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10 Attorneys for SANYO Consumer Electronics Co., Ltd.

11
 12 IN THE UNITED STATES DISTRICT COURT
 13 THE NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15
 16 IN RE: TFT-LCD (FLAT PANEL) ANTITRUST) Master File No. 3:07-md-1827 SI
 LITIGATION) Case No. 3:11-CV-02591-SI
 17 This Document Relates To:)
 Case No. 3:11-CV-02591-SI) MDL No. 1827
 18)
 19 T-Mobile U.S.A., Inc.,) ANSWER AND AFFIRMATIVE
 Plaintiff,) DEFENSES OF SANYO CONSUMER
 20 v.) ELECTRONICS CO., LTD. TO
) AMENDED COMPLAINT OF T-
 21 AU Optronics Corporation, et al.,) MOBILE U.S.A., INC.
)
 22 Defendants.)

23 SANYO Consumer Electronics Co., Ltd. ("SANYO Consumer Electronics") responds to
 24 and answers plaintiff T-Mobile US.A., Inc.'s ("Plaintiff's") Amended Complaint ("Complaint") as
 25 follows:

26 **ANSWER**

27 1. SANYO Consumer Electronics lacks knowledge or information sufficient to form a

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1 belief as to the truth of the allegations and on that basis denies each and every allegation.

2 2. To the extent the allegations contained in paragraph 2 of the Complaint are directed
3 to other defendants, SANYO Consumer Electronics lacks knowledge or information sufficient to
4 form a belief as to the truth of the allegations and on that basis denies each and every allegation.

5 To the extent the allegations contained in paragraph 2 are directed to SANYO Consumer
6 Electronics, they are denied.

7 3. SANYO Consumer Electronics admits that different types of technologies were
8 used in hand-held devices, denies the allegations in paragraph 3 to the extent directed to SANYO
9 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
10 sufficient to form a belief as to their truth in all other respects. SANYO Consumer Electronics
11 objects to Plaintiff's definition of "LCD Panel" because it does not adequately describe LCD
12 technology and unnecessarily encompasses TFT, TFD, CSTN, and MSTN technology. This
13 creates confusion and ambiguity in this paragraph and wherever it is used elsewhere in the
14 Complaint.

15 4. SANYO Consumer Electronics denies the allegations in paragraph 4 to the extent
16 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
17 knowledge or information sufficient to form a belief as to their truth in all other respects.

18 5. To the extent the allegations in paragraph 5 of the complaint purport to characterize
19 publicly filed documents, the contents of the documents speak for themselves and require no
20 further response. As to the remaining allegations, SANYO Consumer Electronics denies the
21 allegations in paragraph 5 to the extent directed to SANYO Consumer Electronics, and otherwise
22 denies the allegations for lack of knowledge or information sufficient to form a belief as to their
23 truth in all other respects.

24 6. To the extent the allegations in paragraph 6 of the complaint purport to characterize
25 publicly filed documents, the contents of the documents speak for themselves and require no
26 further response. As to the remaining allegations, SANYO Consumer Electronics denies the
27 allegations in paragraph 6 to the extent directed to SANYO Consumer Electronics, and otherwise
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1 denies the allegations for lack of knowledge or information sufficient to form a belief as to their
2 truth in all other respects. Further, in light of this Court's Order (MDL Dkt. No. 4786) granted on
3 February 6, 2012, Plaintiff's California and New York state law claims were dismissed.

4 7. SANYO Consumer Electronics denies the allegations in paragraph 7 to the extent
5 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
6 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
7 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
8 California and New York state law claims were dismissed.

9 8. SANYO Consumer Electronics denies the allegations in paragraph 8 to the extent
10 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
11 knowledge or information sufficient to form a belief as to their truth in all other respects. In
12 further response, SANYO Consumer Electronics denies and objects to Plaintiff's definition of
13 "LCD Products" because the definition comprises a wide variety of items of commerce that appear
14 at many different levels of many different production chains, and that are traded in multiple,
15 separate markets, including multiple, separate markets for LCD panels and multiple, separate
16 markets for products containing LCD panels. Moreover, some defendants manufacture or sell
17 only LCD panels, not products containing LCD panels, and some defendants manufacture or sell
18 only limited kinds of LCD panels, not all kinds of LCD panels, and not products containing LCD
19 panels of any kind. Thus, as defined, the term "LCD Products" creates confusion and ambiguity
20 in this paragraph and wherever it is used elsewhere in the Complaint.

21 9. SANYO Consumer Electronics denies Plaintiff has stated a claim or are entitled to
22 any relief under Sections 4 and 16 of the Clayton Act (15 U.S.C. § 15, 26), Section 1 of the
23 Sherman Act (15 U.S.C. § 1) or any other law, and denies the allegations in paragraph 9 in all
24 other respects. Further, in light of this Court's Order (MDL Dkt. No. 4786) granted on February
25 6, 2012, Plaintiff's California and New York state law claims were dismissed.

26 10. SANYO Consumer Electronics denies Plaintiff has stated a claim or are entitled to
27 any relief under Sections 4 and 16 of the Clayton Act (15 U.S.C. § 15, 26), Section 1 of the
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1 Sherman Act (15 U.S.C. § 1) or any other law, and denies the allegations in paragraph 10 in all
2 other respects. Plaintiff has represented that it does not seek to recover for indirect purchases
3 under federal law. *See* MDL Dkt. No. 4786 (February 6, 2012), footnote 1.

4 11. SANYO Consumer Electronics denies plaintiff has stated a claim or is entitled to
5 any relief under Section 16750(a), 17200, *et seq.*, and specifically 17203 and 17204 of the
6 California Business and Professions Code and Section 340 *et seq.* of the New York General
7 Business Law. As to any remaining allegations, SANYO Consumer Electronics denies the
8 allegations in paragraph 11 to the extent directed to SANYO Consumer Electronics, and otherwise
9 denies the allegations for lack of knowledge or information sufficient to form a belief as to their
10 truth in all other respects. Further, in light of this Court's Order (MDL Dkt. No. 4786) granted on
11 February 6, 2012, Plaintiff's California and New York state law claims were dismissed.

12 12. SANYO Consumer Electronics denies that the Court has subject matter jurisdiction
13 pursuant to Sections 4 and 16 of the Clayton Act (15 U.S.C. § 15, 26) and 28 U.S.C. § 1331 and
14 1337 or any other law; denies that the Court has supplemental jurisdiction pursuant to 28 U.S.C.
15 § 1367 or any other law; and denies the allegations in paragraph 12 in all other respects.

16 13. SANYO Consumer Electronics denies the allegations in paragraph 13 to the extent
17 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
18 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
19 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
20 California and New York state law claims were dismissed.

21 14. SANYO Consumer Electronics denies plaintiff has stated a claim or is entitled to
22 any relief under Section 12 of the Clayton Act, 15 U.S.C. §22. As to any remaining allegations,
23 SANYO Consumer Electronics denies the allegations in paragraph 14 to the extent directed to
24 SANYO Consumer Electronics, and otherwise denies the allegations for lack of knowledge or
25 information sufficient to form a belief as to their truth in all other respects.

