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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:
ALL CASES

ORDER DENYING UNITED STATES' OBJECTIONS TO SPECIAL MASTER'S AUGUST 24, 2009 REPORT AND RECOMMENDATION; ADOPTING REPORT AND RECOMMENDATION

On October 9, 2009, the Court heard argument on the United States' objections to the Special Master's August 24, 2009 Report and Recommendation Re: Toshiba Entities' Motion for Modifications to the Discovery Schedule and Plan. The Court DENIES the United States' objections and hereby ADOPTS the Report and Recommendation. As set forth in the Report and Recommendation, the United States shall be limited to reviewing access only, without the right to copy foreign documents and deposition transcripts of foreign national employees of the Toshiba Entities and AUO, as well as the other non-indicted foreign defendants (such as the Chi Mei defendants and Hannstar Display Corporation). In accordance with the Report and Recommendation, Toshiba and AUO are ordered to immediately produce the overdue foreign discovery and proceed with depositions as anticipated.

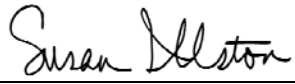
The Toshiba entities also seek an order prohibiting the Department of Justice from issuing subpoenas for the foreign documents. The Court DENIES that request. If and when the DOJ seeks to enforce existing subpoenas, or issues new subpoenas seeking the foreign documents, the matter will then be ripe for decision. Alternatively, the Toshiba entities seek a stay on foreign discovery. The Court DENIES that request because a stay would be unfair to the civil plaintiffs whose discovery from Toshiba has already been delayed for over a year.

United States District Court
For the Northern District of California

1 Accordingly, the Court DENIES the DOJ's objections (Docket No. 1258) and ADOPTS the
2 Report and Recommendation (Docket No. 1223). The Court also GRANTS the Toshiba Entities'
3 motion for leave to file a response to the direct purchasers plaintiffs' response, and that response shall
4 be considered part of the record. (Docket No. 1315).

5
6 **IT IS SO ORDERED.**

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8 Dated: October 20, 2009



SUSAN ILLSTON
United States District Judge