

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

IN RE STATIC RANDOM ACCESS MEMORY)	Case No. 4:07-md-1819 CW
(SRAM) ANTITRUST LITIGATION)	MDL No. 1819
_____)	NOTICE OF CLASS
This Document Relates to:)	ACTION SETTLEMENTS
_____)	Judge: Hon. Claudia Wilken
All Indirect Purchaser Actions)	
_____)	

**YOU MAY BE A CLASS MEMBER IN THE ABOVE-ENTITLED LAWSUIT
IF YOU INDIRECTLY PURCHASED STATIC RANDOM ACCESS MEMORY (SRAM)
BETWEEN NOVEMBER 1, 1996 AND DECEMBER 31, 2006
FROM ANY OF THE FOLLOWING COMPANIES:**

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| <ul style="list-style-type: none">• Cypress Semiconductor Corporation• Etron Technology, Inc.• Etron Technology America, Inc.• Hynix Semiconductor Inc.• Hynix Semiconductor America Inc.• Micron Technology, Inc.• Micron Semiconductor Products, Inc.• Mitsubishi Electric Corporation• Mitsubishi Electric & Electronics USA, Inc. | <ul style="list-style-type: none">• NEC Electronics Corporation• NEC Electronics America, Inc.• Renesas Technology Corp.• Renesas Technology America, Inc.• Samsung Electronics Company, Ltd.• Samsung Electronics America Inc.• Samsung Semiconductor, Inc.• Toshiba Corporation• Toshiba America Electronic Components, Inc. |
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**IF YOU ARE A MEMBER OF THE PLAINTIFF CLASS, YOU SHOULD READ THIS NOTICE
BECAUSE IT WILL AFFECT YOUR RIGHTS**

IMPORTANT NOTE: THIS NOTICE IS TO INFORM YOU OF SETTLEMENTS SO THAT YOU CAN MAKE AN INFORMED DECISION AS TO WHETHER YOU SHOULD EXCLUDE YOURSELF FROM A CLASS, COMMENT ON THE PROPOSED SETTLEMENT OR MAKE A CLAIM. THE COURT HAS NOT EXPRESSED ANY OPINION AS TO THE MERITS OF ANY OF THE CLAIMS OR DEFENSES ASSERTED BY EITHER SIDE IN THIS LAWSUIT.

OVERVIEW

This notice is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and by Order of the United States District Court for the Northern District of California (the “District Court”). Pending in the District Court is a class action lawsuit brought on behalf of indirect purchasers of Static Random Access Memory (SRAM). The lawsuit is *In re SRAM Antitrust Litigation*, Case No. 4:07-md-1819 CW; MDL No.1819. The class action complaint alleges violations of the antitrust laws in connection with the sale of SRAM. (*See* more detailed description below – “**What Is This Class Action About?**”)

The Settlement Class. The Court has certified a nationwide settlement class of individuals and companies that purchased SRAM in the United States indirectly from one or more Defendants (the “Settlement Class”). If you are a Settlement Class member, your rights will be affected by a proposed settlement with Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung Semiconductor, Inc. (collectively “Samsung”) and a proposed settlement with Cypress Semiconductor Corp. (“Cypress”) (the “Settlements”).

(See more detailed description below – “**What Is The Class Action Settlement?**”)

Pursuant to an Order of the District Court, a hearing (the “Fairness Hearing”) will be held on **October 6, 2011** before the Hon. Claudia Wilken, in Courtroom 2, on the 4th Floor of the United States District Courthouse, at 1301 Clay Street, Oakland, California 94612, to determine whether the proposed Settlements are fair, adequate and reasonable to the Class and, therefore, whether this litigation should be dismissed with prejudice against Samsung and Cypress (the “Settling Defendants”). The Court will also determine whether the proposed Plan of Distribution of settlement proceeds should be approved, and whether Class Counsel’s request for attorneys’ fees, reimbursement of their costs and expenses, and incentive payments for the court-appointed class representatives should be granted. The time and date of the Fairness Hearing may be continued without further notice to the Class. (See more detailed description below – “**What Is The Fairness Hearing?**”)

THE ALLEGATIONS, SETTLEMENT CLASS AND APPROVAL OF THE CLASS ACTION SETTLEMENTS

What is the Class Action About?