26 15. SANYO Consumer Electronics admits that this case is related to the MDL action.
27 As to any remaining allegations, SANYO Consumer Electronics denies the allegations in
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1 paragraph 15 to the extent directed to SANYO Consumer Electronics, and otherwise denies the
2 allegations for lack of knowledge or information sufficient to form a belief as to their truth in all
3 other respects. Further, in light of this Court's Order (MDL Dkt. No. 4786) granted on February
4 6, 2012, Plaintiff's California and New York state law claims were dismissed.

5 16. SANYO Consumer Electronics responds that paragraph 16 is a legal conclusion
6 and no response is required. To the extent a response is deemed necessary, SANYO Consumer
7 Electronics denies the allegations in paragraph 16 to the extent directed to SANYO Consumer
8 Electronics, and otherwise denies the allegations for lack of knowledge or information sufficient to
9 form a belief as to their truth in all other respects.

10 17. SANYO Consumer Electronics admits that paragraph 17 generally describes some
11 basic aspects of the nature, technology, and means of manufacturing LCD panels, modules, and
12 appliances containing LCD panels, that some types of LCD panels are incorporated in many
13 appliances, including, but not limited to, computer monitors, televisions, and cellular telephones,
14 and that at various times, different types of LCD panels were used in a wide variety of appliances,
15 including, but not limited to, wireless handsets. The second sentence and the fourth sentence of
16 paragraph 17 consist of Plaintiff's explanation of terminology and is not an allegation of fact to
17 which a response is required. To the extent a response is deemed necessary and except as
18 specifically admitted in this paragraph, SANYO Consumer Electronics denies the allegations in
19 paragraph 17 to the extent directed to SANYO Consumer Electronics, and otherwise denies the
20 allegations for lack of knowledge or information sufficient to form a belief as to their truth in all
21 other respects.

22 18. Answering paragraph 18, SANYO Consumer Electronics admits that hand-held
23 devices employed different types of technology. SANYO Consumer Electronics denies the
24 remaining allegations in paragraph 18 to the extent directed to SANYO Consumer Electronics,
25 and otherwise denies the allegations for lack of knowledge or information sufficient to form a
26 belief as to their truth in all other respects. SANYO Consumer Electronics denies and objects to
27 Plaintiff's definition of "LCD Panel" because it does not adequately describe LCD technology and
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1 unnecessarily encompasses TFT, TFD, CSTN, and MSTN technology. This creates confusion and
2 ambiguity in this paragraph and wherever it is used elsewhere in the Complaint.

3 19. Paragraph 19 consists of Plaintiff's explanation of terminology and is not an
4 allegation of fact to which a response is required. To the extent a response is deemed necessary,
5 SANYO Consumer Electronics denies the allegations in paragraph 19 to the extent directed to
6 SANYO Consumer Electronics, and otherwise denies the allegations for lack of knowledge or
7 information sufficient to form a belief as to their truth in all other respects. In further response,
8 SANYO Consumer Electronics objects to Plaintiff's definition of "LCD Products" because the
9 definition comprises a wide variety of items of commerce that appear at many different levels of
10 many different production chains, and that are traded in multiple, separate markets, including
11 multiple, separate markets for LCD panels and multiple, separate markets for products containing
12 LCD panels. Moreover, some defendants manufacture or sell only LCD panels, not products
13 containing LCD panels, and some defendants manufacture or sell only limited kinds of LCD
14 panels, not all kinds of LCD panels, and not products containing LCD panels of any kind. Thus,
15 as defined, the term "LCD Products" creates confusion and ambiguity in this paragraph and
16 wherever it is used elsewhere in the Complaint.

17 20. Paragraph 20 consists of Plaintiff's explanation of terminology and is not an
18 allegation of fact to which a response is required. SANYO Consumer Electronics denies that the
19 term "original equipment manufacturer" is meaningful given the allegations in Plaintiff's
20 complaint. To the extent a response is deemed necessary, SANYO Consumer Electronics denies
21 the allegations in paragraph 20 to the extent directed to SANYO Consumer Electronics, and
22 otherwise denies the allegations for lack of knowledge or information sufficient to form a belief as
23 to their truth.

24 21. Paragraph 21 consists of Plaintiff's explanation of terminology and is not an
25 allegation of fact to which a response is required. To the extent a response is deemed necessary,
26 SANYO Consumer Electronics denies the allegations in paragraph 21 to the extent directed to
27 SANYO Consumer Electronics, and otherwise denies the allegations for lack of knowledge or
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1 information sufficient to form a belief as to their truth in all other respects.

2 22. SANYO Consumer Electronics denies the allegations in paragraph 22 to the extent
3 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
4 knowledge or information sufficient to form a belief as to their truth in all other respects.

5 23. SANYO Consumer Electronics denies the allegations in paragraph 23 to the extent
6 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
7 knowledge or information sufficient to form a belief as to their truth in all other respects.

8 24. SANYO Consumer Electronics denies the allegations in paragraph 24 to the extent
9 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
10 knowledge or information sufficient to form a belief as to their truth in all other respects.

11 25. SANYO Consumer Electronics denies the allegations in paragraph 25 to the extent
12 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
13 knowledge or information sufficient to form a belief as to their truth in all other respects.

14 26. SANYO Consumer Electronics denies the allegations in paragraph 26 to the extent
15 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
16 knowledge or information sufficient to form a belief as to their truth in all other respects.

17 27. SANYO Consumer Electronics denies the allegations in paragraph 27 to the extent
18 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
19 knowledge or information sufficient to form a belief as to their truth in all other respects.

20 28. SANYO Consumer Electronics denies the allegations in paragraph 28 to the extent
21 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
22 knowledge or information sufficient to form a belief as to their truth in all other respects.

23 29. SANYO Consumer Electronics denies the allegations in paragraph 29 for lack of
24 knowledge or information sufficient to form a belief as to their truth.

25 30. SANYO Consumer Electronics denies the allegations in paragraph 30 for lack of
26 knowledge or information sufficient to form a belief as to their truth.

27 31. Paragraph 31 consists of Plaintiff's explanation of terminology and is not an
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1 allegation of fact to which a response is required. To the extent a response is deemed necessary,
2 SANYO Consumer Electronics denies the allegations in paragraph 31 for lack of knowledge or
3 information sufficient to form a belief as to their truth.

4 32. SANYO Consumer Electronics denies the allegations in paragraph 32 for lack of
5 knowledge or information sufficient to form a belief as to their truth.

6 33. SANYO Consumer Electronics denies the allegations in paragraph 33 for lack of
7 knowledge or information sufficient to form a belief as to their truth.

8 34. SANYO Consumer Electronics denies the allegations in paragraph 34 for lack of
9 knowledge or information sufficient to form a belief as to their truth.

10 35. SANYO Consumer Electronics denies the allegations in paragraph 35 for lack of
11 knowledge or information sufficient to form a belief as to their truth.

12 36. SANYO Consumer Electronics denies the allegations in paragraph 36 for lack of
13 knowledge or information sufficient to form a belief as to their truth.

14 37. SANYO Consumer Electronics denies the allegations in paragraph 37 for lack of
15 knowledge or information sufficient to form a belief as to their truth.

