steiner, LEAD ATTORNEY, Heins Mills & Olson PLC, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA; Scott W. Carlson, Heins Mills & Olson PLC, Minneapolis, MN; Vincent J. Esades, Heins Mills & Olson, P.L.C., Minneapolis, MN.

For Royal Data Services, Inc., Interested Party (3:07-cv-05944-JST): Elizabeth R. Odette, LEAD ATTORNEY, Lockridge Grindal Nauen P.L.L.P., Minneapolis, MN; W. Joseph Bruckner, LEAD ATTORNEY, Lockridge Grindal Nauen P.L.L.P, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA.

For OK TV & Appliances, LLC, Interested**[\*168]** Party (3:07-cv-05944-JST): Elizabeth R. Odette, LEAD ATTORNEY, Lockridge Grindal Nauen P.L.L.P., Minneapolis, MN; W. Joseph Bruckner, LEAD ATTORNEY, Lockridge Grindal Nauen P.L.L.P, Minneapolis, MN; Manfred Patrick Muecke, Bonnett, Fairbourn, Friedman, & Balint, P.C., San Diego, CA.

For Mitsubishi Digital Electronics Americas, Inc., Interested Party (3:07-cv-05944-JST): Brent Caslin, LEAD ATTORNEY, Jenner & Block LLP, Los Angeles, CA; Michael T. Brody, PRO HAC VICE, Jenner & Block LLP, Chicago, IL; Terrence Joseph Truax, Jenner & Block LLC, Chicago, IL.

For Mitsubishi Electric & Electronics USA, Inc., Interested Party (3:07-cv-05944-JST): Brent Caslin, LEAD ATTORNEY, Jenner & Block LLP, Los Angeles, CA; Gabriel A. Fuentes, Jenner & Block, LLP, Chicago, IL; Michael T. Brody, PRO HAC VICE, Jenner & Block LLP, Chicago, IL; Molly McGrail Powers, Jenner And Block LLP, Chicago, IL; Ryan Seth Goldstein, Quinn Emanuel Urquhart & Sullivan LLP, Tokyo Japan; Shaun M. Van Horn, Jenner And Block LLP, Chicago, IL; Terrence Joseph Truax, Jenner & Block LLC, Chicago, IL.

For State of California, Interested Party (3:07-cv-05944-JST): Emilio Eugene Varanini, IV, LEAD ATTORNEY, State Attorney General's**[\*169]** Office, San Francisco, CA; Paul Andrew Moore, Attorney at Law, San Francisco, CA.

For Newegg Inc., Interested Party (3:07-cv-05944-JST): Gordon M. Fauth, Jr., Litigation Law Group, Alameda, CA.

For Sean Hull, Individual, Objector (3:07-cv-05944-JST): Joseph Darrell Palmer, LEAD ATTORNEY, Carlsbad, CA.

For Sean Hull, Objector (3:07-cv-05944-JST): Timothy Ricardo Hanigan, LEAD ATTORNEY, Lang Hanigan & Carvalho, LLP, Woodland Hills, CA.

For Gordon Morgan, Objector (3:07-cv-05944-JST): Timothy Ricardo Hanigan, LEAD ATTORNEY, Lang Hanigan & Carvalho, LLP, Woodland Hills, CA.

For Douglas W. St. John, Objector (3:07-cv-05944-JST): Andrea Marie Valdez, Andrea Valdez, Esq., Pasadena, CA; Joseph Scott St. John, Long Beach, MS.

For Dan L. Williams & Co., Objector (3:07-cv-05944-JST): Paul Brian Justi, Law Offices of Paul B. Justi, Walnut Creek, CA.

For John Finn, Objector (3:07-cv-05944-JST): Steve A Miller, LEAD ATTORNEY, Steve A. Miller, P.C., Denver, CO.

For Laura Fortman, Objector (3:07-cv-05944-JST): Steve A Miller, LEAD ATTORNEY, Steve A. Miller, P.C., Denver, CO.

For Rockhurst University, Objector (3:07-cv-05944-JST): Jill Tan Lin, Attorney at Law, San Francisco, CA; Theresa Driscoll Moore, Alioto**[\*170]** Law Firm, San Francisco, CA.

For Gary Talewsky, Objector (3:07-cv-05944-JST): Jill Tan Lin, Attorney at Law, San Francisco, CA; Theresa Driscoll Moore, Alioto Law Firm, San Francisco, CA.

For Harry Garavanian, Objector (3:07-cv-05944-JST): Jill Tan Lin, Attorney at Law, San Francisco, CA; Theresa Driscoll Moore, Alioto Law Firm, San Francisco, CA.

For Paul Palmer, Individual, Objector (3:07-cv-05944-JST): Joseph Darrell Palmer, LEAD ATTORNEY, Carlsbad, CA.

For Donnie Clifton, Objector (3:07-cv-05944-JST): Jan Leigh Westfall, LEAD ATTORNEY, Law Offices of Jan Westfall, Menifee, CA.

For Josie Saik, Objector (3:07-cv-05944-JST): George Cochran, LEAD ATTORNEY, louisville, ky.

For Carroll Cut-Rate Furniture, Miscellaneous (3:07-cv-05944-JST): Jeff D Friedman, Hagens Berman Sobol Shapiro LLP, Berkeley, CA.

For Douglas A. Kelley, as Chapter 11 Trustee for Petters Company, Inc. and related entities, and as Receiver for Petters Company, LLC and related entities, Miscellaneous (3:07-cv-05944-JST): James M. Lockhart, Lindquist & Vennum, P.L.L.P.; Jessica Lynn Meyer, Lindquist & Vennum, Minneapolis, MN; Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; William A. Isaacson, Boies Schiller &**[\*171]** Flexner, Washington, DC.

For John R. Stoebner, as Chatper 7 Trustee for PBE Consumer Electronics, LLC and related entities, Miscellaneous (3:07-cv-05944-JST): Philip J Iovieno, Boies, Schiller & Flexner LLP, Albany, NY; William A. Isaacson, Boies Schiller & Flexner, Washington, DC.

For State of Illinois, Intervenor (3:07-cv-05944-JST): Blake Lee Harrop, LEAD ATTORNEY, Office of the Attorney General, Chicago, IL; Chadwick Oliver Brooker, Office of the Illinois Attorney General, Chicago, IL.

For State of Oregon, Intervenor (3:07-cv-05944-JST): Tim David Nord, Oregon Department of Justice, Salem, OR.

For Best Buy Co., Inc., Plaintiff (3:11-cv-05513-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, Robins Kaplan LLP, Los Angeles, CA; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; K. Craig Wildfang, Attorney at Law, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Best Buy Purchasing, LLC, Plaintiff (3:11-cv-05513-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, Robins Kaplan LLP,**[\*172]** Los Angeles, CA; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; K. Craig Wildfang, Attorney at Law, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Best Buy Enterprise Services, Inc., Plaintiff (3:11-cv-05513-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, Robins Kaplan LLP, Los Angeles, CA; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; K. Craig Wildfang, Attorney at Law, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Best Buy Stores, L.P., Plaintiff (3:11-cv-05513-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, Robins Kaplan LLP, Los Angeles, CA; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; K. Craig Wildfang, Attorney at Law, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For BestBuy.com, LLC,**[\*173]** Plaintiff (3:11-cv-05513-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, Robins Kaplan LLP, Los Angeles, CA; Elliot S. Kaplan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; K. Craig Wildfang, Attorney at Law, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Beijing Matsushita Color Crt Company, LTD., Defendant (3:11-cv-05513-JST): Richard Sutton Snyder, Freshfields Bruckhaus Deringer US LLP, Washington, DC.

For Toshiba Corporaton, Defendant (3:11-cv-05513-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Inc, Defendant (3:11-cv-05513-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Consumer Products LLC, Defendant (3:11-cv-05513-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington,**[\*174]** DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Electronic Components, Inc., Defendant (3:11-cv-05513-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Information Systems, Inc., Defendant (3:11-cv-05513-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Best Buy Co., Inc., Plaintiff (3:13-cv-05264-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Elliott S. Kaplan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Best Buy Purchasing LLC, Plaintiff (3:13-cv-05264-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA;**[\*175]** David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Elliott S. Kaplan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Best Buy Enterprise Services, Inc., Plaintiff (3:13-cv-05264-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Elliott S. Kaplan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Best Buy Stores, L.P., Plaintiff (3:13-cv-05264-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan L.L.P., Los Angeles, CA; David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Elliott S. Kaplan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For BestBuy.com, L.L.C., Plaintiff (3:13-cv-05264-JST): Bernice Conn, LEAD ATTORNEY, Robins Kaplan**[\*176]** L.L.P., Los Angeles, CA; David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Elliott S. Kaplan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Magnolia Hi-Fi, LLC, Plaintiff (3:13-cv-05264-JST): David Martinez, LEAD ATTORNEY, Robins Kaplan LLP, Los Angeles, CA; Elliott S. Kaplan, Robins Kaplan Miller & Ciresi LLP, Minneapolis, MN; Jill Sharon Casselman, Robins, Kaplan, Miller and Ciresi L.L.P., Los Angeles, CA; Laura Elizabeth Nelson, Robins Kaplan Miller and Ciresi, Minneapolis, MN; Roman M. Silberfeld, Robins Kaplan L.L.P., Los Angeles, CA.

For Technicolor SA, formerly known as Thomson SA, Defendant (3:13-cv-05264-JST): Calvin Lee Litsey, Faegre Baker Daniels LLP, East Palo Alto, CA; Kathy L. Osborn, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN.

For Technicolor USA, Inc., formerly known as Thomson Consumer Electronics, Inc., Defendant (3:13-cv-05264-JST): Calvin Lee Litsey, Faegre Baker Daniels LLP, East Palo Alto, CA; Kathy L. Osborn, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN.

For Technologies**[\*177]** Displays Americas LLC, formerly known as Thomson Displays Americas LLC, Defendant (3:13-cv-05264-JST): Nathan Lane, III, LEAD ATTORNEY, Belvedere, CA.

For Mitsubishi Electric Corporation, Defendant (3:13-cv-05264-JST): Brent Caslin, Jenner & Block LLP, Los Angeles, CA; Gabriel A. Fuentes, Jenner & Block, LLP, Chicago, IL; Michael T. Brody, Jenner & Block LLP, Chicago, IL; Shaun M. Van Horn, Jenner And Block LLP, Chicago, IL; Terrence Joseph Truax, PRO HAC VICE, Jenner & Block LLC, Chicago, IL.

For Mitsubishi Electric Visual Solutions America, Inc, Defendant (3:13-cv-05264-JST): Brent Caslin, Jenner & Block LLP, Los Angeles, CA; Gabriel A. Fuentes, Jenner & Block, LLP, Chicago, IL; Michael T. Brody, Jenner & Block LLP, Chicago, IL; Shaun M. Van Horn, Jenner And Block LLP, Chicago, IL; Terrence Joseph Truax, PRO HAC VICE, Jenner & Block LLC, Chicago, IL.

For Mitsubishi Electric & Electronics USA, Inc, Defendant (3:13-cv-05264-JST): Brent Caslin, Jenner & Block LLP, Los Angeles, CA; Gabriel A. Fuentes, Jenner & Block, LLP, Chicago, IL; Michael T. Brody, Jenner & Block LLP, Chicago, IL; Shaun M. Van Horn, Jenner And Block LLP, Chicago, IL; Terrence Joseph Truax, PRO HAC VICE, Jenner & Block**[\*178]** LLC, Chicago, IL.

For Samsung SDI America Inc, Miscellaneous (3:13-cv-05264-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For SAMSUNG SDI CO., LTD, Miscellaneous (3:13-cv-05264-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Samsung SDI (Malaysia) Sdn. Bhd., Miscellaneous (3:13-cv-05264-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Samsung SDI Mexico S.A. de C.V., Miscellaneous (3:13-cv-05264-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Samsung SDI Brasil Ltda., Miscellaneous (3:13-cv-05264-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Shenzen Samsung SDI Co., Ltd., Miscellaneous (3:13-cv-05264-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Tianjin Samsung SDI Co., Ltd., Miscellaneous (3:13-cv-05264-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For MT Picture Display Co., Ltd., Miscellaneous (3:13-cv-05264-JST): Jennifer Stewart, Winston and Strawn LLP, New York, NY.