Plaintiffs claim that the Defendants conspired to fix, raise, maintain or stabilize prices of SRAM in violation of antitrust, unfair competition and unjust enrichment laws, resulting in overcharges to customers who indirectly purchased SRAM. Defendants deny that they did anything wrong. The District Court has not decided who is right. Samsung and Cypress, have agreed to settle with Plaintiffs; they continue to deny liability, but settled to avoid litigation expense and risk.

What Is The Class Action Settlement?

On February 11, 2011, the District Court preliminarily approved the Samsung Settlement. On March 11, 2011, the District Court preliminarily approved the Cypress Settlement. On June 6, 2011, the District Court ordered that this notice be provided to Settlement Class members. Following is a description of the Settlement Class, Settlement Class members’ options, a summary of the reasons for settlements and a description of the proposed Settlements.

Prior Settlements in this Class Action

In 2010, the Court approved settlements with all other defendants in the case (the “2010 Settlements”). The payments made by the other defendants in the 2010 Settlements total \$25,422,000. The 2010 Settlements are now final and binding on the Settlement Class.

Who Are Members of the Settlement Class?

The Settlement Class

The Settlement Class includes all persons and entities residing in the United States who, from November 1, 1996 through December 31, 2006 (the “Class Period”), purchased SRAM indirectly from one or more of the Defendants listed above. The Settlement Class includes persons or entities who indirectly purchased SRAM for their own use and not for resale (*i.e.*, End Users), as well as persons or entities who indirectly purchased SRAM for resale and not for their own use (*i.e.*, Resellers).

Types of SRAM

For purposes of the Settlement Class, SRAM means all types of Static Random Access Memory parts and modules as well as pseudostatic random access memory (“PSRAM”).

Products Containing SRAM

The Settlement Class includes persons or entities who purchased products containing Defendants’ SRAM. SRAM is used in a variety of product markets, including: (1) the communications market in cell phones and Voice Over Internet Protocol (VOIP) technology; (2) the computer market in servers, mainframes, high-end computer workstations, and personal digital assistants (PDAs) and smart phones; and (3) the networking communications market in routers, switches, proxy and gateway devices, modems, storage area networks and firewalls.

What Should I Do?

If you meet the definition of a member of the Settlement Class (see above “Who Are Members of the Settlement Class”), you can either: (1) remain a class member; or, (2) request to be excluded from the class. You may not exclude yourself from the 2010 Settlements because those settlements are final and binding on the Settlement Class.

Remain a Settlement Class Member.

If you want to remain a Settlement Class member, you do not need to take any further action at this time. You will automatically remain a Settlement Class member. (See below “What Happens If I Do Not Exclude Myself?”).

If you remain a class member, you will be bound by the Court’s rulings in the lawsuit, including any final Settlement or Judgment. However, you can object to or comment on any proposed Settlement, and you also have the right to appear in Court.

The Court has appointed Lead Counsel to represent all class members. Lead Counsel for the class is obligated to protect and pursue the interests of all class members. There is no cost to you to be represented by Lead Counsel for the class. You can also hire your own attorney at your own cost.

Exclude Yourself from the Settlement Class

If you want to exclude yourself from the Settlement Class and keep your right to sue the Settling Defendants on your own, you must take further action. (See below “How Do I Exclude Myself From the Settlement Class?”)

Any class member who excludes himself or herself from the Settlement Class will not be eligible to share in any of the Settlement Fund obtained by the Settlement Class in this action, including the proposed Settlements discussed below.

How Do I Exclude Myself From the Settlement Class?

Each class member shall have the right to be excluded from the Settlement Class by mailing a request for exclusion to SRAM Indirect Purchaser Exclusions, P.O. Box 8090, San Rafael, CA 94912-8090, postmarked no later than August 25, 2011.

Requests for exclusion must: (1) be in writing; (2) set forth the name and address of the person or entity who wishes to be excluded, as well as all trade names or business names and addresses used by such person or entity, if applicable; and (3) must be signed by the class member seeking exclusion.