16 38. Paragraph 38 consists of Plaintiff's explanation of terminology and is not an
17 allegation of fact to which a response is required. To the extent a response is deemed necessary,
18 SANYO Consumer Electronics denies the allegations in paragraph 38 for lack of knowledge or
19 information sufficient to form a belief as to their truth.

20 39. SANYO Consumer Electronics denies the allegations in paragraph 39 for lack of
21 knowledge or information sufficient to form a belief as to their truth.

22 40. SANYO Consumer Electronics denies the allegations in paragraph 40 for lack of
23 knowledge or information sufficient to form a belief as to their truth.

24 41. SANYO Consumer Electronics denies the allegations in paragraph 41 for lack of
25 knowledge or information sufficient to form a belief as to their truth.

26 42. Paragraph 42 consists of Plaintiff's explanation of terminology and is not an
27 allegation of fact to which a response is required. To the extent a response is deemed necessary,
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1 SANYO Consumer Electronics denies the allegations in paragraph 42 for lack of knowledge or
2 information sufficient to form a belief as to their truth.

3 43. SANYO Consumer Electronics denies the allegations in paragraph 43 for lack of
4 knowledge or information sufficient to form a belief as to their truth.

5 44. SANYO Consumer Electronics denies the allegations in paragraph 44 for lack of
6 knowledge or information sufficient to form a belief as to their truth.

7 45. SANYO Consumer Electronics denies the allegations in paragraph 45 for lack of
8 knowledge or information sufficient to form a belief as to their truth.

9 46. SANYO Consumer Electronics denies the allegations in paragraph 46 for lack of
10 knowledge or information sufficient to form a belief as to their truth.

11 47. Paragraph 47 consists of Plaintiff's explanation of terminology and is not an
12 allegation of fact to which a response is required. To the extent a response is deemed necessary,
13 SANYO Consumer Electronics denies the allegations in paragraph 47 for lack of knowledge or
14 information sufficient to form a belief as to their truth.

15 48. SANYO Consumer Electronics denies the allegations in paragraph 48 for lack of
16 knowledge or information sufficient to form a belief as to their truth.

17 49. SANYO Consumer Electronics denies the allegations in paragraph 49 for lack of
18 knowledge or information sufficient to form a belief as to their truth.

19 50. SANYO Consumer Electronics denies the allegations in paragraph 50 for lack of
20 knowledge or information sufficient to form a belief as to their truth.

21 51. SANYO Consumer Electronics denies the allegations in paragraph 51 for lack of
22 knowledge or information sufficient to form a belief as to their truth.

23 52. Paragraph 52 consists of Plaintiff's explanation of terminology and is not an
24 allegation of fact to which a response is required. To the extent a response is deemed necessary,
25 SANYO Consumer Electronics denies the allegations in paragraph 52 for lack of knowledge or
26 information sufficient to form a belief as to their truth.

27 53. SANYO Consumer Electronics denies the allegations in paragraph 53 for lack of
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1 knowledge or information sufficient to form a belief as to their truth.

2 54. SANYO Consumer Electronics denies the allegations in paragraph 54 for lack of
3 knowledge or information sufficient to form a belief as to their truth.

4 55. Paragraph 55 consists of Plaintiff's explanation of terminology and is not an
5 allegation of fact to which a response is required. To the extent a response is deemed necessary,
6 SANYO Consumer Electronics denies the allegations in paragraph 55 for lack of knowledge or
7 information sufficient to form a belief as to their truth.

8 56. SANYO Consumer Electronics denies the allegations in paragraph 56 for lack of
9 knowledge or information sufficient to form a belief as to their truth.

10 57. SANYO Consumer Electronics denies the allegations in paragraph 57 for lack of
11 knowledge or information sufficient to form a belief as to their truth.

12 58. SANYO Consumer Electronics denies the allegations in paragraph 58 for lack of
13 knowledge or information sufficient to form a belief as to their truth.

14 59. SANYO Consumer Electronics denies the allegations in paragraph 59 for lack of
15 knowledge or information sufficient to form a belief as to their truth.

16 60. SANYO Consumer Electronics denies the allegations in paragraph 60 for lack of
17 knowledge or information sufficient to form a belief as to their truth.

18 61. SANYO Consumer Electronics denies the allegations in paragraph 61 for lack of
19 knowledge or information sufficient to form a belief as to their truth.

20 62. SANYO Consumer Electronics denies the allegations in paragraph 62 for lack of
21 knowledge or information sufficient to form a belief as to their truth.

22 63. SANYO Consumer Electronics denies the allegations in paragraph 63 for lack of
23 knowledge or information sufficient to form a belief as to their truth.

24 64. SANYO Consumer Electronics denies the allegations in paragraph 64 for lack of
25 knowledge or information sufficient to form a belief as to their truth.

26 65. SANYO Consumer Electronics denies the allegations in paragraph 65 for lack of
27 knowledge or information sufficient to form a belief as to their truth.

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1 66. SANYO Consumer Electronics denies the allegations in paragraph 66 for lack of
2 knowledge or information sufficient to form a belief as to their truth.

3 67. SANYO Consumer Electronics denies the allegations in paragraph 67 for lack of
4 knowledge or information sufficient to form a belief as to their truth.

5 68. SANYO Consumer Electronics denies the allegations in paragraph 68 for lack of
6 knowledge or information sufficient to form a belief as to their truth.

7 69. Paragraph 69 consists of Plaintiff's explanation of terminology and is not an
8 allegation of fact to which a response is required. To the extent a response is deemed necessary,
9 SANYO Consumer Electronics denies the allegations in paragraph 69 for lack of knowledge or
10 information sufficient to form a belief as to their truth.

11 70. In answering paragraph 70, SANYO Consumer Electronics admits that it is a
12 Japanese company with its principal place of business at 101, 7-Chome, Tachikawa-Cho, Tottori
13 City, Tottori, 680-8634, Japan; denies its postal code is 680-0061; admits that it was formerly
14 known as Tottori SANYO Electric Co., Ltd. or "Torisan"; admits that it was partially owned by
15 SANYO Electric Co., Ltd., admits that SANYO Electric Co., Ltd. formed a joint venture with
16 Seiko Epson Corporation; admits that some LCDs it manufactured were sold into the U.S.
17 SANYO Consumer Electronics denies the remaining allegations of paragraph 70.

18 71. SANYO Consumer Electronics denies the allegations of paragraph 71.

19 72. SANYO Consumer Electronics denies the allegations in paragraph 72 for lack of
20 knowledge or information sufficient to form a belief as to their truth.

21 73. SANYO Consumer Electronics denies the allegations in paragraph 73 for lack of
22 knowledge or information sufficient to form a belief as to their truth.

23 74. Paragraph 74 consists of Plaintiff's explanation of terminology and is not an
24 allegation of fact to which a response is required. To the extent a response is deemed necessary,
25 SANYO Consumer Electronics denies the allegations in paragraph 74 for lack of knowledge or
26 information sufficient to form a belief as to their truth.

27 75. SANYO Consumer Electronics denies the allegations in paragraph 75 for lack of
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1 knowledge or information sufficient to form a belief as to their truth.

2 76. SANYO Consumer Electronics denies the allegations in paragraph 76 for lack of
3 knowledge or information sufficient to form a belief as to their truth.

