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9 *Automatic Pro Hac Vice Admission
 10 Pursuant to Pretrial Order No. 1,
 11 Dated July 3, 2007 (Waiving Civil L.R. 11-3)

12 **Attorney for Plaintiff, State of New York**

13 **IN THE UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

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

18 MASTER FILE NO. 07-md-1827-SI
 19 MDL File No. 1827

20 This Document Relates to
 21 Case Nos. 3:07-MD-1827 and 3:11-CV-711

22 CASE NO. 3:11-CV-711-SI

23 STATE OF NEW YORK
 24 by and through ERIC T. SCHNEIDERMAN,
 25 Attorney General

26 **PLAINTIFF STATE OF NEW**
 27 **YORK'S STIPULATION AND**
 28 **[PROPOSED] ORDER REGARDING**
TIME TO FILE EXPERT
DISCLOSURE

Plaintiff,

Judge Susan Y. Illston

v.

AU OPTRONICS CORPORATION, et al.,

Defendants.

WHEREAS the revised scheduling order in the above-captioned case provides that plaintiff must disclose to defendants the identity of its expert(s) and provide a one-paragraph description of the issues to be addressed by each expert on October 3, 2011;

1 WHEREAS Plaintiff State of New York contemplates retaining two experts - a direct
2 damages expert and an indirect damages expert - in the above-captioned case;

3 WHEREAS any direct damages expert retained by Plaintiff State of New York may
4 address: (i) the conditions for cartel behavior, particularly in light of the characteristics of TFT-
5 LCD panels and the structure of the TFT-LCD industry; (ii) whether the economic evidence,
6 including pricing behavior, is consistent with the existence of a conspiracy among Defendants;
7 (iii) whether the cartel had an economic impact by increasing prices above competitive levels
8 with respect to direct purchasers, particularly as to the claims assigned to New York by HP, Dell,
9 IBM, and Lenovo (the "Assigned Claims"); (iv) whether New York was injured; (v) the amount
10 of damages and/or restitution to which New York is entitled pursuant to the Assigned Claims;
11 (vi) the volume of TFT-LCD commerce with respect to New York; and (viii) may also respond
12 to any economic analysis that seeks to deny the existence of Defendants' conspiracy, the effects
13 of the conspiracy, or the participants in the conspiracy;

14 WHEREAS any indirect damages expert retained by New York may address: (i) the
15 conditions for cartel behavior, particularly in light of the characteristics of TFT-LCD panels and
16 the structure of the TFT-LCD industry; (ii) whether the economic evidence, including pricing
17 behavior, is consistent with the existence of a conspiracy among Defendants; (iii) whether the
18 cartel had an economic impact by increasing prices above competitive levels with respect to
19 direct purchasers, or employ analysis and results generated by New York's direct damages
20 expert; calculate the extent of any pass-through of the overcharges; (iv) whether the overcharges
21 resulted in higher prices with respect to the end-payor purchases that have been asserted in New
22 York's complaint; (v) whether New York was injured; (vi) the nominal recoveries for damages
23 and/or restitution to which New York is entitled; (vii) the volume of TFT-LCD commerce with
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1 respect to New York; and (viii) may also respond to any economic analysis that seeks to deny the
2 existence of Defendants' conspiracy, the effects of the conspiracy, or the participants in the
3 conspiracy;

4 WHEREAS Plaintiff State of New York desires additional time to identify its experts;

5 WHEREAS extending the time for Plaintiff State of New York to identify its experts
6 would not alter the date of any other event or deadline already fixed by the Court;

7 NOW, THEREFORE, the Undersigned Parties, acting by and through their respective
8 counsel of record, stipulate and agree as follows:

9 Plaintiff State of New York will have until October 17, 2011 to identify its experts.
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12
13 Dated: October 3, 2011

Respectfully submitted,

14 ERIC T. SCHNEIDERMAN
15 Attorney General of the State of New York

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23 Order No. 1, Dated July 3, 2007 (Waiving Civil L.R. 11-3)
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1 Dated: October 3, 2011

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14 Dated: October 3, 2011

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25 Dated: October 3, 2011

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Dated: October 3, 2011

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Dated: October 3, 2011

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1 Dated: October 3, 2011

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19 *Attorneys for Defendants Toshiba Corporation, Toshiba*
20 *Mobile Display Co., Ltd., Toshiba America Electronic*
21 *Components, Inc., and Toshiba America Information*
22 *Systems, Inc.*

23 Attestation: The filer of this documents attests that the concurrence of the other signatories
24 thereto has been obtained.

25 SO ORDERED

26 

27 Honorable Susan J. Illston

28 10/3/11

Date Entered