What Happens If I Do Not Exclude Myself from the Settlement Class?

Any Settlement Class member who does not properly and timely request exclusion from the Settlement Class shall, upon final approval of the Settlements, be bound by all the terms and provisions of the Settlements, including but not limited to the releases, waivers, and covenants described in the Settlements; their claims against the Settling Defendants shall forever be released and dismissed, whether or not such person or entity objected to such Settlements and whether or not such person or entity made a claim upon any fund from such Settlements.

The Parties’ Reasons for Settlement

As part of this litigation, Class Counsel have conducted extensive formal discovery into the Plaintiffs’ claims and the defenses that might be asserted thereto. This investigation has included discovery and analysis of millions of pages of Defendants’ documents and records, depositions of certain of Defendants’ officers and employees, consultation with expert consultants, as well as analysis of relevant legal issues. Based on this investigation, Class Counsel believes that the Settlements are fair, reasonable and adequate and in the best interest of the Settlement Class. Class Counsel and Plaintiffs also recognize the expense and length of continued proceedings necessary to continue the litigation against the Settling Defendants through verdict, judgment and appeals, and have taken into account the uncertainty and the risk of the outcome of continued litigation, especially in complex actions such as these, and the difficulties and delays inherent in such actions.

Settling Defendants have denied and continued to deny each and all of the claims and contentions alleged by the Plaintiff. Settling Defendants have repeatedly asserted and continue to assert many defenses thereto, and have expressly denied and continue to deny any wrongdoing or legal liability arising out of any of the conduct alleged in the class action or that Plaintiffs and the Settlement Class have suffered any damage by reason of the alleged wrongdoing. Nevertheless, Settling Defendants have concluded that the further conduct of this litigation against them would be protracted and expensive and that settlement therefore is desirable. Settling Defendants also have taken into account the uncertainty and the risk of the outcome in any litigation, especially complex cases such as this one. Settling Defendants have, therefore, determined that it is desirable and beneficial to them that the litigation be settled in the manner and upon the terms and conditions set forth in the parties’ Settlements.

The Proposed Settlements

The Settlements represent compromises of disputed claims. It does not mean that liability or damages would have been found against any of the Settling Defendants. The Settling Defendants continue to deny any and all wrongdoing or liability.

The Settlement with Samsung requires the payment of Fourteen Million Nine Hundred Thousand U.S. Dollars (\$14,900,000) in cash. Pursuant to the Settlement, Samsung has deposited Fourteen Million Nine Hundred Thousand U.S. Dollars (\$14,900,000) into interest bearing accounts for the benefit of Settlement Class members.

The Settlement with Cypress requires the payment of One Million U.S. Dollars (\$1,000,000) in cash. Pursuant to the Settlement, Cypress has deposited One Million U.S. Dollars (\$1,000,000) into interest bearing accounts for the benefit of Settlement Class members.

If the Settlements are approved by the District Court and become effective, each Settlement Class member that did not timely and validly request exclusion from the Settlement Class (the "Releasors") shall have completely released, acquitted, and forever discharged from any and all claims, demands, actions, suits, causes of action, whether class, individual, direct, derivative, representative or otherwise in nature (whether or not any Settlement Class member has objected to the settlements or makes a claim upon or participates in the Settlement Fund, whether directly, representatively, derivatively or in any other capacity) that Releasors, or each of them, ever had, now has, or hereafter can, shall, or may have on account of, or in any way arising out of, any and all known and unknown, foreseen and unforeseen, suspected or unsuspected injuries, damages, and the consequences thereof in any way arising out of or relating in any way to any act or omission of the Settling Defendants (or any of them) concerning the manufacture, supply, distribution, sale or pricing of SRAM up through the last date of the Class Period, including but not limited to any conduct alleged, and causes of action asserted or that could have been alleged or asserted, in class action complaints filed in the Action, including those arising under any federal or state antitrust, unfair competition, unfair practices, price discrimination, unitary pricing, or trade practice law, including without limitation, the Sherman Antitrust Act, 15 U.S.C. § 1 et seq. However, the release shall not affect the rights of Settlement Class members to pursue claims against the Settling Defendants: (i) relative to any product defect, breach of contract or a similar such claim; (ii) based on direct purchases of SRAM; or, (iii) based on purchases of SRAM outside the United States.

