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Indirect Purchaser Plaintiffs*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Master File No. CV-07-5944-SC

MDL No. 1917

This Document Relates to:  
All Indirect Purchaser Actions

~~PROPOSED~~ ORDER GRANTING  
FINAL APPROVAL OF SETTLEMENT  
WITH CHUNGHWA PICTURE TUBES,  
LTD.

Hearing Date: March 15, 2012  
Time: 2:00 p.m.  
JAMS: Two Embarcadero Center, Suite 1500  
Judge: Honorable Samuel Conti  
Special Master: Charles A. Legge (Ret.)

Indirect Purchaser Plaintiffs' ("Plaintiffs") request for final approval of the settlement entered into with Chunghwa Picture Tubes, Ltd. ("Settling Defendant") and preliminarily approved by this Court on August 9, 2011 (the "Settlement") (*see* Docket Entry ("DE") 993) came on for hearing before Special Master Charles A. Legge (Ret.) (the "Hearing") on March 15, 2012. The Special Master has considered the relief requested, the papers filed in support

1 of this motion and in support of the motion for preliminary approval (*see* DE 884),<sup>1</sup> and all  
2 other arguments presented at the hearing. Due and adequate notice having been given, and  
3 good cause appearing therefor, it is:

4 **ORDERED, ADJUDICATED AND DECREED THAT:**

5 1. This Court has jurisdiction over the subject matter of the request and all  
6 matters relating thereto, including all members of the Class.

7 2. For purposes of this Order, except as otherwise set forth herein, the Special  
8 Master adopts and incorporates the definitions contained in the Settlement.

9 3. For settlement purposes only and pursuant to Federal Rule of Civil Procedure  
10 23, the Special Master determines that the following settlement class (the "Class")<sup>2</sup> be  
11 certified:

12 All persons and or entities who or which indirectly purchased in the United  
13 States CRT Products manufactured and/or sold by the Defendants, or any  
14 subsidiary, affiliate, or co-conspirator thereof, at any time during the period  
15 from at least March 1, 1995 through at least November 25, 2007, except, for  
16 purposes of claims on behalf of Illinois persons (as defined by 740 ILCS 10/4)  
17 under 740 Ill. Comp. Stat. § 10/7(2) and Oregon natural persons under ORS §§  
18 646.780(5)(a). Such Illinois and Oregon persons (as identified in the preceding  
19 sentence) shall instead be represented by the Attorney General of their state  
20 pursuant to the *parens patriae* authority granted to each Attorney General by  
21 those statutes. Specifically excluded from this Class are claims on behalf of  
22 Washington persons (as defined by RCW 19.86.010) for purposes of claims  
under RCW 19.86.080(1); the Defendants; the officers, directors or employees  
of any Defendant; any entity in which any Defendant has a controlling interest;  
and, any affiliate, legal representative, heir or assign of any Defendant. Also  
excluded are any federal, state or local government entities, any judicial officer  
presiding over this action and the members of his/her immediate family and

23 <sup>1</sup> A copy of the Settlement Agreement is attached as Exhibit 1 to the Declaration of Mario N.  
24 Alioto In Support Of Motion For Preliminary Approval Of Class Action Settlement With  
Chunghwa Picture Tubes, Ltd. *See* DE 884-1.

25 <sup>2</sup> Pursuant to the Special Master's Report and Recommendations Regarding Proposed  
26 Settlement With Chunghwa (DE 970), the Class definition approved by the Court is different  
from the Class definition in the Settlement Agreement.

1 judicial staff, and any juror assigned to this action.

2 4. The Special Master further finds that the prerequisites to a class action under  
3 Federal Rule of Civil Procedure 23 are satisfied for settlement purposes in that:

4 (a) there are thousands of class members and therefore joinder of all members is  
5 impracticable;

6 (b) there are questions of law or fact common to the class which predominate  
7 over individual issues;

8 (c) the claims or defenses of the class plaintiffs are typical of the claims or  
9 defenses of the class; and

10 (d) the class plaintiffs will fairly and adequately protect the interests of the class,  
11 and have retained counsel experienced in complex antitrust class action litigation who have  
12 and will continue to adequately represent the class.

13 5. Those persons or entities set out in Exhibit 1 attached hereto, have timely and  
14 validly requested exclusion from the Class and, therefore, are excluded.

