

FILED

SEP 3 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL) ANTITRUST
LITIGATION

No. M 07-1827 SI
MDL No. 1827

_____ /
This Order Relates To:

*Best Buy Co., Inc. v. AU Optronics Corp.,
et al.,*
Case No. 10-CV-4572 SI

*Best Buy Co., Inc. v. Toshiba Corp., et
al.,*
Case No. 12-CV-4114 SI

_____ /
SPECIAL VERDICT

We the jury unanimously find as follows on the questions submitted to us:

United States District Court
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Question 1: Did Best Buy prove, by a preponderance of the evidence and in accordance with the instructions given to you, that Toshiba knowingly participated in a conspiracy to fix, raise, maintain or stabilize the prices of TFT-LCD panels?

Yes _____ No _____

Question 2: Did Best Buy prove, by a preponderance of the evidence and in accordance with the instructions given to you, that HannStar knowingly participated in a conspiracy to fix, raise, maintain or stabilize the prices of TFT-LCD panels?

Yes _____ No _____

If your answer to either Question 1 or 2 is "Yes," please answer the next question. If your answers to both Questions 1 and 2 are "No," please go to the end of the verdict form, and sign and date it where indicated.

United States District Court
For the Northern District of California

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Question 3: Did Best Buy prove, by a preponderance of the evidence and in accordance with the instructions given to you, that the conspiracy involved TFT-LCD panels and/or finished products (e.g., notebook computers, computer monitors, televisions, camcorders, cell phones and digital cameras containing TFT-LCD panels) imported into the United States?

Yes No

If your answer to this question is "Yes," please answer the next question. If your answer to this question is "No," please go to Question 5.

Question 4: Did Best Buy prove, by a preponderance of the evidence and in accordance with the instructions given to you, that the conspiracy involving these imported TFT-LCD panels and/or finished products produced substantial intended effects in the United States?

Yes No

Please answer the next question.

Question 5: Did Best Buy prove, by a preponderance of the evidence and in accordance with the instructions given to you, that the conspiracy involved conduct which had a direct, substantial and reasonably foreseeable effect on trade or commerce in the United States?

Yes No

If your answer to either Question 4 or Question 5 is "Yes," please answer the next question. If your answers to both Question 4 and Question 5 are "No," please go to the end of the verdict form, and sign and date it where indicated.

United States District Court
For the Northern District of California

1 **Question 6:** Do you find, based on the preponderance of the evidence and in accordance with the
2 Court's instructions, that Best Buy discovered the conspiracy to fix the prices of TFT-LCD panels prior
3 to September 15, 2005?

4
5 _____
Yes

_____ ✓
No

6 If yes, in what month and year did Best Buy discover the conspiracy?

7
8 _____
Month

_____ Year

9
10 If your answer to Question 6 is "No," please answer the next question. If your answer to Question 6 is
11 "Yes," please go to Question 8.

12 **Question 7:** Do you find, based on the preponderance of the evidence and in accordance with the
13 Court's instructions, that Best Buy discovered the conspiracy to fix the prices of TFT-LCD panels prior
14 to February 5, 2006?

15
16 _____
Yes

_____ ✓
No

17 If yes, in what month and year did Best Buy discover the conspiracy?

18
19 _____
Month

_____ Year

20
21 **Question 8:** Did Best Buy prove, by a preponderance of the evidence and in accordance with the
22 instructions given to you, that it was injured as a result of the conspiracy in which one or both of the
23 defendants knowingly participated?

24
25 _____ ✓
Yes

_____ No

26
27 If your answer to this question "Yes," please answer the next question. If your answer to this question
28 is "No," please go to the end of the verdict form, and sign and date it where indicated.

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United States District Court
For the Northern District of California

Question 9: For Best Buy's direct purchases only, what is the amount of damages Best Buy proved, by a preponderance of the evidence and in accordance with the Court's instructions, that it suffered as a result of the conspiracy?

\$ 7,471,943
(Please fill in a dollar amount total)

Question 10: For Best Buy's indirect purchases only, what is the amount of damages Best Buy proved, by a preponderance of the evidence and in accordance with the Court's instructions, that it suffered as a result of the conspiracy?

\$ 0
(Please fill in a dollar amount total)

Date: 9/3/13



FOREPERSON