THIS IS ONLY A SUMMARY OF THE SETTLEMENTS. THE SETTLEMENTS ARE ON FILE WITH THE DISTRICT COURT AND ARE AVAILABLE AT www.indirectsramcase.com.

Plan of Distribution of the Settlements and Attorneys' Fees

The total Settlement Fund from all settlements is \$41,322,000. The Settlement Class includes all persons and entities residing in the United States who, from November 1, 1996 through December 31, 2006, purchased SRAM in the United States indirectly from the Defendants. The foregoing Settlement Class includes indirect purchasers of SRAM that purchased and resold Defendants' SRAM ("Resellers"), as well as indirect purchasers of Defendants' SRAM that purchased it for their own use and not for resale ("End Users"). The Net Settlement Fund (*i.e.*, the Settlement Fund minus court-approved costs, attorneys' fees and incentive awards), will be distributed as follows: (1) 36.7% of the Net Settlement Fund will be distributed to qualified Resellers through a court-approved claims process; and (2) 63.3% of the Net Settlement Fund will be distributed via a Court-approved *cy pres* plan to non-profit charities for the benefit of End Users.

The *cy pres* portion of the distribution plan is due to the cost to process claims and make direct cash distributions to many thousands of potential claimants relative to the average likely award to those claimants. Under the *cy pres* plan of distribution, payments will not be made to individual End User members of the Settlement Class; instead, that portion of the Net Settlement Fund will be distributed to court-approved non-profit charities. The proposed recipients include nonprofit, charitable organizations that serve groups that are, as nearly practicable, representative of the End Users in the Settlement Class, as well as other court-approved nonprofit, charitable organizations. Go to the website below to see the distribution plan details or the list of proposed non-profit charities. Unclaimed funds from the Reseller claims process, if any, will be added to the *cy pres* distribution.

Class Counsel will request attorney's fees in the amount of one-third of the total Settlement Fund plus reimbursement of their costs and expenses. Class Counsel's attorneys' fees request will be filed with the Court no later than August 1, 2011. Class Counsel will also request incentive payments for the court-appointed class representatives. To see Class Counsel's requests, review their filings with the District Court or go to the class action website at www.indirectsramcase.com.

What Is The Fairness Hearing?

A Fairness Hearing will be held on **October 6, 2011** before the Hon. Claudia Wilken, in Courtroom 2, on the 4th Floor of the United States District Courthouse, at 1301 Clay Street, Oakland, California 94612. At that hearing, Judge Wilken will determine whether the proposed Settlements are fair, adequate and reasonable to the Settlement Class and, therefore, whether this litigation should be dismissed with prejudice against the Settling Defendants. The Court will also determine whether the proposed Plan of Distribution of settlement proceeds should be approved, and whether Class Counsel's request for attorneys' fees, reimbursement of their costs and expenses, and incentive payments for the court-appointed class representatives should be granted. The time and date of the Fairness Hearing may be continued without further notice to the Class. However, any change to the date or time of the Fairness Hearing will be published on the class action website.

Right to Appear and Object to the Settlements at the Fairness Hearing

Any Settlement Class member may appear and be heard regarding any of the matters before the District Court at the Fairness Hearing, including objecting to the Settlements, the Plan of Distribution or the attorneys' fees request. A Settlement Class member is not required to appear in person at the hearing, but can instead make only a written submission to the District Court. In any event, a Settlement Class member who intends to appear in person, or who wants to have only a written submission considered, must file with the District Court Clerk a notice that fully sets forth the Settlement Class member's arguments, including proof of membership in the Settlement Class and any objection to the Settlement. That notice must be filed with the Clerk, United States District Court for the Northern District of California, 1301 Clay Street, Oakland CA 94612, **no later than August 25, 2011**, with copies served, **no later than August 25, 2011**, on the counsel identified below:

Counsel for Plaintiffs and the Settlement Class

Francis O. Scarpulla
Craig C. Corbitt
Christopher T. Micheletti
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Counsel for Samsung

James L. McGinnis
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SHEPPARD MULLIN RICHTER &
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Four Embarcadero Center, 17th Floor
San Francisco, CA 94111-4106

Counsel for Cypress

Lee H. Rubin
MAYER BROWN LLP
Two Palo Alto Square, Suite 300
3000 El Camino Real
Palo Alto, CA 94306-2112

What Should I Do?

