

Class Action Summary

Hard Disk Drive Suspension Assemblies Indirect Purchaser Antitrust Class Actions

This is not an official Court Notice. Information contained in this Summary is subject to change. There is no monetary settlement at this time.

If you or your business in the United States purchased HDD Suspension Assemblies, Standalone Storage Devices or Computers in the United States on or after **January 1, 2003**, an antitrust class action lawsuit alleging price fixing may affect you.

Eligible Class Members: If certified, eligible Class Members (excluding all federal governmental entities and instrumentalities of the federal government, states and their subdivisions, agencies and instrumentalities) include:

- 1) all persons or entities, who or which, from January 1, 2005 to May 31, 2016 purchased in the "Eligible Jurisdictions" (listed below) a "Standalone Storage Device" (defined below) or Computer, not for resale, which included a hard disk drive ("HDD") suspension assembly ("HDD Suspension Assembly" as defined below) that was manufactured or sold by "Defendants" (listed below), any current or former subsidiary of Defendants, or any co-conspirator of Defendants (the "**End User Class**"); or
- 2) all persons or entities in CA, MI, MN, NY or NC, who or which, from January 1, 2003 to the present: 1) purchased a Standalone Storage Device or Computer for resale which included as a component part one or more HDD Suspension Assemblies that were manufactured or sold by the Defendants, any current or former subsidiary of the Defendants, or any co-conspirator of the Defendants or 2) indirectly purchased an HDD Suspension Assembly, for resale, that was manufactured or sold by the Defendants, any current or former subsidiary of the Defendants, or any co-conspirator of the Defendants ; (the "**Reseller Class**").

"Eligible Jurisdictions": The Eligible Jurisdictions include the District of Columbia, AZ, AR, CA, FL, HI, IA, KS, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NM, NY, NC, ND, OR, RI, SC, SD, TN, UT, VT, VA, WV and WI.

Definition of "HDD Suspension Assemblies": HDD Suspension Assemblies are a critical component of HDDs, which are incorporated into electronic devices, such as desktop computers, laptops, gaming consoles, printers, copy machines and MP3 players, or sold as stand-alone storage servers. HDDs use recording heads to read from and write onto spinning disks contained in the HDD. An HDD Suspension Assembly is the electro-mechanical component that holds a disk drive's recording head at a microscopic distance above the drive's disks.

Definition of "Standalone Storage Device": Standalone Storage Devices are storage products comprised predominantly of HDDs. This includes personal HDD storage devices and enterprise HDD storage systems. Personal HDD storage devices include (i) "bare" HDDs, which are purchased for installation in a storage device or computer; (ii) external hard drives, which consist of an HDD, a simple USB adapter and/or power cord, and plastic housing; and (iii) network attached storage (NAS) drives, which are similar to an external hard drive but have a separate power supply and some additional hardware and/or software features. Enterprise HDD storage systems are storage servers and storage arrays, and include bare HDDs purchased for installation in the systems. Enterprise HDD storage systems are manufactured by a limited number of companies including BlueArc, Cisco Systems, Dot Hill, EMC, Isilon, LSI, NetApp, Seagate, Sun Microsystems/Oracle, Western Digital and Xyratex.

"Defendants": The following entities are Defendants in at least one of the class action complaints: NHK Spring Co. Ltd.; NHK International Corporation; NAT Peripheral (Hong Kong) Co., Ltd.; NAT Peripheral (Dong Guan) Co., Ltd.; NHK Spring (Thailand) Co., Ltd.; NHK Spring Co. Ltd.; NHK International Corporation; TDK Corporation; Magnecomp Precision Technology Public Co. Ltd.; Magnecomp Corporation; SAE Magnetics (H.K.) LTD; Hutchinson Technology Inc.; and John Does 1-10.

Case History: In 2019, several class action lawsuits were filed alleging the Defendants combined or conspired to fix, maintain, or stabilize prices of HDD Suspension Assemblies sold in the United States in violation of state antitrust laws. It is impossible to predict the outcome, but money may become available to End User Class and/or Reseller Class if the classes are certified and settlements are reached with the Defendants in the future. FRS will update this Summary as the case progresses and new information becomes available.

If a monetary settlement is obtained, information about it will be available from Class Counsel. You also may visit the court approved website once one is established. Please understand that you have the right to file on your own if and when there is a monetary settlement. To learn more about our services, visit www.FRSCO.com.

The Services FRS Provides: Financial Recovery Strategies (FRS) is a class action claims management consultant; we are not a court appointed claims administrator or class counsel. If you hire FRS, FRS will work within your guidelines to manage the claims process. The services that FRS provides include the following: (i) notifying you when we believe that you may be eligible to participate in settlements likely to be valuable to you; (ii) endeavoring to enhance the likelihood that all of your eligible business units (e.g., subsidiaries, divisions, acquisitions and divestitures) are included in the claims process; (iii) to reduce the support needed from your in-house staff, providing advice on what, if any, documents need to be collected and maintained, and, when requested, assisting in that effort; (iv) when required documents are not available or are too burdensome to collect, attempting to develop innovative alternatives to satisfy documentation requirements and striving to obtain approval of those alternatives; (v) preparing, assembling and submitting your claim package, and managing it throughout the claims processing phase, including working with you to address any concerns or questions claims administrators may have; (vi) providing regular updates on the recovery process; (vii) reviewing your payment to assure that it has not been under calculated; and (viii) following up with you to assure that your recovery check is deposited. FRS's recovery specialists are always available to answer any questions you may have.

How to Retain FRS: If you wish to hire FRS to file and manage a claim on your behalf, you must return a signed Claims Management Agreement and a signed Authority to File and Manage Claims. Before doing so, it is important that you understand their terms and make sure that all information about you is correct.