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4 **UNITED STATES DISTRICT COURT**  
5 **NORTHERN DISTRICT OF CALIFORNIA**  
6 **SAN FRANCISCO DIVISION**

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

Master Docket No. M:07-1827 SI

MDL No. 1827

9 THIS DOCUMENT RELATES TO:

Individual Case No. 3:10-cv-05625 SI

10 ALFRED H. SIEGEL, AS TRUSTEE OF THE  
11 CIRCUIT CITY STORES, INC. LIQUIDATING  
12 TRUST,

**[PROPOSED] ORDER GRANTING  
CIRCUIT CITY TRUST'S MOTION  
FOR RECONSIDERATION**

Plaintiff,

13 v.

14 AU OPTRONICS CORPORATION,  
15 ET AL.

Defendants.

16  
17 Currently before the Court is Circuit City Trust's Motion for Reconsideration ("Motion")  
18 of a portion of the Court's July 3, 2014 Order Granting in Part and Denying in Part Motion for  
19 Summary Judgment Based on Undisclosed Conspirators or Affiliates ("Order"). Motion at MDL  
20 Master Dkt. No 9166; Order at MDL Master Dkt. No. 9151. In the Motion, the Circuit City Trust  
21 seeks reconsideration of that portion of the Order granting summary judgment as to claims for  
22 damages based on purchases of LCD products from Hitachi America, Inc. as an entity owned or  
23 controlled by Hitachi, Ltd.  
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25 On August 19, 2014, the Court granted Circuit City Trust leave to file the Motion under  
26 Local Rule 7-9 and gave defendants until September 8, 2014 to file responsive papers. Order  
27 Granting Plaintiff's Request for Leave to File Motion for Reconsideration of July 3, 2014 Order,  
28

[Proposed] Order - 1

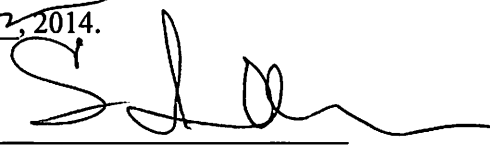
MASTER FILE NO.: M-07-1827-SI  
CASE NO. 3:10-05625 SI

3341163v1/011997

1 MDL Master Dkt. 9189. On September 8, 2014, defendants filed a Statement of Non-Opposition  
2 to Plaintiff Circuit City Trust's Motion for Reconsideration, in which they state they "do not  
3 oppose the relief requested in plaintiff's Motion for Reconsideration filed July 15, 2014. MDL  
4 Master Dkt. 9213 at 1.  
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6 In light of defendants' non-opposition to the Motion, and for the reasons for  
7 reconsideration stated in the Motion, the Court hereby GRANTS Circuit City Trust's Motion for  
8 Reconsideration. Therefore, Defendants' Motion for Summary Judgment Based on Undisclosed  
9 Conspirators or Affiliates is DENIED as to claims of the Circuit City Trust for damages based on  
10 purchases of LCD products from Hitachi America, Inc. as an entity owned or controlled by  
11 Hitachi, Ltd.  
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13 IT IS SO ORDERED.

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15 This 26<sup>th</sup> day of September, 2014.  
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18 Hon. Susan Illston  
19 United States District Court Judge  
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