4 77. SANYO Consumer Electronics denies the allegations in paragraph 77 for lack of
5 knowledge or information sufficient to form a belief as to their truth.

6 78. SANYO Consumer Electronics denies the allegations in paragraph 78 for lack of
7 knowledge or information sufficient to form a belief as to their truth.

8 79. Paragraph 79 consists of Plaintiff's explanation of terminology and is not an
9 allegation of fact to which a response is required. To the extent a response is deemed necessary,
10 SANYO Consumer Electronics denies the allegations in paragraph 79 for lack of knowledge or
11 information sufficient to form a belief as to their truth.

12 80. SANYO Consumer Electronics denies the allegations in paragraph 80 to the extent
13 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
14 knowledge or information sufficient to form a belief as to their truth in all other respects.

15 81. SANYO Consumer Electronics denies the allegations in paragraph 81 to the extent
16 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
17 knowledge or information sufficient to form a belief as to their truth in all other respects.

18 82. SANYO Consumer Electronics denies the allegations in paragraph 82 to the extent
19 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth in all other respects.

21 83. SANYO Consumer Electronics denies the allegations in paragraph 83 to the extent
22 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
23 knowledge or information sufficient to form a belief as to their truth in all other respects.

24 84. SANYO Consumer Electronics denies the allegations in paragraph 84 to the extent
25 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
26 knowledge or information sufficient to form a belief as to their truth in all other respects.

27 85. SANYO Consumer Electronics admits that paragraph 85 generally describes some
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1 basic aspects of the nature, technology, and means of manufacturing LCD panels, modules, and
2 appliances containing LCD panels, that some types of LCD panels are incorporated in many
3 appliances, including, but not limited to, computer monitors, televisions, and cellular telephones,
4 and that at various times, different types of LCD panels were used in a wide variety of appliances,
5 including, but not limited to, wireless handsets. Except as specifically admitted herein, SANYO
6 Consumer Electronics denies the allegations in paragraph 85 of the Complaint.

7 86. SANYO Consumer Electronics admits that paragraph 86 generally describes some
8 basic aspects of the nature, technology, and means of manufacturing LCD panels, modules, and
9 appliances containing LCD panels, that some types of LCD panels are incorporated in many
10 appliances, including, but not limited to, computer monitors, televisions, and cellular telephones,
11 and that at various times, different types of LCD panels were used in a wide variety of appliances,
12 including, but not limited to, wireless handsets. Except as specifically admitted herein, SANYO
13 Consumer Electronics denies the allegations in paragraph 86 of the Complaint.

14 87. SANYO Consumer Electronics admits that paragraph 87 generally describes some
15 basic aspects of the nature, technology, and means of manufacturing LCD panels, modules, and
16 appliances containing LCD panels, that some types of LCD panels are incorporated in many
17 appliances, including, but not limited to, computer monitors, televisions, and cellular telephones,
18 and that at various times, different types of LCD panels were used in a wide variety of appliances,
19 including, but not limited to, wireless handsets. Except as specifically admitted herein, SANYO
20 Consumer Electronics denies the allegations in paragraph 87 of the Complaint.

21 88. The allegations of paragraph 88 are argumentative and vague such that SANYO
22 Consumer Electronics lacks knowledge or information sufficient to form a belief as to their truth
23 and therefore they are denied.

24 89. SANYO Consumer Electronics denies the allegations in paragraph 89 to the extent
25 directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
26 knowledge or information sufficient to form a belief as to their truth.

27 90. SANYO Consumer Electronics denies the allegations in paragraph 90 to the extent
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1 directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
2 knowledge or information sufficient to form a belief as to their truth.

3 91. SANYO Consumer Electronics denies the allegations in paragraph 91 to the extent
4 directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
5 knowledge or information sufficient to form a belief as to their truth.

6 92. SANYO Consumer Electronics denies the allegations in paragraph 92.

7 93. SANYO Consumer Electronics denies the allegations in paragraph 93 to the extent
8 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
9 knowledge or information sufficient to form a belief as to their truth in all other respects.

10 94. SANYO Consumer Electronics denies the allegations in paragraph 94 to the extent
11 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
12 knowledge or information sufficient to form a belief as to their truth in all other respects.

13 95. SANYO Consumer Electronics denies the allegations in paragraph 95 to the extent
14 directed to SANYO Consumer Electronics or to the extent they suggest a single “industry” or
15 “market” exists for LCD panels or products containing LCD panels, and denies any such “industry
16 experienced significant consolidation” during the putative Relevant Period. In further response,
17 SANYO Consumer Electronics otherwise denies the allegations in paragraph 95 for lack of
18 knowledge or information sufficient to form a belief as to their truth.

19 96. SANYO Consumer Electronics denies the allegations in paragraph 96 to the extent
20 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
21 knowledge or information sufficient to form a belief as to their truth in all other respects.

22 97. SANYO Consumer Electronics denies the allegations in paragraph 97 to the extent
23 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
24 knowledge or information sufficient to form a belief as to their truth in all other respects.

25 98. SANYO Consumer Electronics denies the allegations in paragraph 98 to the extent
26 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
27 knowledge or information sufficient to form a belief as to their truth in all other respects.

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1 99. SANYO Consumer Electronics denies the allegations in paragraph 99 to the extent
2 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
3 knowledge or information sufficient to form a belief as to their truth in all other respects.

4 100. SANYO Consumer Electronics denies the allegations in paragraph 100 to the
5 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
6 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
7 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
8 California and New York state law claims were dismissed.

9 101. SANYO Consumer Electronics denies the allegations in paragraph 101 to the
10 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
11 knowledge or information sufficient to form a belief as to their truth in all other respects.

12 102. SANYO Consumer Electronics denies the allegations in paragraph 102 to the
13 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
14 knowledge or information sufficient to form a belief as to their truth in all other respects.

15 103. SANYO Consumer Electronics denies the allegations in paragraph 103 to the
16 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
17 knowledge or information sufficient to form a belief as to their truth in all other respects.

18 104. SANYO Consumer Electronics denies the allegations in paragraph 104 to the
19 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth in all other respects.

21 105. SANYO Consumer Electronics denies the allegations in paragraph 105 to the
22 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
23 knowledge or information sufficient to form a belief as to their truth in all other respects.

24 106. SANYO Consumer Electronics denies the allegations in paragraph 106 to the
25 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
26 knowledge or information sufficient to form a belief as to their truth in all other respects.

27 107. SANYO Consumer Electronics denies the allegations in paragraph 107.
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1 108. SANYO Consumer Electronics denies the allegations in paragraph 108 to the
2 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
3 knowledge or information sufficient to form a belief as to their truth in all other respects.

4 109. SANYO Consumer Electronics denies the allegations in paragraph 109 to the
5 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
6 knowledge or information sufficient to form a belief as to their truth in all other respects.

7 110. SANYO Consumer Electronics denies the allegations in paragraph 110 to the
8 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
9 knowledge or information sufficient to form a belief as to their truth in all other respects.

10 111. SANYO Consumer Electronics denies the allegations in paragraph 111 to the
11 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
12 knowledge or information sufficient to form a belief as to their truth in all other respects.