For Panasonic Corporation of North America, Miscellaneous**[\*179]** (3:13-cv-05264-JST): Jennifer Stewart, Winston and Strawn LLP, New York, NY.

For Panasonic Corporation (f/k/a Matsushita Electric Industrial Co., Ltd.), Miscellaneous (3:13-cv-05264-JST): Jennifer Stewart, Winston and Strawn LLP, New York, NY.

For Hitachi, Ltd., Miscellaneous (3:13-cv-05264-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi Displays, Ltd. nka Japan Display Inc., Miscellaneous (3:13-cv-05264-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi America, Ltd., Miscellaneous (3:13-cv-05264-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi Asia, Ltd., Miscellaneous (3:13-cv-05264-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi Electronic Devices (USA), Inc., Miscellaneous (3:13-cv-05264-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Toshiba America Consumer Products LLC, Miscellaneous (3:13-cv-05264-JST): Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Electronic Components, Inc., Miscellaneous (3:13-cv-05264-JST): Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba**[\*180]** America Information Systems, Inc., Miscellaneous (3:13-cv-05264-JST): Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America, Inc., Miscellaneous (3:13-cv-05264-JST): Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba Corporation, Miscellaneous (3:13-cv-05264-JST): Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Target Corp., Plaintiff (3:11-cv-05514-JST): Jason C. Murray, LEAD ATTORNEY, Crowell & Moring LLP, Los Angeles, CA; Astor Henry Lloyd Heaven, III, Crowell and Moring LLP, Washington, DC; Jerome A. Murphy, Crowell & Moring LLP, Washington, DC; Matthew J. McBurney, Crowell & Moring LLP, Washington, DC; Robert Brian McNary, Crowell & Moring LLP, Los Angeles, CA.

For Chunghwa Picture Tubes, LTD, Defendant (3:11-cv-05514-JST): Joel Steven Sanders, LEAD ATTORNEY, Gibson, Dunn & Crutcher LLP, San Francisco, CA; Rachel S. Brass, LEAD ATTORNEY, Gibson Dunn & Crutcher LLP, San Francisco, CA.

For Chunghwa Picture Tubes (Malaysia), Defendant (3:11-cv-05514-JST): Rachel S. Brass, Gibson Dunn & Crutcher LLP, San Francisco, CA.

For Beijing Matsushita Color CRT Co., LTD, Defendant (3:11-cv-05514-JST): Richard Sutton Snyder, Freshfields Bruckhaus Deringer**[\*181]** US LLP, Washington, DC.

For Tianjin Samsung SDI Co., Ltd., Defendant (3:11-cv-05514-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Toshiba Corporation, Defendant (3:11-cv-05514-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America, Inc, Defendant (3:11-cv-05514-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Consumer Products, LLC, Defendant (3:11-cv-05514-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard**[\*182]** Lau, White & Case LLP, Washington, DC.

For Toshiba America Electronic Components, Inc., Defendant (3:11-cv-05514-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Information Systems, Inc.,, Defendant (3:11-cv-05514-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Hitachi Ltd., Defendant (3:11-cv-05514-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James H. Mutchnik, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL; Kate Wheat, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL.

For Hitachi America Ltd., Defendant (3:11-cv-05514-JST): Eliot A. Adelson, Kirkland & Ellis LLP, San Francisco, CA; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James H. Mutchnik, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL; Kate Wheat, PRO HAC VICE, Kirkland & Ellis LLP,**[\*183]** Chicago, IL.

For Hitachi Asia, Ltd., Defendant (3:11-cv-05514-JST): Eliot A. Adelson, Kirkland & Ellis LLP, San Francisco, CA; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James H. Mutchnik, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL; Kate Wheat, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL.

For Hitachi Electronic Devices (USA), Inc., Defendant (3:11-cv-05514-JST): Eliot A. Adelson, Kirkland & Ellis LLP, San Francisco, CA; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James H. Mutchnik, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL; Kate Wheat, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL.

For Hitachi Displays, Ltd., Defendant (3:11-cv-05514-JST): Eliot A. Adelson, Kirkland & Ellis LLP, San Francisco, CA; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James H. Mutchnik, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL; Kate Wheat, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL.

For Koninklijke Philips Electronics N.V., Defendant (3:11-cv-05514-JST): Charles M. Malaise, PRO HAC VICE, Baker Botts LLP, Washington, DC; Erik T. Koons, PRO HAC VICE, Baker Botts LLP, Washington, DC; John M. Taladay, PRO HAC VICE,**[\*184]** Baker Botts L.L.P., Washington, DC; Joseph Ostoyich, PRO HAC VICE, Baker Botts LLP, Washington, DC.

For Target Corp., Plaintiff (3:13-cv-05686-SC): Jason C. Murray, LEAD ATTORNEY, Crowell & Moring LLP, Los Angeles, CA; Astor H.L. Heaven, PRO HAC VICE, Crowell & Moring LLp, Washington, DC; Jerome A. Murphy, PRO HAC VICE, Crowell & Moring LLP, Washington, DC; Matthew J. McBurney, Crowell & Moring LLP, Washington, DC; Robert Brian McNary, Crowell & Moring LLP, Los Angeles, CA.

For Technicolor SA, formerly known as Thomson SA, Defendant (3:13-cv-05686-SC): Calvin Lee Litsey, Faegre Baker Daniels LLP, East Palo Alto, CA; Kathy L. Osborn, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN.

For Technicolor USA, Inc., formerly known as Thomson Consumer Electronics, Inc., Defendant (3:13-cv-05686-SC): Calvin Lee Litsey, Faegre Baker Daniels LLP, East Palo Alto, CA; Kathy L. Osborn, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN.

For Technologies Displays Americas LLC, formerly known as Thomson Displays Americas LLC, Defendant (3:13-cv-05686-SC): Nathan Lane, III, LEAD ATTORNEY, Belvedere, CA.

For Alfred H. Siegel, As Trustee of the Circuit Stores, Inc. Liquidating Trust, Plaintiff**[\*185]** (3:11-cv-05502-JST): Brian Gillett, Susman Godfrey L.L.P., Houston, TX; H. Godfrey Lee, Susman Godfrey L.L.P., Houston, TX; John Pierre Lahad, Susman Godfrey LLP, Houston, TX; Johnny William Carter, Susman Godfrey LLP, Houston, TX; Jonathan Jeffrey Ross, N/A, Susman Godfrey L.L.P., Houston, TX; Jonathan Mark Weiss, Klee Tuchin Bogdanoff Stern LLP, Los Angeles, CA; Jordan Connors, Susman Godfrey LLP, Seattle, WA; Kenneth S. Marks, Houston, TX; Matthew Colin Behncke, Susman Godfrey LLP, Houston, TX; Michael Lloyd Tuchin, Klee Tuchin Bogdanoff Stern LLP, Los Angeles, CA; Parker C. Folse, III, Susman Godfrey LLP, Seattle, WA; Rachel S. Black, PRO HAC VICE, Susman Godfrey L.L.P., Seattle, WA; Robert J. Pfister, Klee, Tuchin, Bogdanoff & Stern LLP, Los Angeles, CA; Robert Sabre Safi, Susman Godfrey L.L.P., Houston, TX.

For Hitachi, Ltd., Defendant (3:11-cv-05502-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James H. Mutchnik, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL.

For Hitachi Displays, Ltd, Defendant (3:11-cv-05502-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San**[\*186]** Francisco, CA; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James H. Mutchnik, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL.

For Hitachi Asia, Ltd., Defendant (3:11-cv-05502-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James H. Mutchnik, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL.

For Hitachi Electronic Devices (USA) Inc, Defendant (3:11-cv-05502-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA; James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA; James H. Mutchnik, PRO HAC VICE, Kirkland & Ellis LLP, Chicago, IL.

For Koninklijke Philips Electornics N.V., Defendant (3:11-cv-05502-JST): Jon Vensel Swenson, LEAD ATTORNEY, Baker Botts L.L.P., Palo Alto, CA; Charles M. Malaise, PRO HAC VICE, Baker Botts LLP, Washington, DC; Erik T. Koons, PRO HAC VICE, Baker Botts LLP, Washington, DC; John M. Taladay, PRO HAC VICE, Baker Botts L.L.P., Washington, DC; Joseph Ostoyich, PRO HAC VICE, Baker Botts LLP, Washington, DC.

For Philips Electronics North America Corporation, Defendant (3:11-cv-05502-JST): Jon Vensel Swenson,**[\*187]** LEAD ATTORNEY, Baker Botts L.L.P., Palo Alto, CA; Charles M. Malaise, PRO HAC VICE, Baker Botts LLP, Washington, DC; Erik T. Koons, PRO HAC VICE, Baker Botts LLP, Washington, DC; John M. Taladay, PRO HAC VICE, Baker Botts L.L.P., Washington, DC; Joseph Ostoyich, PRO HAC VICE, Baker Botts LLP, Washington, DC.

For Samsung SDI Co, Ltd, Defendant (3:11-cv-05502-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler M. Cunningham, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Samsung SDI America, Inc., Defendant (3:11-cv-05502-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler M. Cunningham, Sheppard Mullin Richter & Hampton LLP, San Francisco,**[\*188]** CA.

For Samsung SDI Mexico S.A. de C.V., Defendant (3:11-cv-05502-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler M. Cunningham, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Samsung SDI Brasil Ltda., Defendant (3:11-cv-05502-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler M. Cunningham, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Shenzhen Samsung SDI Co. Ltd, Defendant (3:11-cv-05502-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco,**[\*189]** CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler M. Cunningham, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Tianjin Samsung SDI Co., Ltd., Defendant (3:11-cv-05502-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler M. Cunningham, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Samsung SDI (Malaysia) Sdn Bhd., Defendant (3:11-cv-05502-JST): Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter & Hampton LLP, Los Angeles, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Michael W. Scarborough, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Tyler M. Cunningham, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Toshiba Corporation, Defendant (3:11-cv-05502-JST): Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America,**[\*190]** Inc., Defendant (3:11-cv-05502-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Consumer Products, LLC, Defendant (3:11-cv-05502-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Electronic Components Inc., Defendant (3:11-cv-05502-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Information Systems Inc, Defendant (3:11-cv-05502-JST): Christopher M. Curran, PRO HAC VICE, White & Case, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Alfred H. Siegel, As Trustee of the Circuit City Stores, Inc. Liquidating Trust, Plaintiff (3:13-cv-05261-JST): Jonathan Jeffrey Ross, N/A, LEAD ATTORNEY, Susman**[\*191]** Godfrey L.L.P., Houston, TX; Steven Gerald Sklaver, LEAD ATTORNEY, Susman Godfrey LLP, Los Angeles, CA; Brian Gillett, Susman Godfrey L.L.P., Houston, TX; David M. Peterson, Susman Godfrey LLP, Houston, TX; John P. Lahad, Susman Godfrey LLP, Houston, TX; Johnny W. Carter, Susman Godfrey LLP, Houston, TX; Jonathan Ross, Susman Godfrey LLP, Houston, TX; Jonathan Mark Weiss, Klee Tuchin Bogdanoff Stern LLP, Los Angeles, CA; Jordan Connors, Susman Godfrey LLP, Seattle, WA; Kenneth S. Marks, Houston, TX; Matthew Colin Behncke, Susman Godfrey LLP, Houston, TX; Michael Lloyd Tuchin, Klee Tuchin Bogdanoff Stern LLP, Los Angeles, CA; Parker C. Folse, III, Susman Godfrey LLP, Seattle, WA; Rachel S. Black, PRO HAC VICE, Susman Godfrey L.L.P., Seattle, WA; Robert J. Pfister, Klee, Tuchin, Bogdanoff & Stern LLP, Los Angeles, CA; Robert Sabre Safi, Susman Godfrey L.L.P., Houston, TX.

For Technicolor SA, formerly known as Thomson SA, Defendant (3:13-cv-05261-JST): Calvin Lee Litsey, Faegre Baker Daniels LLP, East Palo Alto, CA; Kathy L. Osborn, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN.