15 6. Due and adequate notice of the Settlement was provided to the Class,  
16 including notice of the Settlement that was disseminated by publications in newspapers,  
17 Sunday supplements, direct mail and press releases, as well as postings on the website  
18 established for this case, [www.CRTsettlement.com](http://www.CRTsettlement.com). Such notice was given in accordance  
19 with this Court's Order Granting Preliminary Approval of Class Action Settlement with  
20 Defendant Chungwa Picture Tubes, Ltd. *See* DE 993. Such notice adequately advised the  
21 Class of the Settlement, of their right to exclude themselves from the Class or to object to the  
22 Settlement. The manner of giving notice provided in this case fully satisfies the requirements  
23 of Federal Rule of Civil Procedure 23 and due process, constitutes the best notice practicable  
24 under the circumstances, and constituted due and sufficient notice to all persons entitled  
25 thereto. A full and fair opportunity was provided to the members of the Class to be heard  
26 regarding the Settlement.

27 7. One objection to the Settlement was filed by Sean Hull. The objection is

1 hereby overruled on the grounds that the objector has failed to submit proof or otherwise  
2 establish that he is a member of the Class, and therefore lacks standing to challenge the  
3 Settlement. Additionally, the objection is otherwise without merit for the reasons set forth in  
4 Plaintiffs' Memorandum in Support of Final Approval of Class Action Settlement with  
5 Defendant Chunghwa Picture Tubes, Ltd., and as argued at the Final Fairness Hearing.

6 8. The Settlement is, in all respects, fair, adequate and reasonable to the Class.  
7 Accordingly, the Court hereby grants final approval of the Settlement.

8  
9 Dated: March 21, 2012

  
\_\_\_\_\_  
Hon. Charles A. Legge (Ret.)

10 REVIEWED AND [APPROVED ~~OR MODIFIED~~]

11  
12 Dated: Mar. 22, 2012

  
\_\_\_\_\_  
Hon. Samuel Conti  
United States District Judge

# EXHIBIT 1

**REQUESTS FOR EXCLUSION**  
(All Timely)

<b>REFERENCE NAME</b>	<b>COMPLETE DESCRIPTION</b>
1. Circuit City Stores	Alfred H. Siegel, as Trustee of the Circuit City Stores, Inc. Liquidating Trust, on behalf of itself and Circuit City Stores, Inc. and its affiliated debtors
2. Old Comp	<p>Old Comp Inc. and each of its parents, predecessors, successors, subsidiaries, agents, affiliates, partners, acquisitions, assignors, divisions, departments, and offices, including, but not limited to,</p> <ul style="list-style-type: none"> <li>Old Comp Inc. (formerly known as CompUSA Inc.)</li> <li>CompUSA GP Holdings Company</li> <li>CompUSA Holdings Company</li> <li>CompUSA Stores L.P.</li> <li>CompUSA Management Company</li> <li>CompTeam Inc.</li> <li>Cozone.com Inc.</li> <li>BeOn Inc. (formerly known as CompUSA PC Inc.)</li> <li>BeOn Operating Company (formerly known as CompUSA PC Operating Company)</li> <li>Computer City Inc.</li> <li>Good Guys Inc.</li> <li>Good Guys California, Inc.</li> <li>Goodguys.com Inc.</li> </ul>
3. PBE Consumer Electronics	PBE Consumer Electronics, LLC and related entities
4. Petters Company	Douglas A. Kelley, as Chapter 11 Trustee for Petters Company, Inc. and related entities and as Receiver for Petters Company, LLC and related entities

5. RadioShack	RadioShack Corporation and each of its parents, predecessors, successors, subsidiaries, agents, affiliates, partners, acquisitions, assignors, divisions, departments, and offices, including, but not limited to, RadioShack Corporation
6. Sears	Sears, Roebuck and Co. and Kmart Corporation and each of its parents, predecessors, successors, subsidiaries, agents, affiliates, partners, acquisitions, assignors, divisions, departments, and offices, including, but not limited to, Sears, Roebuck and Co. Sears Holding Corporation Sears Holdings Management Corporation Kmart Corporation Kmart Management Corporation Kmart Holdings Corporation
7. Target	Target Corporation and each of its parents, predecessors, successors, subsidiaries, agents, affiliates, partners, acquisitions, assignors, divisions, departments, and offices, including, but not limited to, Target Corporation
8. ViewSonic	ViewSonic Corporation and each of its parents, predecessors, successors, subsidiaries, agents, affiliates, partners, acquisitions, assignors, divisions, departments, and offices, including, but not limited to, ViewSonic Corporation ViewSonic International Corporation ViewSonic Display Limited ViewSonic Hong Kong Limited
9. Wal-Mart	Wal-Mart Stores, Inc. and its subsidiaries and affiliates, including but not limited to Wal-Mart Stores East, LP; Wal-Mart Stores Texas, LLC; Wal-Mart Louisiana, LLC; Wal-Mart Stores Arkansas, LLC; and Walmart.com USA, LLC (collectively operating as Walmart); and Sam's West, Inc. and Sam's East, Inc. (collectively operating as Sam's Club)
10. Rhodrick Harden	Rhodrick Harden from Columbus, Ohio