13 112. SANYO Consumer Electronics denies the allegations in paragraph 112 to the
14 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
15 knowledge or information sufficient to form a belief as to their truth in all other respects.

16 113. SANYO Consumer Electronics denies the allegations in paragraph 113 to the
17 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
18 knowledge or information sufficient to form a belief as to their truth in all other respects.

19 114. SANYO Consumer Electronics denies the allegations in paragraph 114 to the
20 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
21 knowledge or information sufficient to form a belief as to their truth in all other respects.

22 115. SANYO Consumer Electronics denies the allegations in paragraph 115 to the
23 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
24 knowledge or information sufficient to form a belief as to their truth in all other respects.

25 116. SANYO Consumer Electronics denies the allegations in paragraph 116 to the
26 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
27 knowledge or information sufficient to form a belief as to their truth in all other respects.
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1 117. SANYO Consumer Electronics denies the allegations in paragraph 117 to the
2 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
3 knowledge or information sufficient to form a belief as to their truth in all other respects.

4 118. SANYO Consumer Electronics denies the allegations in paragraph 118 to the
5 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
6 knowledge or information sufficient to form a belief as to their truth in all other respects.

7 119. SANYO Consumer Electronics denies the allegations in paragraph 119 to the
8 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
9 knowledge or information sufficient to form a belief as to their truth in all other respects.

10 120. SANYO Consumer Electronics denies the allegations in paragraph 120 to the
11 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
12 knowledge or information sufficient to form a belief as to their truth in all other respects.

13 121. SANYO Consumer Electronics denies the allegations in paragraph 121 to the
14 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
15 knowledge or information sufficient to form a belief as to their truth in all other respects.

16 122. SANYO Consumer Electronics denies the allegations in paragraph 122 to the
17 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
18 knowledge or information sufficient to form a belief as to their truth in all other respects.

19 123. SANYO Consumer Electronics denies the allegations in paragraph 123 to the
20 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
21 knowledge or information sufficient to form a belief as to their truth in all other respects.

22 124. SANYO Consumer Electronics denies the allegations in paragraph 124 to the
23 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
24 knowledge or information sufficient to form a belief as to their truth in all other respects.

25 125. SANYO Consumer Electronics denies the allegations in paragraph 125.

26 126. SANYO Consumer Electronics denies the allegations in paragraph 126.

27 127. SANYO Consumer Electronics denies the allegations in paragraph 127 to the
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1 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
2 knowledge or information sufficient to form a belief as to their truth in all other respects.

3 128. SANYO Consumer Electronics denies the allegations in paragraph 128 to the
4 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
5 knowledge or information sufficient to form a belief as to their truth in all other respects.

6 129. SANYO Consumer Electronics denies the allegations in paragraph 129 to the
7 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
8 knowledge or information sufficient to form a belief as to their truth in all other respects.

9 130. SANYO Consumer Electronics denies the allegations in paragraph 130 to the
10 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
11 knowledge or information sufficient to form a belief as to their truth in all other respects.

12 131. SANYO Consumer Electronics denies the allegations in paragraph 131 to the
13 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
14 knowledge or information sufficient to form a belief as to their truth in all other respects.

15 132. SANYO Consumer Electronics denies the allegations in paragraph 132 to the
16 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
17 knowledge or information sufficient to form a belief as to their truth in all other respects.

18 133. SANYO Consumer Electronics denies the allegations in paragraph 133 to the
19 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth in all other respects.

21 134. SANYO Consumer Electronics denies the allegations in paragraph 134 to the
22 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
23 knowledge or information sufficient to form a belief as to their truth in all other respects.

24 135. SANYO Consumer Electronics denies the allegations in paragraph 135 to the
25 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
26 knowledge or information sufficient to form a belief as to their truth in all other respects.

27 136. SANYO Consumer Electronics denies the allegations in paragraph 136 to the
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1 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
2 knowledge or information sufficient to form a belief as to their truth in all other respects.

3 137. SANYO Consumer Electronics denies the allegations in paragraph 137 to the
4 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
5 knowledge or information sufficient to form a belief as to their truth in all other respects.

6 138. SANYO Consumer Electronics denies the allegations in paragraph 138 to the
7 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
8 knowledge or information sufficient to form a belief as to their truth in all other respects.

9 139. SANYO Consumer Electronics denies the allegations in paragraph 139 to the
10 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
11 knowledge or information sufficient to form a belief as to their truth in all other respects.

12 140. SANYO Consumer Electronics denies the allegations in paragraph 140 to the
13 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
14 knowledge or information sufficient to form a belief as to their truth in all other respects.

15 141. SANYO Consumer Electronics denies the allegations in paragraph 141 to the
16 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
17 knowledge or information sufficient to form a belief as to their truth in all other respects.

18 142. SANYO Consumer Electronics denies the allegations in paragraph 142 to the
19 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth in all other respects.

21 143. SANYO Consumer Electronics denies the allegations in paragraph 143 to the
22 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
23 knowledge or information sufficient to form a belief as to their truth in all other respects.

24 144. SANYO Consumer Electronics denies the allegations in paragraph 144 to the
25 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
26 knowledge or information sufficient to form a belief as to their truth in all other respects.

27 145. SANYO Consumer Electronics denies the allegations in paragraph 145 to the
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1 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
2 knowledge or information sufficient to form a belief as to their truth in all other respects.

3 146. SANYO Consumer Electronics denies the allegations in paragraph 146 to the
4 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
5 knowledge or information sufficient to form a belief as to their truth in all other respects.

6 147. SANYO Consumer Electronics denies the allegations in paragraph 147 to the
7 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
8 knowledge or information sufficient to form a belief as to their truth in all other respects.

9 148. SANYO Consumer Electronics denies the allegations in paragraph 148 to the
10 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
11 knowledge or information sufficient to form a belief as to their truth in all other respects.

12 149. SANYO Consumer Electronics denies the allegations in paragraph 149 to the
13 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
14 knowledge or information sufficient to form a belief as to their truth in all other respects.

15 150. SANYO Consumer Electronics denies the allegations in paragraph 150 to the
16 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
17 knowledge or information sufficient to form a belief as to their truth in all other respects.

18 151. SANYO Consumer Electronics denies the allegations in paragraph 151 to the
19 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth in all other respects.

21 152. SANYO Consumer Electronics denies the allegations in paragraph 152 to the
22 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
23 knowledge or information sufficient to form a belief as to their truth in all other respects.

24 153. SANYO Consumer Electronics denies the allegations in paragraph 153 to the
25 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
26 knowledge or information sufficient to form a belief as to their truth in all other respects.

27 154. SANYO Consumer Electronics denies the allegations in paragraph 154 to the
28

1 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
2 knowledge or information sufficient to form a belief as to their truth in all other respects.

3 155. SANYO Consumer Electronics denies the allegations in paragraph 155 to the
4 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
5 knowledge or information sufficient to form a belief as to their truth in all other respects.

6 156. SANYO Consumer Electronics denies the allegations in paragraph 156 to the
7 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
8 knowledge or information sufficient to form a belief as to their truth in all other respects.

9 157. SANYO Consumer Electronics denies the allegations in paragraph 157 to the
10 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
11 knowledge or information sufficient to form a belief as to their truth in all other respects.