For Technicolor USA, Inc., formerly known as Thomson Consumer Electronics, Inc., Defendant (3:13-cv-05261-JST):**[\*192]** Calvin Lee Litsey, Faegre Baker Daniels LLP, East Palo Alto, CA; Kathy L. Osborn, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN.

For Technologies Displays Americas LLC, formerly known as Thomas Displays America LLC, Defendant (3:13-cv-05261-JST): Nathan Lane, III, LEAD ATTORNEY, Belvedere, CA.

For Hitachi, Ltd, Miscellaneous (3:13-cv-05261-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi Displays, Ltd nka Japan Display Inc., Miscellaneous (3:13-cv-05261-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi America, Ltd., Miscellaneous (3:13-cv-05261-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi Asia, Ltd., Miscellaneous (3:13-cv-05261-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi Electronic Devices (USA), Inc., Miscellaneous (3:13-cv-05261-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Sears, Roebuck and Co., Plaintiff (3:13-cv-05262-JST): William J. Blechman, LEAD ATTORNEY, Kenny Nachwalter PA, Miami, FL; Kevin J. Murray, Kenny Nachwalter PA, Four Seasons Tower, Miami, FL; Richard Alan Arnold, Kenny**[\*193]** Nachwalter, P.A., Miami, FL; Samuel J Randall, Kenny Nachwalter PA, Miami, FL.

For Kmart Corp, Plaintiff (3:13-cv-05262-JST): William J. Blechman, LEAD ATTORNEY, Kenny Nachwalter PA, Miami, FL; Kevin J. Murray, Kenny Nachwalter PA, Four Seasons Tower, Miami, FL; Richard Alan Arnold, Kenny Nachwalter, P.A., Miami, FL; Samuel J Randall, Kenny Nachwalter PA, Miami, FL.

For Mitsubishi Electric Corporation, Defendant (3:13-cv-05262-JST): Brent Caslin, Jenner & Block LLP, Los Angeles, CA; Gabriel A. Fuentes, Jenner & Block, LLP, Chicago, IL; Michael T. Brody, Jenner & Block LLP, Chicago, IL; Shaun M. Van Horn, Jenner And Block LLP, Chicago, IL; Terrence Joseph Truax, PRO HAC VICE, Jenner & Block LLC, Chicago, IL.

For Mitsubishi Electric Visual Solutions America, Inc, Defendant (3:13-cv-05262-JST): Brent Caslin, Jenner & Block LLP, Los Angeles, CA; Gabriel A. Fuentes, Jenner & Block, LLP, Chicago, IL; Michael T. Brody, Jenner & Block LLP, Chicago, IL; Shaun M. Van Horn, Jenner And Block LLP, Chicago, IL; Terrence Joseph Truax, PRO HAC VICE, Jenner & Block LLC, Chicago, IL.

For Mitsubishi Electric & Electronics USA, Inc, Defendant (3:13-cv-05262-JST): Brent Caslin, Jenner & Block LLP, Los Angeles,**[\*194]** CA; Gabriel A. Fuentes, Jenner & Block, LLP, Chicago, IL; Michael T. Brody, Jenner & Block LLP, Chicago, IL; Shaun M. Van Horn, Jenner And Block LLP, Chicago, IL; Terrence Joseph Truax, PRO HAC VICE, Jenner & Block LLC, Chicago, IL.

For Samsung SDI Co., Ltd., Interested Party (3:13-cv-05262-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Samsung SDI America Inc, Interested Party (3:13-cv-05262-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Samsung SDI (Malaysia) SDN BHD, Interested Party (3:13-cv-05262-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Samsung SDI Mexico S.A. de C.V., Interested Party (3:13-cv-05262-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Samsung SDI Brasil Ltda., Interested Party (3:13-cv-05262-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Shenzhen Samsung SDI Co Ltd, Interested Party (3:13-cv-05262-JST): Tyler Mark Cunningham, Sheppard Mullin Richter & Hampton, San Francisco, CA.

For Tianjin Samsung SDI Co., Ltd., Interested Party (3:13-cv-05262-JST): Tyler Mark Cunningham,**[\*195]** Sheppard Mullin Richter & Hampton, San Francisco, CA.

For MT Picture Display Co., Ltd., Miscellaneous (3:13-cv-05262-JST): Jennifer Stewart, Winston and Strawn LLP, New York, NY.

For Panasonic Corporation of North America, Miscellaneous (3:13-cv-05262-JST): Jennifer Stewart, Winston and Strawn LLP, New York, NY.

For Panasonic Corporation (f/k/a Matsushita Electric Industrial Co., Ltd.), Miscellaneous (3:13-cv-05262-JST): Jennifer Stewart, Winston and Strawn LLP, New York, NY.

For Hitachi, Ltd., Miscellaneous (3:13-cv-05262-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi Displays, Ltd nka Japan Display Inc., Miscellaneous (3:13-cv-05262-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi America, Ltd., Miscellaneous (3:13-cv-05262-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi Asia, Ltd., Miscellaneous (3:13-cv-05262-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Hitachi Electronic Devices (USA), Inc., Miscellaneous (3:13-cv-05262-JST): James Maxwell Cooper, Kessenick Gamma & Free LLP, San Francisco, CA.

For Toshiba Corporation, Miscellaneous (3:13-cv-05262-JST):**[\*196]** Lucius Bernard Lau, LEAD ATTORNEY, White & Case LLP, Washington, DC.

For Toshiba America, Inc, Miscellaneous (3:13-cv-05262-JST): Lucius Bernard Lau, LEAD ATTORNEY, White & Case LLP, Washington, DC.

For Toshiba America Consumer Products LLC, Miscellaneous (3:13-cv-05262-JST): Lucius Bernard Lau, LEAD ATTORNEY, White & Case LLP, Washington, DC.

For Toshiba America Electronic Components, Inc., Miscellaneous (3:13-cv-05262-JST): Lucius Bernard Lau, LEAD ATTORNEY, White & Case LLP, Washington, DC.

For Toshiba American Information Systems Inc., Miscellaneous (3:13-cv-05262-JST): Lucius Bernard Lau, LEAD ATTORNEY, White & Case LLP, Washington, DC.

For Honorable Charles A. Legge, Special Master (3:13-cv-01173-JST): Charles A. Legge, JAMS, San Francisco, CA.

For Sharp Electronics Corporation, Plaintiff (3:13-cv-01173-JST): Stephen E. Taylor, LEAD ATTORNEY, Taylor & Company Law Offices, LLP, San Francisco, CA; Craig A Benson, Paul Weiss LLP, Washington, DC; David J. Ball, Jr., PRO HAC VICE, Paul, Weiss, Rifkind, Wharton & Garrison LLP, Washington, DC; Gary R Carney, Paul, Weiss, Rifkind, Wharton and Garrison LLP, New York, NY; Jonathan Alan Patchen, Taylor & Company Law Offices, LLP, San Francisco,**[\*197]** CA; Joseph J Simons, PRO HAC VICE, Paul Weiss LLP, Washington, DC; Kenneth A. Gallo, PRO HAC VICE, Paul, Weiss, Rifkind, Wharton & Garrison LLP, Washington, DC; Kira A Davis, Paul, Weiss, Rifkind, Wharton and Garrison LLP, New York, NY.

For Sharp Electronics Manufacturing Company of America, Inc., Plaintiff (3:13-cv-01173-JST): Stephen E. Taylor, LEAD ATTORNEY, Taylor & Company Law Offices, LLP, San Francisco, CA; Craig A Benson, Paul Weiss LLP, Washington, DC; David J. Ball, Jr., PRO HAC VICE, Paul, Weiss, Rifkind, Wharton & Garrison LLP, Washington, DC; Gary R Carney, Paul, Weiss, Rifkind, Wharton and Garrison LLP, New York, NY; Jonathan Alan Patchen, Taylor & Company Law Offices, LLP, San Francisco, CA; Joseph J Simons, PRO HAC VICE, Paul Weiss LLP, Washington, DC; Kenneth A. Gallo, PRO HAC VICE, Paul, Weiss, Rifkind, Wharton & Garrison LLP, Washington, DC; Kira A Davis, Paul, Weiss, Rifkind, Wharton and Garrison LLP, New York, NY.

For Hitachi, Ltd., Defendant (3:13-cv-01173-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA.

For Hitachi Displays, Ltd., Defendant (3:13-cv-01173-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA.**[\*198]**

For Hitachi America, Ltd., Defendant (3:13-cv-01173-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA.

For Hitachi Asia, Ltd., Defendant (3:13-cv-01173-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA.

For Hitachi Electronic Devices (USA), Inc., Defendant (3:13-cv-01173-JST): Eliot A. Adelson, LEAD ATTORNEY, Kirkland & Ellis LLP, San Francisco, CA.

For Panasonic Corporation, Defendant (3:13-cv-01173-JST): Bambo Obaro, LEAD ATTORNEY, Weil, Gotshal and Manges LLP, Redwood Shores, CA; A. Paul Victor, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Adam C. Hemlock, PRO HAC VICE, Weil Gotshal and Manges LLP, New York, NY; Aldo A. Badini, Winston & Strawn LLP, Menlo Park, CA; David L. Yohai, PRO HAC VICE, Weil, Gotshal, & Manges, LLP, New York, NY; David E. Yolkut, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Eva W. Cole, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Jeffrey L. Kessler, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Molly M. Donovan, PRO HAC VICE, Winston & Strawn LLP, New York, NY.

For Panasonic Corporation of North America, Defendant (3:13-cv-01173-JST): Bambo Obaro, LEAD ATTORNEY, Weil, Gotshal**[\*199]** and Manges LLP, Redwood Shores, CA; A. Paul Victor, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Adam C. Hemlock, PRO HAC VICE, Weil Gotshal and Manges LLP, New York, NY; Aldo A. Badini, Winston & Strawn LLP, Menlo Park, CA; David L. Yohai, PRO HAC VICE, Weil, Gotshal, & Manges, LLP, New York, NY; David E. Yolkut, PRO HAC VICE, Weil, Gotshal and Manges LLP, New York, NY; Eva W. Cole, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Jeffrey L. Kessler, PRO HAC VICE, Winston & Strawn LLP, New York, NY; Molly M. Donovan, PRO HAC VICE, Winston & Strawn LLP, New York, NY.

For MT Picture Display Co., Ltd., Defendant (3:13-cv-01173-JST): Adam C. Hemlock, PRO HAC VICE, Weil Gotshal and Manges LLP, New York, NY.

For Toshiba Corporation, Defendant (3:13-cv-01173-JST): Christopher M. Curran, PRO HAC VICE, White & Case LLP, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, PRO HAC VICE, White & Case LLP, Washington, DC.

For Toshiba America, Inc., Defendant (3:13-cv-01173-JST): Christopher M. Curran, PRO HAC VICE, White & Case LLP, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau,**[\*200]** PRO HAC VICE, White & Case LLP, Washington, DC.

For Toshiba America Consumer Products LLC, Defendant (3:13-cv-01173-JST): Dana E. Foster, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Electronic Components, Inc., Defendant (3:13-cv-01173-JST): Christopher M. Curran, PRO HAC VICE, White & Case LLP, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, PRO HAC VICE, White & Case LLP, Washington, DC.

For Toshiba America Information Systems, Inc., Defendant (3:13-cv-01173-JST): Christopher M. Curran, PRO HAC VICE, White & Case LLP, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, PRO HAC VICE, White & Case LLP, Washington, DC.

For Thomson SA, also known as Technicolor SA, Defendant (3:13-cv-01173-JST): Calvin Lee Litsey, Faegre Baker Daniels LLP, East Palo Alto, CA; Robert Andrew Sacks, Sullivan & Cromwell LLP, Los Angeles, CA.

For Thomson Consumer Electronics, Inc., also known as Technicolor USA, Inc., Defendant (3:13-cv-01173-JST): Robert Andrew Sacks, LEAD ATTORNEY, Sullivan & Cromwell LLP, Los Angeles, CA;**[\*201]** Calvin Lee Litsey, Faegre Baker Daniels LLP, East Palo Alto, CA.