If you are a Settlement Class member, you may: (1) do nothing; (2) submit a claim, but only if you are a Reseller member of the Settlement Class; or (3) file a notice to be heard at the Fairness Hearing.

Do Nothing

- If you are a Settlement Class member, you may choose to do nothing at this time. If you are a Reseller member of the Settlement Class and do nothing, you will not receive any payments. If you are an End User member of the Settlement Class and do nothing, net Settlement Fund proceeds will still be distributed to court-approved non-profit charities.
- By doing nothing, you will be bound by the District Court's rulings with respect to the proposed Settlements and dismissals against the Settling Defendants.

Submit a Claim if You are A Reseller

- If you are a Reseller member of the Settlement Class, you may submit a claim for payment. You must submit a claim postmarked by **no later than October 24, 2011**.
- Submitting a claim does not guarantee that you will receive a payment. Your claim will be reviewed by the Settlement Administrator and only qualified Reseller claimants will receive payments.
- If you are a Reseller and want to make a claim, or for more information, you may 1) write to SRAM Indirect Litigation, P.O. Box 8090, San Rafael, CA 94912-8090, 2) call the toll free phone number below or 3) visit the website www.indirectsramcase.com.

File Notice to be Heard at the Fairness Hearing

- If you are a Settlement Class member and you want to be heard regarding any of the matters before the District Court at the Fairness Hearing, including objecting to the Settlement, you must file notice with the District Court Clerk *no later than August 25, 2011*. (See more detailed description above “**Right to Appear and Object to the Settlements at the Fairness Hearing**”)
- If you do not file notice as described above, you waive your right to object to the Settlements.

IF YOU ARE A SETTLEMENT CLASS MEMBER AND YOU WANT TO BE HEARD AT THE FAIRNESS HEARING, YOU MUST FILE NOTICE WITH THE DISTRICT COURT AS DESCRIBED HEREIN.

Important Dates

- **August 25, 2011:** Last day for Settlement Class members to file notice with District Court Clerk to be heard at Fairness Hearing, including notice of objection to any Settlement.
- **August 25, 2011:** Last day for Settlement Class members to serve above-listed counsel with any notice to be heard at Fairness Hearing, including any notice of objection to any Settlement.
- **October 6, 2011:** Fairness Hearing, includes hearing to finally approve the Settlements. (Date subject to change per District Court Order.)
- **October 24, 2011:** Last day for Reseller members of the Settlement Class to submit a claim for payment from the Settlement Fund. Claim submission must be postmarked by this date.

THIS IS ONLY A SUMMARY OF THE CLASS ACTION SETTLEMENTS. FOR MORE DETAILED INFORMATION ABOUT THIS LITIGATION, YOU ARE REFERRED TO THE PAPERS FILED IN THE ACTION WHICH MAY BE INSPECTED AT THE DISTRICT COURT. IN ADDITION, THE SETTLEMENT AGREEMENTS AND OTHER INFORMATION ABOUT THE CASE ARE AVAILABLE ONLINE AT www.indirectsramcase.com.

ALL INQUIRIES CONCERNING THIS NOTICE AND THE SETTLEMENT SHOULD BE DIRECTED TO PLAINTIFFS’ CLASS COUNSEL OR THE SETTLEMENT ADMINISTRATOR AT THE ADDRESSES LISTED HEREIN. INQUIRIES SHOULD NOT BE DIRECTED TO COUNSEL FOR SETTLING DEFENDANTS OR THE DISTRICT COURT.

Dated: June 23, 2011

/s/ Hon. Claudia Wilken
By Order of the United States District Court,
Northern District of California (Oakland Division)