12 158. SANYO Consumer Electronics denies the allegations in paragraph 158 to the
13 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
14 knowledge or information sufficient to form a belief as to their truth in all other respects.

15 159. SANYO Consumer Electronics denies the allegations in paragraph 159 to the
16 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
17 knowledge or information sufficient to form a belief as to their truth in all other respects.

18 160. SANYO Consumer Electronics denies the allegations in paragraph 160 to the
19 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth in all other respects.

21 161. SANYO Consumer Electronics denies the allegations in paragraph 161 to the
22 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
23 knowledge or information sufficient to form a belief as to their truth in all other respects.

24 162. SANYO Consumer Electronics denies the allegations in paragraph 162 to the
25 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
26 knowledge or information sufficient to form a belief as to their truth in all other respects.

27 163. SANYO Consumer Electronics denies the allegations in paragraph 163 to the
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1 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
2 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
3 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
4 California and New York state law claims were dismissed.

5 164. SANYO Consumer Electronics denies the allegations in paragraph 164 to the
6 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
7 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
8 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
9 California and New York state law claims were dismissed.

10 165. SANYO Consumer Electronics denies the allegations in paragraph 165 to the
11 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
12 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
13 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
14 California and New York state law claims were dismissed.

15 166. SANYO Consumer Electronics denies the allegations in paragraph 166 to the
16 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
17 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
18 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
19 California and New York state law claims were dismissed.

20 167. SANYO Consumer Electronics denies the allegations in paragraph 167 to the
21 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
22 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
23 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
24 California and New York state law claims were dismissed.

25 168. SANYO Consumer Electronics denies the allegations in paragraph 168 to the
26 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
27 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
28

1 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
2 California and New York state law claims were dismissed.

3 169. SANYO Consumer Electronics denies the allegations in paragraph 169 to the
4 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
5 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
6 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
7 California and New York state law claims were dismissed.

8 170. SANYO Consumer Electronics denies the allegations in paragraph 170 to the
9 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
10 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
11 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
12 California and New York state law claims were dismissed.

13 171. SANYO Consumer Electronics denies the allegations in paragraph 171 to the
14 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
15 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
16 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
17 California and New York state law claims were dismissed.

18 172. SANYO Consumer Electronics denies the allegations in paragraph 172 to the
19 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
21 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
22 California and New York state law claims were dismissed.

23 173. SANYO Consumer Electronics denies the allegations in paragraph 173 to the
24 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
25 knowledge or information sufficient to form a belief as to their truth. Further, in light of this
26 Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's California and New
27 York state law claims were dismissed.

1 174. Answering paragraph 174, to the extent the allegations refer to news report, public
2 statements or other public filings, these documents speak for themselves and no response is
3 required. To the extent a response is required, SANYO Consumer Electronics denies the
4 allegations in paragraph 174 for lack of knowledge or information sufficient to form a belief as to
5 their truth.

6 175. Answering paragraph 175, to the extent the allegations refer to news report, public
7 statements or other public filings, these documents speak for themselves and no response is
8 required. To the extent a response is required, SANYO Consumer Electronics denies the
9 allegations in paragraph 175 for lack of knowledge or information sufficient to form a belief as to
10 their truth.

11 176. SANYO Consumer Electronics denies the allegations in paragraph 176 to the
12 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
13 knowledge or information sufficient to form a belief as to their truth.

14 177. To the extent paragraph 177 purports to characterize publicly filed documents, the
15 contents of the documents speak for themselves and require no further response. SANYO
16 Consumer Electronics denies the remaining allegations in paragraph 177 to the extent directed to
17 SANYO Consumer Electronics, and otherwise denies the allegations for lack of knowledge or
18 information sufficient to form a belief as to their truth.

19 178. To the extent paragraph 178 purports to characterize publicly filed documents, the
20 contents of the documents speak for themselves and require no further response. SANYO
21 Consumer Electronics denies the remaining allegations in paragraph 178 to the extent directed to
22 SANYO Consumer Electronics, and otherwise denies the allegations for lack of knowledge or
23 information sufficient to form a belief as to their truth.

24 179. To the extent paragraph 179 purports to characterize publicly filed documents, the
25 contents of the documents speak for themselves and require no further response. SANYO
26 Consumer Electronics denies the remaining allegations in paragraph 179 to the extent directed to
27 SANYO Consumer Electronics, and otherwise denies the allegations for lack of knowledge or
28

1 information sufficient to form a belief as to their truth.

2 180. To the extent paragraph 180 purports to characterize publicly filed documents, the
3 contents of the documents speak for themselves and require no further response. SANYO
4 Consumer Electronics denies the allegations in paragraph 180 to the extent directed to SANYO
5 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
6 sufficient to form a belief as to their truth.

7 181. To the extent paragraph 181 purports to characterize publicly filed documents, the
8 contents of the documents speak for themselves and require no further response. SANYO
9 Consumer Electronics denies the allegations in paragraph 181 to the extent directed to SANYO
10 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
11 sufficient to form a belief as to their truth.

12 182. To the extent paragraph 182 purports to characterize publicly filed documents, the
13 contents of the documents speak for themselves and require no further response. SANYO
14 Consumer Electronics denies the allegations in paragraph 182 to the extent directed to SANYO
15 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
16 sufficient to form a belief as to their truth.

17 183. To the extent paragraph 183 purports to characterize publicly filed documents, the
18 contents of the documents speak for themselves and require no further response. SANYO
19 Consumer Electronics denies the allegations in paragraph 183 to the extent directed to SANYO
20 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
21 sufficient to form a belief as to their truth.

22 184. To the extent paragraph 184 purports to characterize publicly filed documents, the
23 contents of the documents speak for themselves and require no further response. SANYO
24 Consumer Electronics denies the allegations in paragraph 184 to the extent directed to SANYO
25 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
26 sufficient to form a belief as to their truth.

27 185. To the extent paragraph 185 purports to characterize publicly filed documents, the
28

1 contents of the documents speak for themselves and require no further response. SANYO
2 Consumer Electronics denies the allegations in paragraph 185 to the extent directed to SANYO
3 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
4 sufficient to form a belief as to their truth.

5 186. To the extent paragraph 186 purports to characterize publicly filed documents, the
6 contents of the documents speak for themselves and require no further response. SANYO
7 Consumer Electronics denies the allegations in paragraph 186 to the extent directed to SANYO
8 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
9 sufficient to form a belief as to their truth.

10 187. To the extent paragraph 187 purports to characterize publicly filed documents, the
11 contents of the documents speak for themselves and require no further response. SANYO
12 Consumer Electronics denies the allegations in paragraph 187 to the extent directed to SANYO
13 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
14 sufficient to form a belief as to their truth.

15 188. To the extent paragraph 188 purports to characterize publicly filed documents, the
16 contents of the documents speak for themselves and require no further response. SANYO
17 Consumer Electronics denies the allegations in paragraph 188 to the extent directed to SANYO
18 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
19 sufficient to form a belief as to their truth.

20 189. To the extent paragraph 189 purports to characterize publicly filed documents, the
21 contents of the documents speak for themselves and require no further response. SANYO
22 Consumer Electronics denies the allegations in paragraph 189 to the extent directed to SANYO
23 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
24 sufficient to form a belief as to their truth.