For Technologies Displays Americas LLC, Defendant (3:13-cv-01173-JST): Mark C. Dosker, LEAD ATTORNEY, Squire Patton Boggs (US) LLP, San Francisco, CA; Nathan Lane, III, Belvedere, CA.

For Sharp Electronics Corporation, Plaintiff (3:13-cv-02776-JST): Craig A Benson, LEAD ATTORNEY, Paul Weiss LLP, Washington, DC; Jonathan Alan Patchen, LEAD ATTORNEY, Taylor & Company Law Offices, LLP, San Francisco, CA; Joseph J Simons, LEAD ATTORNEY, Paul Weiss LLP, Washington, DC; Kenneth A. Gallo, LEAD ATTORNEY, Paul, Weiss, Rifkind, Wharton & Garrison LLP, Washington, DC; Stephen E. Taylor, LEAD ATTORNEY, Taylor & Company Law Offices, LLP, San Francisco, CA; Gary R Carney, Paul, Weiss, Rifkind, Wharton and Garrison LLP, New York, NY; Kira A Davis, Paul, Weiss, Rifkind, Wharton and Garrison LLP, New York, NY.

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For Toshiba America Consumer Products, LLC, Defendant (3:13-cv-02776-JST): Dana E. Foster, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Electronic Components, Inc., Defendant (3:13-cv-02776-JST): Dana E. Foster, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba Corporation, Defendant (3:13-cv-02776-JST): Dana E. Foster, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America, Inc., Defendant (3:13-cv-02776-JST): Dana E. Foster, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Information Systems, Inc., Defendant (3:13-cv-02776-JST): Dana E. Foster, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, White & Case LLP, Washington,**[\*203]** DC.

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For Chunghwa Picture Tubes Ltd., Defendant (3:14-cv-02510-JST): Rachel S. Brass, LEAD ATTORNEY, Gibson Dunn & Crutcher LLP, San Francisco, CA; Austin Van Schwing, Gibson, Dunn & Crutcher LLP, San Francisco, CA; Joel S Sanders, Gibson Dunn and Crutcher LLP, San Francisco, CA; William S Farmer, Farmer Brownstein Jaeger LLP, San Francisco, CA.

For Chunghwa Picture Tubes (Malaysia), Defendant (3:14-cv-02510-JST): Rachel S. Brass, Gibson Dunn & Crutcher LLP, San Francisco, CA; William S Farmer, Farmer Brownstein Jaeger LLP, San Francisco, CA.

For Panasonic Corporation, Defendant (3:14-cv-02510-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY.

For Panasonic Corporation of North America, Defendant (3:14-cv-02510-JST): Adam**[\*204]** C. Hemlock, Weil Gotshal and Manges LLP, New York, NY.

For MT Picture Display Co., Ltd., Defendant (3:14-cv-02510-JST): Adam C. Hemlock, Weil Gotshal and Manges LLP, New York, NY.

For Beijing Matsushita Color CRT Co., Ltd., Defendant (3:14-cv-02510-JST): Michael Lacovara, Freshfields Bruckhaus Deringer US LLP, Washington, DC; Richard Sutton Snyder, PRO HAC VICE, Freshfields Bruckhaus Deringer US LLP, Washington, DC; Terry Calvani, Freshfields Bruckhaus Deringer US LLP, Washington, DC.

For Koninklijke Philips Electronics N.V., Defendant (3:14-cv-02510-JST): Jon Vensel Swenson, LEAD ATTORNEY, Baker Botts L.L.P., Palo Alto, CA.

For Philips Electronics North America Corporation, Defendant (3:14-cv-02510-JST): Erik T. Koons, LEAD ATTORNEY, Baker Botts LLP, Washington, DC; Jon Vensel Swenson, LEAD ATTORNEY, Baker Botts L.L.P., Palo Alto, CA.

For Tianjin Samsung SDI Co., Ltd., Defendant (3:14-cv-02510-JST): Michael W. Scarborough, LEAD ATTORNEY, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Dylan Ian Ballard, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Gary L. Halling, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA; Helen Cho Eckert, Sheppard Mullin Richter**[\*205]** & Hampton LLP, Los Angeles, CA; James Landon McGinnis, Sheppard Mullin Richter & Hampton LLP, San Francisco, CA.

For Toshiba Corporation, Defendant (3:14-cv-02510-JST): Christopher M. Curran, PRO HAC VICE, White & Case LLP, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, PRO HAC VICE, White & Case LLP, Washington, DC.

For Toshiba America, Inc., Defendant (3:14-cv-02510-JST): Christopher M. Curran, PRO HAC VICE, White & Case LLP, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, PRO HAC VICE, White & Case LLP, Washington, DC.

For Toshiba America Consumer Products, LLC, Defendant (3:14-cv-02510-JST): Lucius Bernard Lau, White & Case LLP, Washington, DC.

For Toshiba America Electronic Components, Inc., Defendant (3:14-cv-02510-JST): Christopher M. Curran, PRO HAC VICE, White & Case LLP, Washington, DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, PRO HAC VICE, White & Case LLP, Washington, DC.

For Toshiba America Information Systems, Inc., Defendant (3:14-cv-02510-JST): Christopher M. Curran, PRO HAC VICE, White & Case LLP, Washington,**[\*206]** DC; Dana E. Foster, PRO HAC VICE, White and Case LLP, Washington, D.C., DC; Lucius Bernard Lau, PRO HAC VICE, White & Case LLP, Washington, DC.

For Technicolor SA, formerly known as Thomson SA, Defendant (3:14-cv-02510-JST): Calvin Lee Litsey, PRO HAC VICE, Faegre Baker Daniels LLP, East Palo Alto, CA; Jeffrey S. Roberts, PRO HAC VICE, Faegre Baker Daniels LLP, Denver, CO; Kathy L. Osborn, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN; Ryan M Hurley, Indianapolis, IN; Stephen M. Judge, PRO HAC VICE, Faegre Baker Daniels LLP, South Bend, IN.

For Technicolor USA, Inc., formerly known as Thomson Consumer Electronics, Inc., Defendant (3:14-cv-02510-JST): Calvin Lee Litsey, PRO HAC VICE, Faegre Baker Daniels LLP, East Palo Alto, CA; Jeffrey S. Roberts, PRO HAC VICE, Faegre Baker Daniels LLP, Denver, CO; Kathy L. Osborn, PRO HAC VICE, Faegre Baker Daniels LLP, Indianapolis, IN; Ryan M Hurley, Indianapolis, IN; Stephen M. Judge, PRO HAC VICE, Faegre Baker Daniels LLP, South Bend, IN.

For Koninklijke Philips N.V., Defendant (3:14-cv-02510-JST): Erik T. Koons, LEAD ATTORNEY, PRO HAC VICE, Baker Botts LLP, Washington, DC; John M. Taladay, LEAD ATTORNEY, PRO HAC VICE, Baker Botts L.L.P.,**[\*207]** Washington, DC; Jon Vensel Swenson, LEAD ATTORNEY, Baker Botts L.L.P., Palo Alto, CA; Charles M. Malaise, PRO HAC VICE, Baker Botts LLP, Washington, DC; Joseph Ostoyich, PRO HAC VICE, Baker Botts LLP, Washington, DC.

For Philips Do Brasil, Ltda., Defendant (3:14-cv-02510-JST): Erik T. Koons, LEAD ATTORNEY, Baker Botts LLP, Washington, DC.

For Philips Taiwan Limited, Defendant (3:14-cv-02510-JST): Erik T. Koons, LEAD ATTORNEY, Baker Botts LLP, Washington, DC.

**Judges:** JON S. TIGAR, United States District Judge.

**Opinion by:** JON S. TIGAR

**Opinion**

**ORDER RE MOTIONS *IN LIMINE* RE PLAINTIFFS' OTHER ACTIONS AND DAMAGES**

The parties organized the pending motions *in limine* into nine categories. See ECF No. 4603, Ex. A. This order addresses the fifth category, entitled "Motions re Plaintiffs' Other Actions and Damages," which contains five motions: four filed by Direct Action Plaintiffs ("DAPs") and one filed by Defendants. Id. at A-6, A-7, A-8. Defendants' motion is entitled "Defendants' Motion *In Limine* No. 7: Motion to Exclude Dr. Frankel's Inflation Adjusted Damages." ECF Nos. 3578 ("Inflation Mot."), 3641 ("Inflation Opp'n"), 3751 ("Inflation Reply"). The DAPs submitted their motions as part of a larger filing entitled "Motions**[\*208]** *In Limine* (Nos. 1-18)." ECF No. 3558 ("DAP Mot."), 3676-4 ("DAP Opp'n"), 3757-4 ("DAP Reply"). They are listed as motions number one, five, six, and eight within that filing. DAP Mot. at 2, 23, 24, 30. The motions are fully briefed and suitable for disposition without oral argument pursuant to [*Local Rule 7-1(b)*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5HKX-RVG0-004H-421K-00000-00&context=). The Court finds as follows:

[*Go to table1*](#Table1)



**I. DEFENDANTS MIL NO. 7: MOTION TO EXCLUDE DR. FRANKEL'S INFLATION ADJUSTED DAMAGES**

Defendants move the Court to exclude certain DAP's inflation-adjusted damages on the grounds that inflation-adjusted damages**[\*209]** are indistinguishable from prejudgment interest barred by the [*Clayton Act*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GNX1-NRF4-43GX-00000-00&context=). See [*15 U.S.C. § 15(a)*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GTP1-NRF4-44B7-00000-00&context=). The motion is GRANTED.

[***HN1***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=clscc1)[] "The fundamental principle of damages is to restore the injured party, as nearly as possible, to the position he would have been in had it not been for the wrong of the other party." [*United States v. Hatahley, 257 F.2d 920, 923 (10th Cir. 1958)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-T8V0-003B-0053-00000-00&context=). Consistent with that principle, courts often award prejudgment interest in order to "compensate the plaintiff for the delay between the time the cause of action arose and the verdict." [*Conte v. General Housewares Corp., 215 F.3d 628, 640 (6th Cir. 2000)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:40GS-2RS0-0038-X2TD-00000-00&context=); see also [*Boston Children's Heart Foundation, Inc. v. Nadal-Ginard, 73 F.3d 429, 442 (1st Cir. 1995)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5K60-006F-M275-00000-00&context=) ("Interest is compensation fixed by law for the use of money or, alternatively, as damages for its detention.").



[***HN2***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=clscc2)[] Because federal statutes do not define the rate of prejudgment interest, an award of prejudgment interest in a federal question case is addressed to the sound discretion of the trial court. See [*E.E.O.C. v. Wooster Brush Co. Employees Relief Assoc., 727 F.2d 566, 579 (6th Cir. 1984)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-XN40-003B-G45B-00000-00&context=). "Discretion is not, however, authorization to decide who deserves the money more. . . . Compensation deferred is compensation reduced by the time value of money . . . . *That is why prejudgment interest is an ingredient of full compensation*." [*Matter of Milwaukee Cheese Wisconsin, Inc., 112 F.3d 845, 849 (7th Cir. 1997)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-H5X0-00B1-D4R3-00000-00&context=) (emphasis added). Viewed another way,



[b]y committing a tort, the wrongdoer creates an involuntary creditor. . . . In voluntary credit transactions, the borrower must pay**[\*210]** the market rate for money. (The market rate is the minimum appropriate rate for prejudgment interest, because the involuntary creditor might have charged more to make a loan.) Prejudgment interest at the market rate puts *both* parties in the position they would have occupied had compensation been paid promptly.

[*Matter of Oil Spill by Amoco Cadiz Off Coast of France on Mar. 16, 1978, 954 F.2d 1279, 1331 (7th Cir. 1992)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-64B0-008H-V3YC-00000-00&context=).

[***HN3***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=clscc3)[] In the Ninth Circuit, "the measure of interest rates prescribed for post-judgment interest in [*28 U.S.C. § 1961(a)*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GST1-NRF4-40JD-00000-00&context=) is also appropriate for fixing the rate for pre-judgment interest . . . unless the trial judge finds, on substantial evidence, that the equities of the particular case require a different rate." [*W. Pac. Fisheries, Inc. v. SS President Grant, 730 F.2d 1280, 1289 (9th Cir. 1984)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-X8Y0-003B-G16V-00000-00&context=). Accordingly, the interest rate for prejudgment interest in the Ninth Circuit is typically "calculated . . . at a rate equal to the weekly average 1-year constant maturity Treasury yield . . . ." [*28 U.S.C. § 1961*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GST1-NRF4-40JD-00000-00&context=).



[***HN4***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=clscc4)[] The [*Clayton Act*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=), however, generally prohibits an award of prejudgment interest. [*15 U.S.C. § 15(a)*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GTP1-NRF4-44B7-00000-00&context=). As the Third Circuit explains,



the award of prejudgment interest . . . serves a remedial purpose by making the plaintiff whole for the intervening loss of use of the money he would have had . . . but for the defendant's unlawful acts. Under . . .**[\*211]** [*section 4*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GKX1-NRF4-44J4-00000-00&context=) of the Clayton Act, [*15 U.S.C. § 15*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GTP1-NRF4-44B7-00000-00&context=), [however,] the award of multiple [*i.e.*, treble] damages is designed to take the place of this interest loss, along with all other remedial and punitive factors necessary to vindicate the policies of the underlying substantive law.

[*Trio Process Corp. v. L. Goldstein's Sons, Inc., 638 F.2d 661, 663 (3d Cir.1981)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5VH0-0039-W2DC-00000-00&context=). Ensuring full compensation is even less of a concern where, as here, an indirect purchaser claims to have standing pursuant to [*Royal Printing Co. v. Kimberly-Clark Corp., 621 F.2d 323 (9th Cir. 1980)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-FPM0-0039-W1VY-00000-00&context=). Such a plaintiff, if successful at trial, is awarded the entire overcharge amount, notwithstanding that its actual damages are likely to be less. See [*id. at 327*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-FPM0-0039-W1VY-00000-00&context=) (finding "nothing wrong with the plaintiff winning a windfall gain, so long as the defendant does not suffer multiple liability, with its potential for windfall loss").

The parties agree that the [*Clayton Act*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=) prohibits prejudgment interest. The DAPs argue, however, that "[t]he statutory exclusion of prejudgment interest does not change what is the true measure of the DAPs' damages." Inflation Opp'n at 2. The "true measure," according to the DAPs, includes an adjustment for inflation. Defendants argue that the DAPs are making a semantic argument and that the prohibition on prejudgment interest includes a prohibition on an adjustment for inflation. Inflation Mot. at**[\*212]** 3 (citing [*Auraria Student Housing at the Regency v. Campus Village Apartments, 2014 U.S. Dist. LEXIS 130959, 2014 WL 4651643, at \*4 (D. Colo. Sept. 18, 2014)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5D5N-D4S1-F04C-V11X-00000-00&context=) ("The Court . . . finds that the experts' calculations of 'discount rates', 'opportunity cost', and 'present value of past economic harm' are in substance nothing other than calculations of prejudgment interest employing different nomenclature."). The Court agrees with Defendants.

[***HN5***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=clscc5)[] There are two ways ***antitrust*** plaintiffs are made worse off as a result of the passage of time between the date of purchase and the date of judgment. First, plaintiffs incur an opportunity cost during that period as a result of not being able to use the funds spent to pay the overcharge. See, e.g., [*In re Linerboard* ***Antitrust*** *Litig., 504 F. Supp. 2d 38, 63-67 (E.D. Pa. 2007)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PK8-MRH0-TXFR-P2PY-00000-00&context=) (discussing opportunity cost). Second, even if the judgment provides plaintiffs with an award equal to the nominal amount they paid for the overcharge, the purchasing power of that amount will have decreased by the date of judgment such that the present value of the harm will be greater than the present value of the award, assuming that the economy has experienced inflation since the purchase date.



The DAPs concede the [*Clayton Act's*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=) prohibition on prejudgment interest includes a prohibition on compensating plaintiffs for opportunity cost ? or, in the DAPs' words, "the time value of money" or "one's inability**[\*213]** to use one's money." Inflation Opp'n at 3; see also [*In re Linerboard* ***Antitrust*** *Litig., 504 F. Supp. 2d at 64*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PK8-MRH0-TXFR-P2PY-00000-00&context=) (explaining why these are just different terms for opportunity cost). The DAPs view "inflation," however, "[a]s an entirely different concept" from prejudgment interest. Id. Accordingly, the DAPs argue they ought to be able to present evidence to the jury to "account for inflation since 1995 by adjusting the dollar overcharges to express damages in constant February 2014 dollars." ECF No. 3575-3 ("Frankel Report") at 18.

In support, the DAPs assert they are entitled to "their complete damages." Inflation Opp'n at 2. They cite [*Illinois Brick Co. v. Illinois, 431 U.S. 720, 748, 97 S. Ct. 2061, 52 L. Ed. 2d 707 (1977)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-9DJ0-003B-S1WY-00000-00&context=), which held that ***antitrust*** plaintiffs could recover the full amount of an overcharge even if they passed on part of the overcharge to their customers. Defendants' motion has nothing to do with a pass-on defense, and the DAPs' argument and authority are inapposite.

Next, the DAPs claim that "the true measure of the DAPs' damages" must account for inflation because the value of money decreases overtime. Inflation Opp'n at 2. The Court acknowledges that "[c]ompensation deferred is compensation reduced." [*Matter of Milwaukee Cheese Wisconsin, Inc., 112 F.3d at 849*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-H5X0-00B1-D4R3-00000-00&context=). The issue, however, is whether the [*Clayton Act*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=) nevertheless prohibits inflationary adjustments, notwithstanding this economic**[\*214]** truism. The answer to that question turns not on economics but on how prejudgment interest is defined as a matter of law.

[***HN6***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=clscc6)[] Prejudgment interest "compensate[s] the plaintiff for the delay between the time the cause of action arose and the verdict." [*Conte, 215 F.3d at 640*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:40GS-2RS0-0038-X2TD-00000-00&context=). The compensation for the delay is not partial; it aims to "mak[e] the plaintiff whole." [*Trio Process Corp., 638 F.2d at 663*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5VH0-0039-W2DC-00000-00&context=). Accordingly, the Court finds that prejudgment interest is any award that compensates a plaintiff for the reduction in a judgement's real value due to the passage of time between when the violation occurred and when a judgment is rendered. See [*Conte, 215 F.3d at 640*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:40GS-2RS0-0038-X2TD-00000-00&context=); [*Matter of Milwaukee Cheese Wisconsin, Inc., 112 F.3d at 849*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-H5X0-00B1-D4R3-00000-00&context=); [*Trio Process Corp., 638 F.2d at 663*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-5VH0-0039-W2DC-00000-00&context=). The DAPs' claim to the "present value" of their "complete damages" is therefore just a rose by another name. See William Shakespeare, Romeo and Juliet, act 2, sc. 2; Philip E. Areeda & Herbert Hovenkamp, ***Antitrust*** Law: An Analysis of ***Antitrust*** Principles and Their Application ¶ 393a (4th ed. 2014) ("The prohibition of pre-judgment interest . . . provides an incentive to disguise pre-judgment interest as something else. For example, the plaintiff may convert its past actual damages to current dollars. . . . While this may seem 'fair,' it is nonetheless equivalent to an award of pre-judgment interest . . . .").



The DAPs rely heavily**[\*215]** on [*Multiflex v. Samuel Moore & Co., 709 F.2d 980, 996-97 (5th Cir. 1983)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-YVB0-003B-G1NP-00000-00&context=). See Inflation Opp'n at 3-4. In Multiflex, the Fifth Circuit allowed damages that reflected the opportunity cost of missed investment opportunities. See [*709 F.2d at 996*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-YVB0-003B-G1NP-00000-00&context=) (allowing a damages estimate that included "the interest that might have been earned on the funds if placed in alternative investments"). But that is exactly the type of prejudgment interest the DAPs acknowledge is prohibited by the [*Clayton Act*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=). See Inflation Opp'n at 3 ("[Prejudgment i]nterest is a measure of the time value of money. It reflects that over time, one's inability to use one's money should be compensated."). Moreover, Multiflex does not address inflationary adjustments at all. In any event, this Court believes that [*Multiflex*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-YVB0-003B-G1NP-00000-00&context=) was wrongly decided. The plaintiffs in that case were able to secure prejudgment interest notwithstanding the [*Clayton Act's*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=) prohibition by asking the court for an element of prejudgment interest (the opportunity cost of capital) instead of using the phrase "prejudgment interest" itself. Accord [*In re Linerboard, 504 F. Supp. 2d 38, 63-67, n.14-17*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4PK8-MRH0-TXFR-P2PY-00000-00&context=); Areeda & Hovenkamp, supra, ¶ 393a (criticizing Multiflex and noting that "[t]he amount that the lost profit would have earned [*i.e.* the opportunity cost of capital] is clearly equivalent to interest. The [Multiflex] court seems**[\*216]** to have been misled by the fact that the plaintiff made an economic argument rather than a transparent claim for statutory or common law pre-judgment interest. This would seem to be an error.").

The other authority cited by the DAPs is on point. See Inflation Opp'n at 4-5 (citing several district court opinions outside the Ninth Circuit that awarded plaintiffs an adjustment for inflation). This Court, however, disagrees with the reasoning in those cases as well. For example, in Law v. Nat'l Collegiate Athletic Ass'n, the defendants filed a post-trial motion arguing the adjustment of the ***antitrust*** damage award to present value based on the Consumer Price Index ("CPI")[[1]](#footnote-0)1 was the functional equivalent of awarding prejudgment interest. See *185 F.R.D. 324, 345-49 (D. Kan. 1999)*. The court rejected the motion, reasoning that interest and inflation are conceptually distinct. See *id. at 346*. Whether interest rates for loans and the CPI are conceptually distinct, however, is irrelevant. [***HN7***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=clscc7)[] "Prejudgment interest" is a legal term of art used for the amount courts award to compensate plaintiffs for reductions in value due to the passage of time. Such an award is prejudgment interest regardless of whether a court decides to calculate it using the**[\*217]** Consumer Price Index, Treasury yields, or some other metric.[[2]](#footnote-1)2



The DAPs' argument also fails because its underlying economic reasoning is flawed. The DAPs' position is based on the idea that interest and inflation are "entirely different concepts," "irrelevant" to each other, and "completely different." Inflation Opp'n at 3-4 (citing *Law, 185 F.R.D. at 346* (claiming interest and inflation are distinct because "[t]he function of the [inflation] adjustment is to reflect changing purchasing power of a dollar over time. Interest, on the other hand, is a function of the balance between the supply and demand for loanable funds.")). The distinction is overstated. As inflation increases, so do lenders' costs, causing the supply curve for loans to shift to the left, which in turn results in an increase in the price of borrowing ? i.e., interest rates. Moreover, there is a well-known concept**[\*218]** in economics known as "Fisher's Theory" which states that a change in the expected inflation rate will cause *the same proportionate change* in interest rates. See Irving Fisher, The Theory of Interest (1930). For the DAPs' position to be plausible, courts would have to be using real interest rates[[3]](#footnote-2)3 instead of nominal rates when calculating prejudgment interest. In the Ninth Circuit, however, prejudgment interest is generally calculated based on the Treasury yield ? which is a nominal rate. [*W. Pac. Fisheries, Inc., 730 F.2d at 1289*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4W-X8Y0-003B-G16V-00000-00&context=). Other circuits also use nominal rates of interest. See, e.g., *Cement Div., Nat. Gypsum Co. v. City of Milwaukee, 31 F.3d 581, 587 (7th Cir. 1994)*, aff'd, [*515 U.S. 189, 115 S. Ct. 2091, 132 L. Ed. 2d 148 (1995)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S0D-H5P0-003B-R24X-00000-00&context=) (holding that in the Seventh Circuit "the best starting point is to award interest at *the market rate*, which means an average of *the prime rate* for the years in question") (emphasis added).