25 190. In answering paragraph 190, the first sentence is Plaintiff's explanation of
26 terminology to which no response is required. As to the remaining allegations SANYO Consumer
27 Electronics denies the allegations in paragraph 190 to the extent directed to SANYO Consumer
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1 Electronics, and otherwise denies the allegations for lack of knowledge or information sufficient to
2 form a belief as to their truth.

3 191. In answering paragraph 191, SANYO Consumer Electronics denies the existence of
4 a single “market” or “industry” for LCD panels or products containing LCD panels given that
5 there are multiple, separate markets, including multiple, separate markets for LCD panels and
6 multiple, separate markets for products that contain LCD panels. As to the remaining allegations
7 SANYO Consumer Electronics denies the allegations in paragraph 191 to the extent directed to
8 SANYO Consumer Electronics, and otherwise denies the allegations for lack of knowledge or
9 information sufficient to form a belief as to their truth.

10 192. SANYO Consumer Electronics denies the allegations in paragraph 192 to the
11 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
12 knowledge or information sufficient to form a belief as to their truth.

13 193. In answering paragraph 193, SANYO Consumer Electronics admits the second
14 sentence. As to the remaining allegations SANYO Consumer Electronics denies the allegations in
15 paragraph 193 to the extent directed to SANYO Consumer Electronics, and otherwise denies the
16 allegations for lack of knowledge or information sufficient to form a belief as to their truth.

17 194. SANYO Consumer Electronics denies the allegations in paragraph 194 for lack of
18 knowledge or information sufficient to form a belief as to their truth.

19 195. SANYO Consumer Electronics denies the allegations in paragraph 195 to the
20 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
21 knowledge or information sufficient to form a belief as to their truth.

22 196. SANYO Consumer Electronics denies the allegations in paragraph 196 to the
23 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
24 knowledge or information sufficient to form a belief as to their truth.

25 197. SANYO Consumer Electronics denies the allegations in paragraph 197 to the
26 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
27 knowledge or information sufficient to form a belief as to their truth.

1 200. SANYO Consumer Electronics denies the allegations in paragraph 198 to the
2 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
3 knowledge or information sufficient to form a belief as to their truth.

4 201. Answering paragraph 199, SANYO Consumer Electronics admits that new
5 generations of fabs have entered production since 1996. As to the remaining allegations, SANYO
6 Consumer Electronics denies the allegations in paragraph 199 to the extent directed to SANYO
7 Consumer Electronics, and otherwise denies the allegations for lack of knowledge or information
8 sufficient to form a belief as to their truth.

9 202. Answering paragraph 200, SANYO Consumer Electronics Admits that LCD Panels
10 included components such as backlight, color filter, polarizer and glass. As to the remaining
11 allegations, SANYO Consumer Electronics denies the allegations in paragraph 200 to the extent
12 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
13 knowledge or information sufficient to form a belief as to their truth.

14 203. SANYO Consumer Electronics denies the allegations in paragraph 201 to the
15 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
16 knowledge or information sufficient to form a belief as to their truth.

17 204. SANYO Consumer Electronics denies the allegations in paragraph 202 to the
18 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
19 knowledge or information sufficient to form a belief as to their truth.

20 205. SANYO Consumer Electronics denies the allegations in paragraph 203 to the
21 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
22 knowledge or information sufficient to form a belief as to their truth.

23 206. SANYO Consumer Electronics denies the allegations in paragraph 204 to the
24 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
25 knowledge or information sufficient to form a belief as to their truth.

26 207. SANYO Consumer Electronics denies the allegations in paragraph 205 to the
27 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
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1 knowledge or information sufficient to form a belief as to their truth.

2 206. SANYO Consumer Electronics admits that both TFT-LCD and STN-LCD panels
3 were used in mobile wireless handsets as stated in the first sentence of paragraph 206. As to the
4 remaining allegations, SANYO Consumer Electronics denies the allegations in paragraph 206 to
5 the extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack
6 of knowledge or information sufficient to form a belief as to their truth in all other respects.

7 207. Responding to the first sentence in paragraph 207, SANYO Consumer Electronics
8 admits that it manufactured both TFT-LCD and STN-LCD Panels. As to the remaining
9 allegations, SANYO Consumer Electronics denies the allegations in paragraph 207 to the extent
10 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
11 knowledge or information sufficient to form a belief as to their truth in all other respects.

12 208. SANYO Consumer Electronics denies the allegations in paragraph 208 to the
13 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
14 knowledge or information sufficient to form a belief as to their truth in all other respects.

15 209. SANYO Consumer Electronics denies the allegations in paragraph 209 to the
16 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
17 knowledge or information sufficient to form a belief as to their truth in all other respects.

18 210. SANYO Consumer Electronics denies the allegations in paragraph 210 to the
19 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth in all other respects.

21 211. SANYO Consumer Electronics denies the allegations in paragraph 211 to the
22 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
23 knowledge or information sufficient to form a belief as to their truth in all other respects.

24 212. SANYO Consumer Electronics denies the allegations in paragraph 212 to the
25 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
26 knowledge or information sufficient to form a belief as to their truth in all other respects.

27 213. SANYO Consumer Electronics denies the allegations in paragraph 213 to the
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1 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
2 knowledge or information sufficient to form a belief as to their truth in all other respects.

3 214. SANYO Consumer Electronics denies the allegations in paragraph 214 to the
4 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
5 knowledge or information sufficient to form a belief as to their truth in all other respects.

6 215. SANYO Consumer Electronics denies the allegations in paragraph 215 to the
7 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
8 knowledge or information sufficient to form a belief as to their truth in all other respects.

9 216. SANYO Consumer Electronics denies the allegations in paragraph 216 to the
10 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
11 knowledge or information sufficient to form a belief as to their truth in all other respects.

12 217. SANYO Consumer Electronics denies the allegations in paragraph 217 to the
13 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
14 knowledge or information sufficient to form a belief as to their truth in all other respects.

15 218. SANYO Consumer Electronics denies the allegations in paragraph 218 to the
16 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
17 knowledge or information sufficient to form a belief as to their truth in all other respects.

18 219. SANYO Consumer Electronics denies the allegations in paragraph 219 to the
19 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth in all other respects.

21 220. SANYO Consumer Electronics denies the allegations in paragraph 220 to the
22 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
23 knowledge or information sufficient to form a belief as to their truth in all other respects.

24 221. SANYO Consumer Electronics denies the allegations in paragraph 221 to the
25 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
26 knowledge or information sufficient to form a belief as to their truth in all other respects.

27 222. SANYO Consumer Electronics denies the allegations in paragraph 222 to the
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1 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
2 knowledge or information sufficient to form a belief as to their truth in all other respects.

3 223. SANYO Consumer Electronics denies the allegations in paragraph 223 to the
4 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
5 knowledge or information sufficient to form a belief as to their truth in all other respects.

6 224. SANYO Consumer Electronics denies the allegations in paragraph 224 to the
7 extent directed to SANYO Consumer Electronics except that it admits that various types of panels
8 were used in LCD Products that included small displays, and otherwise denies the allegations for
9 lack of knowledge or information sufficient to form a belief as to their truth in all other respects.