In sum, [***HN8***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=clscc8)[] any compensation "for the delay between the time the cause of action arose and the verdict" is, by definition, prejudgment interest. [*Conte, 215 F.3d at 640*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:40GS-2RS0-0038-X2TD-00000-00&context=). Because an adjustment for inflation is squarely within that definition, the DAPs' argument fails. It also fails for the independent reason that it is based on economically unsound reasoning.



Defendants' motion**[\*219]** is GRANTED.

**II. DAPS' MIL NO. 1: MOTION TO EXCLUDE EVIDENCE OR ARGUMENT REGARDING PLAINTIFFS' COMPETITIVE INTELLIGENCE PRACTICES**

The DAPs move to exclude evidence or argument regarding the DAPs' "competitive intelligence practices"[[4]](#footnote-3)4 because they claim it is irrelevant and unduly prejudicial under [*Federal Rules of Evidence 401*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11X6-00000-00&context=), [*402*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11X8-00000-00&context=), and [*403*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XB-00000-00&context=). Defendants assert that such evidence should be admitted to demonstrate that not all competitor communications are inherently suspect and to prove that the DAPs did not suffer injury-in-fact. The motion is GRANTED IN PART and DENIED IN PART. Defendants are permitted to introduce evidence of exchanges of competitive information among the DAPs and their competitors for the sole purpose of demonstrating that not all communications and information exchanges are necessarily illegitimate or illegal. Defendants are precluded, however, from introducing any other type of evidence or argument regarding the DAPs' competitive intelligence practices or from introducing evidence or argument regarding exchanges of information among the DAPs and their competitors for purposes other than to rebut the claim that such exchanges are inherently suspect.

[***HN9***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=clscc9)[] "Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) the fact is of consequence in determining the action." [*Fed. R. Evid. 401*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11X6-00000-00&context=). "Irrelevant evidence is not admissible." [*Fed. R. Evid. 402*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11X8-00000-00&context=). "The court may exclude relevant evidence," however, "if its probative value is substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence." [*Fed. R. Evid. 403*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XB-00000-00&context=).



The DAPs make several arguments as to why the Court should exclude competitive intelligence evidence. First, they argue evidence that the DAPs exchanged information with their competitors is irrelevant to Defendants' liability. See DAP Mot. at 6-9 (citing [*Kiefer-Stewart Co. v. Joseph E. Seagram & Sons, Inc., 340 U.S. 211, 214, 71 S. Ct. 259, 95 L. Ed. 219 (1951))*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-JM50-003B-S4CT-00000-00&context=). Defendants do not dispute this and repeatedly clarify in their opposition that

Defendants have no intention of using evidence of DAPs' communications with competitors to allege a violation of the ***antitrust*** laws. Quite the opposite, Defendants seek**[\*221]** to use this evidence to contest DAPs' suggestions that all information exchanges between competitors are improper by showing through DAPs' own conduct that there are legitimate reasons for competitors to exchange price and other market information.

DAP Opp'n at 3. As there is no dispute on this issue, Defendants are precluded from introducing evidence or argument of competitive intelligence practices for the purpose of suggesting the DAPs' behavior was illegal or improper.

Next, the DAPs argue that evidence of competitive intelligence practices cannot be admitted for the purpose of asserting a pass-on defense.[[5]](#footnote-4)5 Defendants counter that such evidence is relevant to whether the DAPs suffered injury-in-fact.[[6]](#footnote-5)6 See DAP Opp'n at 10. Specifically, Defendants point out that the DAPs used competitive intelligence to negotiate lower prices from Defendants. Id. Although they are not explicit, Defendants seem to imply that the DAPs were able to use the competitive information acquired through such practices to leverage lower prices from Defendants to such an extent that they were able to avoid paying an overcharge all together, thus failing to satisfy Article III's requirement of injury-in-fact. The**[\*222]** Court, however, is unconvinced. Whether the DAPs paid an overcharge and suffered injury-in-fact is a function of whether the price they paid was above the competitive price, not whether they used competitive information as leverage during price negotiations. Even if it was minimally relevant, *how* the DAPs acquired competitive information is entirely immaterial to *whether* the DAPs paid an overcharge, or, if they did, the *amount* of that overcharge. The DAPs' motion is therefore GRANTED on this issue. Defendants are precluded from introducing evidence or argument regarding the DAPs' competitive intelligence practices to assert a pass-on defense or to claim that the DAPs did not suffer injury-in-fact.

The DAPs also argue that Defendants should be precluded from using evidence of the DAPs' competitive intelligence**[\*223]** practices to demonstrate that information exchanges among competitors can be for legitimate purposes. The DAPs assert such evidence is unnecessary because "the jury will be instructed on this issue, and thus will understand the significance of information exchanges." DAP Reply at 4. Defendants counter that the evidence is extremely probative because "[t]here is no better way to illustrate the legitimacy of business information exchanges than by drawing a parallel between DAPs' own practices and Defendants'." DAP Opp'n at 7. The DAPs respond by pointing to [*Costco Wholesale Corp. v. AU Optronics Corp. et al., 2014 U.S. Dist. LEXIS 132145, at\*6 (W.D. Wash. Sept. 17, 2014)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5D5N-PGT1-F04F-J0Y8-00000-00&context=), one of the underlying cases in the LCD MDL. In that case, the district court granted Costco's motion *in limine* to exclude evidence regarding Costco's *price monitoring* practices, see id., which entailed *unilaterally* gathering *publically available* information on competitors' prices, see Plaintiffs' Motion *in Limine* at 7, Costco Wholesale Corp. v. AU Optronics Corp. et al., No. 13-cv-1207-RAJ (Aug. 11, 2014) (W.D. Wash.) (ECF No. 516). The court held that "[w]hatever marginal relevance evidence of Costco's price monitoring might have to an issue before the jury is substantially outweighed by its potential to prejudice the jury, confuse it, or put greater**[\*224]** burdens on its time." [*Costco, 2014 U.S. Dist. LEXIS 132145, at \*4*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5D5N-PGT1-F04F-J0Y8-00000-00&context=). "In particular," wrote the court, "Defendants can easily argue that monitoring market prices is lawful without pointing to Costco's conduct." Id.

The Court agrees that, as in Costco, evidence of the DAPs' *unilateral* monitoring of *publically available* information is irrelevant to whether exchanges of information among competitors can be for legitimate purposes. Accordingly, the DAPs' motion is GRANTED as to evidence relating to the DAPs' unilateral monitoring of publically available information. The Court agrees with Defendants, however, that evidence of information exchanges among the DAPs and their competitors is relevant and not unfairly prejudicial so long as it is introduced to demonstrate that such information exchanges can have a legitimate purpose.[[7]](#footnote-6)7 See [*In re Urethane* ***Antitrust*** *Litig., MDL No. 1616, 2011 U.S. Dist. LEXIS 37093, 2011 WL 1327988, at \*6 (D. Kan. Apr. 5, 2011)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:52JK-JFP1-652H-R2CV-00000-00&context=) (holding that defendants were "entitled to rebut [evidence of competitor contacts] by showing that because plaintiffs engaged in the same conduct, that evidence does not necessarily indicate or support the existence of a conspiracy among defendants"). Accordingly, the DAPs' motion is DENIED as to evidence relating to the DAPs' exchange of competitive information with competitors introduced for the purpose**[\*225]** of demonstrating such exchanges are not inherently suspect.

Finally, the DAPs claim that admission of competitive intelligence practices violates public policy because allowing a defendant to inquire into a plaintiff's conduct deters private actions. Not so. Defendants intend to use the DAPs' information exchanges as examples of *legitimate* conduct. It seems highly unlikely that future plaintiffs will be deterred from filing suit by the risk that their conduct might also be used as an example of legitimate conduct. Regardless, if the DAPs wish to present evidence that certain conduct is probative of a conspiracy, Defendants are entitled to present evidence of similar conduct by the DAPs because it demonstrates that such**[\*226]** conduct can be legitimate. Indeed, the Court agrees that "[t]here is no better way to illustrate the legitimacy of business information exchanges than by drawing a parallel between the DAPs' own practices and Defendants'." DAP Opp'n #1 at 7.

The DAPs's motion is therefore GRANTED IN PART and DENIED IN PART. Defendants are permitted to introduce evidence of exchanges of competitive information among the DAPs and their competitors for the sole purpose of demonstrating that not all information exchanges among competitors are necessarily illegitimate or illegal. The DAPs' motion is granted, however, in all other respects.

**III. DAPS' MIL NO. 5: MOTION TO EXCLUDE EVIDENCE OR ARGUMENT REGARDING PLAINTIFFS' ABILITY TO SEEK TREBLE DAMAGES AND ATTORNEYS' FEES AND COSTS**

The DAPs move to exclude evidence or argument regarding their ability to recover treble damages or attorney's fees and costs because they argue it is irrelevant, would improperly interfere with the jury's fact-finding role, and would unfairly prejudice DAPs. DAP Mot. at 23. Defendants do not oppose the DAPs' motion to the extent it seeks to exclude evidence or argument regarding the availability of attorneys' fees and costs. See DAP Opp'n**[\*227]** at 26 n. 13. Defendants assert, however, that evidence regarding the DAPs' ability to recover treble damages should be allowed "only in the limited context of impeaching the credibility of certain cooperating witnesses likely to be called by Plaintiffs." Id. at 26. The motion is GRANTED IN PART and DENIED IN PART. Defendants will be permitted to reference the fact that Chunghwa's damages could be reduced by two thirds as a result of its participation in the Department of Justice's leniency program. The DAPs' motion is granted in all other respects, however, including the DAPs' request to exclude any reference to the trebling of damages under the [*Clayton Act*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=).

Chunghwa is a "leniency participant" in connection with the Department of Justice's investigation into price fixing in the CRT market. Pursuant to the ***Antitrust*** Criminal Penalty Enhancement and Reform Act of 2004 ("ACPERA"), Chunghwa may avoid treble damages and joint and several liability in this case if it provides "satisfactory cooperation" to the DAPs, including by using "best efforts" to procure witnesses to testify at trial. See *Pub. L. No. 108-237 §§ 213(a)*, (b)(3)(B). Chunghwa recently announced its intention to seek reduced liability, see ECF No. 3395, "and Defendants**[\*228]** anticipate that Plaintiffs will rely heavily on the testimony of Chunghwa witnesses at trial," DAP Opp'n at 26.

Defendants argue "[t]he fact that the testimony of [Chunghwa] witnesses may help Chunghwa avoid treble damages speaks directly to potential bias, and Defendants must be permitted to explore this issue during cross-examination." Id. The DAPs counter that the right to address a witness's potential bias is limited to the extent the evidence of bias is unfairly prejudicial. Further, "[b]ecause the jury is allowed to hear about the substantial impact that the joint and several limitation would have on Chunghwa's potential liability," the DAPs argue that "*ACPERA's* limitation on trebling is cumulative and has little probative value." DAP Reply at 24.

[***HN10***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=clscc10)[] Argument or evidence regarding treble damages is not admissible when used as "an invitation to the jury to negate Congress' determination that actual damages should be trebled." [*Brooks v. Cook, 938 F.2d 1048, 1052 (9th Cir. 1991)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-B3P0-008H-V1CT-00000-00&context=) (quoting [*Noble v. McClatchy Newspapers, 533 F.2d 1081, 1091 (9th Cir.1975))*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-2DK0-0039-M379-00000-00&context=); see also id. ("[T]he fear is that a jury, informed of plaintiff's right to additional funds, will view the money as a windfall and take steps to offset it."). "Proof of bias is almost always relevant [, however,] because the jury, as finder of fact and weigher of credibility,**[\*229]** has historically been entitled to assess all evidence which might bear on the accuracy and truth of a witness' testimony." [*United States v. Abel, 469 U.S. 45, 52, 105 S. Ct. 465, 83 L. Ed. 2d 450 (1984)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-32H0-003B-S03T-00000-00&context=).



Judge Illston faced a similar issue during one of the trials associated with the LCD MDL. See Tr. of Proceedings, In re TFT-LCD ***Antitrust*** Litig., No. 07-1827 SI, ECF No. 5910, June 13, 2012. There, Judge Illston balanced the right to address potential witness bias with the Ninth Circuit's requirement in Brooks not to admit evidence of trebling. Specifically, she allowed the defendants to explore the fact that the witness's testimony could help the leniency participant reduce its potential damages by two thirds, but she prohibited any direct reference to the fact that plaintiffs' damages would be trebled under the [*Clayton Act*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=). The Court agrees with Judge Illston's approach and adopts it here.[[8]](#footnote-7)8

Accordingly, the DAPs' motion is GRANTED IN PART and DENIED IN PART. Defendants will be permitted to make a narrowly-tailored reference to the fact that Chunghwa's damages could potentially be reduced by two thirds as a result of its participation in the leniency program and cooperation at trial. They are prohibited, however, from otherwise making reference to treble damages, either directly or indirectly.

**IV. DAPS MIL NO. 6: MOTION TO EXCLUDE EVIDENCE OR ARGUMENT REGARDING OTHER ACTIONS AND SETTLEMENTS IN THIS MDL**

The DAPs' ask the Court to exclude evidence or argument regarding other actions and settlements in this MDL, including reference to the claims and settlement of the direct and indirect purchaser classes and other DAPs not going to trial in the Northern District. The DAPs argue such**[\*231]** evidence or argument is irrelevant, would improperly interfere with the jury's fact-finding role, and would unfairly prejudice the DAPs in trial. Defendants counter that the DAPs' motion is overbroad, premature, and that evidence or argument regarding other actions and settlements is relevant for proving witness bias. The motion is GRANTED IN PART and DENIED IN PART. Defendants will be permitted to introduce evidence or argument regarding the fact of settlement, whether a witness or witness's employer agreed to cooperate with the DAPs, and absent Plaintiffs' claims solely in order to prove witness bias. Before Defendants can do so, however, they are ORDERED to alert the Court outside the jury's presence, sufficiently far in advance of introduction of the evidence that the DAPs can be heard and the Court hear brief argument. The Court will then consider whether specific evidence or argument is properly admissible given the context in which it is being presented. The DAPs motion is granted, however, in all other respects.

**A. Reference To Absent Plaintiffs' Claims Against Defendants**

The DAPs first ask the Court to exclude references to absent Plaintiffs' claims against Defendants because**[\*232]** they are irrelevant. Defendants respond that they will need to reference such claims when examining witnesses who are parties, or are employed by parties, to one of the other actions. "Those parties," Defendants assert, "may have an interest in the outcome of the litigation, but [DAPs'] proposed order would improperly preclude Defendants from informing the jury of this bias." DAP Opp'n at 34. Defendants are silent, however, as to whether references to absent Plaintiffs' claims could be relevant in any other context. Instead, they argue that (1) mentioning other actions is "inevitable where, as here, multiple entities at different levels of distribution bring separate claims" and (2) that the DAPs' request is overbroad because it would prohibit incidental references "such as declarations or discovery responses from other Plaintiffs that reference 'other actions' in the caption, or related testimony." DAP Opp'n at 33.

Next, the DAPs argue that the Court should exclude references to absent Plaintiffs' claims because it would

create[] a serious risk of unfair prejudice, including the risk that the jury, consciously or subconsciously, might reduce the damages awarded to Plaintiffs because**[\*233]** of a belief that the [Plaintiffs] were able to compensate for these overcharges by passing them on to others, who, in turn, could seek compensation from Defendants.

DAP Mot. at 26. Defendants urge the Court to defer its [*Rule 403*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XB-00000-00&context=) ruling "until it becomes clear which witnesses will testify and what evidence is offered." Id. at 35.

"Proof of bias is almost always relevant because the jury, as finder of fact and weigher of credibility, has historically been entitled to assess all evidence which might bear on the accuracy and truth of a witness' testimony." [*Abel, 469 U.S. at 52*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-32H0-003B-S03T-00000-00&context=). Certain references to absent Plaintiffs' claims may be probative of witness bias. Before Defendants can reference absent Plaintiffs' claims for this purpose, however, they are ORDERED to alert the Court outside the jury's presence, sufficiently far in advance of introduction of the evidence that the DAPs can be heard and the Court hear brief argument. The Court will then determine if the probative value of the evidence is substantially outweighed by "the risk that the jury, consciously or subconsciously, might reduce the damages awarded to Plaintiffs . . . ." DAP Mot. at 26. If the evidence or argument is admitted, the Court may also invite the parties**[\*234]** to submit limiting instructions.

Outside of demonstrating witness bias, however, Defendants fail to show the relevance of references to absent Plaintiffs' claims. The DAPs' motion as it relates to references to absent Plaintiffs' claims is therefore GRANTED for purposes other than proving bias.[[9]](#footnote-8)9 Accord Final Pretrial Scheduling Order in DPP Trial, In re TFT-LCD (Flat Panel) ***Antitrust*** Litig., MDL No. 1827, ECF No. 5597, May 4, 2012 (granting motion *in limine* to exclude references to other plaintiffs' claims); [*Costco Wholesale Corp. v. AU Optronics Corp., No. C13-1207RAJ, 2014 U.S. Dist. LEXIS 132145, 2014 WL 4674390, at \*7 (W.D. Wash. Sept. 17, 2014)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5D5N-PGT1-F04F-J0Y8-00000-00&context=) ("No party may refer to other civil matters . . . ."). If there is otherwise admissible evidence that cannot be admitted without incidentally referencing absent Plaintiffs' claims, Defendants must seek leave of Court before introducing such evidence. In doing so, Defendants must demonstrate that there is no other way to introduce the otherwise admissible evidence without referencing absent Plaintiffs' claims. The Court will then weigh the probative value of that evidence against any unfair prejudicial effect. If the evidence or argument is admitted, the Court may also invite the parties to submit limiting instructions.**[\*235]**

**B. References To Any Plaintiffs' Settlements With Defendants**

The DAPs also ask the Court to exclude any reference to settlements with Defendants because it would violate [*Federal Rules of Evidence 402*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11X8-00000-00&context=), [*403*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XB-00000-00&context=), and [*408*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XP-00000-00&context=).

[***HN11***](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5M9B-GHH1-F04C-T2JW-00000-00&context=&link=clscc11)[] [*Federal Rule of Evidence 408*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XP-00000-00&context=) prohibits the use of settlement agreements "to prove liability for, invalidity of, or amount of a claim." [*Rule 408*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XP-00000-00&context=) allows courts, however, to admit settlement evidence "for another purpose," such as to "prov[e] a witness's bias or prejudice." [*Fed. R. Evid. 408(b)*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XP-00000-00&context=); see also [*Hudspeth v. C.I.R., 914 F.2d 1207, 1214 (9th Cir. 1990)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S42-7G20-003B-5152-00000-00&context=) (finding that [*Rule 408*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XP-00000-00&context=) "specifically provides for the admissibility of [settlement agreements] for the purpose of showing bias or prejudice of a witness"); [*Abel, 469 U.S. at 52*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-32H0-003B-S03T-00000-00&context=) (holding that proof of bias is almost always relevant). In addition to the fact of settlement, certain settlement terms can be probative of bias. See, e.g., [*United States ex rel. Miller v. Bill Harbert Int'l Constr., Inc., No. 95-1231 (RCL), 2007 U.S. Dist. LEXIS 17792, 2007 WL 851868, at \*1 (D.D.C. Mar. 14, 2007)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:4N8C-GXP0-TVT3-D31W-00000-00&context=) ("[B]oth the existence and terms of the settlements ? including amount and any cooperation agreements ? are probative of the witnesses' credibility and motivation in**[\*236]** testifying."). With that said, "care should be taken that an indiscriminate and mechanistic application of this exception to [*Rule 408*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XP-00000-00&context=), does not result in undermining the rule's public policy objective . . . . The trial judge should weigh the need for such evidence against the potentiality of discouraging future settlement negotiations." [*Young v. Verson Allsteel Press Co., 539 F. Supp. 193, 196 (E.D. Pa. 1982)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4N-F7J0-0039-S2YS-00000-00&context=) (quoting 2 J. Weinstein & M. Berger, Weinstein's Evidence, s 408(05) (1978)).



The DAPs argue the Court should categorically exclude the fact, amount, and details of settlement agreements in order to "further the public policy in favor of settling disputed claims." DAP Reply at 26. Further, they assert the probative value of allowing references to settlements with Defendants is substantially outweighed by the "risk that the jury would improperly reduce its damages award because of its belief that the plaintiff has already been compensated" by other parties. Mot at 27. According to the DAPs, "[t]his risk is particularly acute as it relates to the amounts of settlement agreements," because

[t]he testimony of an employee of a Defendant that has settled is not likely to be any more or less biased based on the amount of a settlement agreement . . . But the danger of the jury using evidence**[\*237]** of the amount of a settlement is substantially higher than for the fact of a settlement.

DAP Reply at 28 n. 12. Defendants counter that they have a right to prove witness bias by reference to settlements, including settlement terms. In particular, they have a right to inquire into whether a witness or a witness's employer agreed to cooperate with the DAPs as part of this litigation. Further, they argue that any potential prejudice can be remedied through an appropriate jury instruction.

The Court is unconvinced that reference to the fact of settlement or that a given settlement contains a cooperation clause would discourage future settlements and thereby undermine [*Rule 408*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XP-00000-00&context=)'s policy rationale. Further, the potential that jurors could reduce damages as a result of learning of other settlements does not substantially outweigh the significant probative value of evidence suggesting possible witness bias. The DAPs are correct, however, that the amount of settlement has far less probative value and has greater prejudicial risk insofar as it demonstrates that the DAPs have already recovered a significant sum from other parties.

Upon remand for trial from the LCD MDL, the Western District of Washington**[\*238]** found similarly:

No party may ask questions, introduce evidence, or make argument revealing either the amount that any settling defendant paid to [Plaintiff] Costco or that the settling defendants faced the prospect of attorney fees, costs, and treble damages. This ruling does not preclude Defendants from asking the settling defendants' representatives about whether they settled their claims with Costco, whether they agreed to cooperate with Costco as part of the settlement, and whether those defendants agreed to pay an undisclosed sum of money to Costco. If necessary, the court will consider an instruction to the jury that it should not speculate about the amount of any settlement or consider the settlements for purposes of assessing Costco's damages, and that evidence that some defendants paid a settlement is relevant only to establish whether a witness has a bias. If necessary, the court will also consider an instruction that the jury need not concern itself with offsetting Costco's damages to account for payments from settling defendants.

[*Costco Wholesale Corp. v. AU Optronics Corp., No. C13-1207RAJ, 2014 U.S. Dist. LEXIS 132145, 2014 WL 4674390, at \*6 (W.D. Wash. Sept. 17, 2014)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5D5N-PGT1-F04F-J0Y8-00000-00&context=). The Court finds this approach appropriately balances a defendant's right to question**[\*239]** a witness about potential bias ? in particular, whether the witness or the witness's employer agreed to cooperate with the DAPs ? with the potential prejudice (and minimal probative value) of references to settlement amounts. See also DAP Reply at 28 n. 12 (arguing that the risk of prejudice "is particularly acute as it relates to the amounts of settlement agreements").

Accordingly, the DAPs' motion on this issue is DENIED as to evidence or argument regarding the fact of settlement or whether the witness or the witness's employer agreed to cooperate with the DAPs, so long as the evidence is introduced for the sole purpose of establishing witness bias. Before Defendants can present such evidence or argument, however, they are ORDERED to alert the Court outside the jury's presence, sufficiently far in advance of introduction of the evidence that the DAPs can be heard and the Court hear brief argument. The Court will then make a final decision on whether the evidence satisfies [*Rule 403*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:5GYC-2991-FG36-11XB-00000-00&context=). The DAPs' motion on this issue is GRANTED, however, in all other respects, including as to settlement amounts.

**C. Conclusion**

The motion is GRANTED IN PART and DENIED IN PART. Defendants will be permitted to reference**[\*240]** absent Plaintiffs' claims, the fact of settlement, and whether the witness or the witness's employer agreed to cooperate with the DAPs, but solely in order to prove witness bias. Before Defendants can do so, however, they are ORDERED to alert the Court as set forth above.

**V. DAPS MIL NO. 8: MOTION TO EXCLUDE EVIDENCE OR ARGUMENT REGARDING PLAINTIFFS' ALLEGED FAILURE TO MITIGATE THEIR DAMAGES**

The DAPs move to exclude evidence purporting to show that the DAPs failed to mitigate their damages because it is irrelevant, would improperly interfere with the jury's fact-finding role, and would unfairly prejudice the DAPs. Defendants respond that it should be allowed because the mitigation defense is well established in ***antitrust*** law. Because evidence or argument regarding the DAPs' alleged failure to mitigate their damages is irrelevant, the motion is GRANTED.

The DAPs first argue their motion should be granted because, as a matter of law, "a price-fixing plaintiff is allowed to recover its full damages even though it mitigated its damages by passing part of the excessive costs to its customers." DAP Mot. at 31 (quoting [*Royal Printing Co. v. Kimberly-Clark Corp., 621 F.2d 323, 327 (9th Cir.1980))*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-FPM0-0039-W1VY-00000-00&context=). Defendants do not dispute this point. Accordingly, Defendants are precluded**[\*241]** from presenting evidence or argument suggesting the DAPs mitigated, or could have mitigated, their damages by increasing the prices they charged their customers.

Defendants assert in their Opposition, however, that they should be allowed to present other evidence and argument to show DAPs failed to mitigate their damages because (1) "[c]ertain DAPs, such as Sharp, were aware of the factual basis for their ***antitrust*** claims well before the end of the alleged conspiracy period," DAP Opp'n at 40, and (2) those DAPs failed to mitigate their damages by either (a) ceasing to purchase price-fixed CRTs from cartel members or (b) reporting the conspiracy to authorities. In reply, the DAPs dispute that they had knowledge of the conspiracy and argue that such evidence and argument should be excluded as irrelevant because a mitigation defense does not apply in the context of horizontal price-fixing conspiracies.

Facing the same facts and legal arguments as the instant motion, Judge Illston in the LCD MDL "declin[ed] to hold that defendants may assert mitigation as a defense to [the plaintiff's] horizontal price-fixing claim."**[\*242]** [*In re TFT-LCD (Flat Panel)* ***Antitrust*** *Litig., No. M 07-1827 SI, 2012 U.S. Dist. LEXIS 172805, 2012 WL 6000154, at \*3 (N.D. Cal. Nov. 30, 2012)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:576P-TPH1-JCNB-302C-00000-00&context=); see also Final Pretrial Scheduling Order in DPP Trial, LCD, MDL No. 1827, ECF No. 5597 at 4, May 4, 2012 (excluding evidence or argument regarding the plaintiffs' duty to mitigate); [*In re Airline Ticket Comm'n* ***Antitrust*** *Litig., 918 F. Supp. 283, 286 (D. Minn. 1996)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4N-SWW0-006F-P19V-00000-00&context=) ("In a horizontal price-fixing case, however, mitigation and offset generally do not affect the ultimate measure of damages.").

The Court agrees with Judge Illston that the law does not require mitigation in a price-fixing conspiracy case. In addition, the Court notes that successful price-fixing conspiracies increase the *market* price for price-fixed goods. Defendants' suggestion, therefore, that plaintiffs can mitigate their damages by purchasing from non-conspiring suppliers is nonsensical. Separately, it is also implausible where, as here, virtually every major supplier is alleged to have participated in the conspiracy.

Judge Illston also declined to hold that the plaintiffs had a duty to report the conspiracy to the authorities. See id. Rejecting the same authority Defendants cite here, Judge Illston found that those cases

arose in the context of singular, complex and heavily ***regulated*** framework [and] do not shed any light on whether mitigation is**[\*243]** a defense to a horizontal price-fixing claim. See [*MCI Communications Corp. v. AT&T, 708 F.2d at 1207*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3RTS-KGD0-003B-G027-00000-00&context=) (quoting lower court jury instructions which stated, *inter alia*, "AT&T contends that the FCC had the power to resolve many of the alleged unlawful acts of which MCI complains and that if MCI had filed complaints with the FCC, or formally objected to tariffs of AT&T, the FCC could have resolved any disputes over FX, CCSA, local distribution areas, the terms and conditions of furnishing local distribution facilities, and multipoint service. MCI denies this contention and argues that AT&T encouraged it to continue negotiating rather than resorting to the FCC."); [*Litton Systems, Inc., 700 F.2d at 820 n. 47*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-0RR0-003B-G3K6-00000-00&context=) (noting AT&T's argument that "Litton should have mitigated its damages by removing the interface devices as soon as the tariff requiring them was invalidated").

Id.

The Court agrees that [*MCI*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3RTS-KGD0-003B-G027-00000-00&context=) is inapposite. Defendants' argument also fails for at least two additional reasons. First, Defendants' argument implies that a defendant should be immunized from liability whenever a plaintiff is harmed by conduct of which it was aware but failed to report to authorities. A rule that absolves defendants for wrongdoing based on a failure of victims to report illegal conduct is absurd. Second,**[\*244]** Defendants' theory is impossibly speculative insofar as it assumes that reporting the conspiracy to authorities would have quickly defeated the conspiracy such that the price of CRTs would have returned to competitive levels soon thereafter.

Finally, the Court rejects Defendants' policy argument that "[a]bsent a mitigation requirement, treble damages create a perverse incentive for plaintiffs to sit back and accumulate alleged damages for their own benefit." DAP Opp'n at 43. This argument fails for at least two reasons. First, the statute of limitations confines a plaintiff's ability "to sit back and accumulate alleged damages." Second, even if a mitigation defense was available, it would not extend to a requirement that a plaintiff file suit as soon as possible or report illegal activities in order to recover damages caused by those activities. See [*Westman Commission Co., 541 F. Supp. at 314*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4N-D730-0039-S1J8-00000-00&context=) (characterizing as "ridiculous" defendant's argument that plaintiff should have mitigated its damages by filing for an injunction); see also [*Balboa Capital Corp. v. Graphic Pallet & Transp., Inc., No. 13 C 6503, 2015 U.S. Dist. LEXIS 14330, 2015 WL 514987, at \*4 (N.D. Ill. Feb. 6, 2015*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:5F7M-XVJ1-F04D-700V-00000-00&context=) ("[D]efendants do not cite and the Court has not found any support for the notion that a non-breaching party is required to file suit, let alone do so as quickly as possible, to mitigate its damages.").**[\*245]**

In sum, evidence and argument regarding DAPs' purported failure to mitigate is irrelevant. The Court therefore GRANTS DAP's motion.

**VI. CONCLUSION**

The Court rules as follows:

[*Go to table2*](#Table2)



**IT IS SO ORDERED**.

Dated: October 25, 2016

/s/ Jon S. Tigar

JON S. TIGAR

United States District Judge

**Table1 (**[*Return to related document text*](#Table1_insert)**)**

| **Motion** | **Ruling** |
| --- | --- |
| Defendants' MIL No. 7: Motion to Exclude Dr. | GRANTED |
| Frankel's Inflation Adjusted Damages |  |
| DAPs' MIL No. 1: Motion To Exclude | GRANTED IN PART and |
| Evidence Or Argument Regarding Plaintiffs' | DENIED IN PART |
| Competitive Intelligence Practices |  |
| DAPs' MIL No. 5: Motion To Exclude | GRANTED IN PART and |
| Evidence Or Argument Regarding Plaintiffs' | DENIED IN PART |
| Ability To Seek Treble Damages and |  |
| Attorneys' Fees And Costs |  |
| DAPs MIL No. 6: Motion to Exclude Evidence | GRANTED IN PART and |
| Or Argument Regarding Other Actions And | DENIED IN PART |
| Settlements In This MDL |  |
| DAPs MIL No. 8: Motion To Exclude Evidence | GRANTED |
| Or Argument Regarding Plaintiffs' Alleged |  |
| Failure To Mitigate Their Damages |  |

**Table1 (**[*Return to related document text*](#Table1_insert)**)**

**Table2 (**[*Return to related document text*](#Table2_insert)**)**

| **Motion** | **Ruling** |
| --- | --- |
| Defendants' MIL No. 7: Motion to Exclude Dr. | GRANTED |
| Frankel's Inflation Adjusted Damages |  |
| DAPs' MIL No. 1: Motion To Exclude | GRANTED IN PART and |
| Evidence Or Argument Regarding Plaintiffs' | DENIED IN PART |
| Competitive Intelligence Practices |  |
| DAPs' MIL No. 5: Motion To Exclude | GRANTED IN PART and |
| Evidence Or Argument Regarding Plaintiffs' | DENIED IN PART |
| Ability To Seek Treble Damages and |  |
| Attorneys' Fees And Costs |  |
| DAPs MIL No. 6: Motion to Exclude Evidence | GRANTED IN PART and |
| Or Argument Regarding Other Actions And | DENIED IN PART |
| Settlements In This MDL |  |
| DAPs MIL No. 8: Motion To Exclude Evidence | GRANTED |
| Or Argument Regarding Plaintiffs' Alleged |  |
| Failure To Mitigate Their Damages |  |

**Table2 (**[*Return to related document text*](#Table2_insert)**)**

**End of Document**

1. 1The CPI is a measure of inflation. [↑](#footnote-ref-0)
2. 2See, e.g., Knoll, Michael S. and Colon, Jeffrey M., "The Calculation of Prejudgment Interest" (2005). *Scholarship at Penn Law*. Paper 120 (describing different ways to calculate prejudgment interest and arguing that prejudgment interest ought to be computed using the defendant's unsecured borrowing rate). [↑](#footnote-ref-1)
3. 3Real interest rates are calculated by taking the nominal rate and subtracting the inflation rate. [↑](#footnote-ref-2)
4. 4DAPs' "competitive intelligence practices" appear to**[\*220]** include both (1) the unilateral monitoring of publicly-available information on price and other competitive data, and (2) the exchange of nonpublic information with competitors. [↑](#footnote-ref-3)
5. 5The DAPs' argument applies both to the argument that the DAPs' vendors did not pass on the entire overcharge to the DAPs (upstream pass-on) and that the DAPs passed on the entire overcharge to their customers (downstream pass-on). [↑](#footnote-ref-4)
6. 6Defendants also argue pass-on defenses are relevant to Best Buys' state law claims under Minnesota law. Best Buy, however, has since settled those claims. [↑](#footnote-ref-5)
7. 7Nor is the jury likely to be confused by "improperly conflat[ing] DAPs' legal competitor contacts with Defendants' illegal ones." Mot. #1. Information exchanges are not per se illegal. See [*United States v. U.S. Gypsum Co., 438 U.S. 422, 443, 98 S. Ct. 2864, 57 L. Ed. 2d 854 (1978)*](https://advance.lexis.com/api/document?collection=cases&id=urn:contentItem:3S4X-8PW0-003B-S1BT-00000-00&context=). If anything, therefore, the introduction of evidence showing how such exchanges can be for legitimate purposes will help the jury avoid making improper assumptions and help them determine whether the exchanges at issue are similar to legitimate exchanges or probative of something more nefarious. [↑](#footnote-ref-6)
8. 8The Court rejects Defendants' argument that reference to trebled damages under the [*Clayton Act*](https://advance.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:4YF7-GW01-NRF4-41BN-00000-00&context=) should be allowed because

   [i]n addition to showing potential bias, the availability of de-trebled damages under *ACPERA* may be relevant at trial to show that Chunghwa could have been motivated to enter into a leniency agreement with the DOJ by a desire to reduce its future civil liability**[\*230]** risk and not, as Plaintiffs will likely argue, because Chunghwa believed it had committed a violation of U.S. ***antitrust*** laws.

   Opp'n at 27. Defendants are free to argue that Chunghwa could have been motivated to enter into a leniency agreement by a desire to reduce its future civil liability, but they are precluded from making that point by referencing the fact that the DAPs' damages will be trebled. [↑](#footnote-ref-7)
9. 9The Court recognizes that whether the DAPs passed on some of the overcharge to their customers *may* be relevant to the calculation of damages under certain state law claims. The fact that the consumers to whom the DAPs passed on some of those overcharges also *brought suit* against Defendants, however, is irrelevant. [↑](#footnote-ref-8)