10 225. SANYO Consumer Electronics denies the allegations in paragraph 225 to the
11 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
12 knowledge or information sufficient to form a belief as to their truth in all other respects.

13 226. SANYO Consumer Electronics denies the allegations in paragraph 226 to the
14 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
15 knowledge or information sufficient to form a belief as to their truth in all other respects.

16 227. SANYO Consumer Electronics denies the allegations in paragraph 227 to the
17 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
18 knowledge or information sufficient to form a belief as to their truth in all other respects.

19 228. SANYO Consumer Electronics denies the allegations in paragraph 228 for lack of
20 knowledge or information sufficient to form a belief as to their truth.

21 229. SANYO Consumer Electronics denies the allegations in paragraph 229 to the
22 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
23 knowledge or information sufficient to form a belief as to their truth in all other respects.

24 230. SANYO Consumer Electronics denies the allegations in paragraph 230 to the
25 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
26 knowledge or information sufficient to form a belief as to their truth in all other respects.

27 231. SANYO Consumer Electronics denies the allegations in paragraph 231 to the
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1 extent directed to SANYO Consumer Electronics and otherwise denies the allegations for lack of
2 knowledge or information sufficient to form a belief as to their truth, except admits several trade
3 organizations exist that have meetings.

4 232. SANYO Consumer Electronics denies the allegations in paragraph 232 to the
5 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
6 knowledge or information sufficient to form a belief as to their truth.

7 233. SANYO Consumer Electronics denies the allegations in paragraph 233 to the
8 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
9 knowledge or information sufficient to form a belief as to their truth.

10 234. SANYO Consumer Electronics denies the allegations in paragraph 234 to the
11 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
12 knowledge or information sufficient to form a belief as to their truth; except admits the existence
13 of the trade organization, Semiconductor Equipment Association of Japan.

14 235. SANYO Consumer Electronics denies the allegations in paragraph 235 to the
15 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
16 knowledge or information sufficient to form a belief as to their truth, except admits the existence
17 of the organization, Society for Information Display.

18 236. SANYO Consumer Electronics denies the allegations in paragraph 236 to the
19 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth.

21 237. SANYO Consumer Electronics denies the allegations in paragraph 237 to the
22 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
23 knowledge or information sufficient to form a belief as to their truth.

24 238. SANYO Consumer Electronics denies the allegations in paragraph 238 to the
25 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
26 knowledge or information sufficient to form a belief as to their truth.

27 239. SANYO Consumer Electronics denies the allegations in paragraph 239 to the
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1 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
2 knowledge or information sufficient to form a belief as to their truth.

3 240. SANYO Consumer Electronics denies the allegations in paragraph 240 to the
4 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
5 knowledge or information sufficient to form a belief as to their truth.

6 241. SANYO Consumer Electronics denies the allegations in paragraph 241 to the
7 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
8 knowledge or information sufficient to form a belief as to their truth.

9 242. SANYO Consumer Electronics denies the allegations in paragraph 242 to the
10 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
11 knowledge or information sufficient to form a belief as to their truth.

12 243. SANYO Consumer Electronics denies the allegations in paragraph 243 for lack of
13 knowledge or information sufficient to form a belief as to their truth.

14 244. SANYO Consumer Electronics denies the allegations in paragraph 244 to the
15 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
16 knowledge or information sufficient to form a belief as to their truth.

17 245. SANYO Consumer Electronics denies the allegations in paragraph 245 to the
18 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
19 knowledge or information sufficient to form a belief as to their truth.

20 246. In answering paragraph 246, SANYO Consumer Electronics denies the existence of
21 a single “market” or “industry” for LCD panels or products containing LCD panels given that
22 there are multiple, separate markets, including multiple, separate markets for LCD panels and
23 multiple, separate markets for products that contain LCD panels. As to the remaining allegations
24 SANYO Consumer Electronics denies the allegations in paragraph 246 to the extent directed to
25 SANYO Consumer Electronics, and otherwise denies the allegations for lack of knowledge or
26 information sufficient to form a belief as to their truth.

27 247. SANYO Consumer Electronics denies the allegations in paragraph 247 to the
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1 extent directed to SANYO Consumer Electronics, except that it admits it sold some LCDs into the
2 U.S. directly or indirectly and otherwise denies the allegations for lack of knowledge or
3 information sufficient to form a belief as to their truth in all other respects.

4 248. SANYO Consumer Electronics denies the allegations in paragraph 248 to the
5 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
6 knowledge or information sufficient to form a belief as to their truth.

7 249. SANYO Consumer Electronics denies the allegations in paragraph 249 to the
8 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
9 knowledge or information sufficient to form a belief as to their truth.

10 250. To the extent that the allegations contained in paragraph 250 are based upon certain
11 complaints, those complaints speak for themselves and no response is required. To the extent a
12 response is required, SANYO Consumer Electronics denies the allegations in paragraph 250 to the
13 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
14 knowledge or information sufficient to form a belief as to their truth.

15 251. To the extent allegations in paragraph 251 as based upon public filings, those
16 filings speak for themselves and no response is required. To the extent a response is required,
17 SANYO Consumer Electronics denies the allegations in paragraph 251 to the extent directed to
18 SANYO Consumer Electronics, and otherwise denies the allegations for lack of knowledge or
19 information sufficient to form a belief as to their truth.

20 252. SANYO Consumer Electronics denies the allegations in paragraph 252 to the
21 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
22 knowledge or information sufficient to form a belief as to their truth.

23 253. SANYO Consumer Electronics denies all allegations in paragraph 253 to the extent
24 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
25 knowledge or information sufficient to form a belief as to their truth.

26 254. SANYO Consumer Electronics denies all allegations in paragraph 254 to the extent
27 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
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1 knowledge or information sufficient to form a belief as to their truth.

2 255. SANYO Consumer Electronics denies all allegations in paragraph 255 for lack of
3 knowledge or information sufficient to form a belief as to their truth.

4 256. SANYO Consumer Electronics denies all allegations in paragraph 256 to the extent
5 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
6 knowledge or information sufficient to form a belief as to their truth.

7 257. SANYO Consumer Electronics denies all allegations in paragraph 257 to the extent
8 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
9 knowledge or information sufficient to form a belief as to their truth. Further SANYO Consumer
10 Electronics denies that Plaintiff may recover for indirect purchases as Plaintiff has represented that
11 it does not seek to recover for indirect purchases under federal law. *See* MDL Dkt. No. 4786
12 (February 6, 2012), footnote 1.

13 258. SANYO Consumer Electronics denies all allegations in paragraph 258 to the extent
14 directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
15 knowledge or information sufficient to form a belief as to their truth. Further SANYO Consumer
16 Electronics denies that Plaintiff may recover for indirect purchases as Plaintiff has represented that
17 it does not seek to recover for indirect purchases under federal law. *See* MDL Dkt. No. 4786
18 (February 6, 2012), footnote 1.

19 259. SANYO Consumer Electronics denies the allegations in paragraph 259.

20 260. SANYO Consumer Electronics denies the allegations in paragraph 260 to the
21 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
22 knowledge or information sufficient to form a belief as to their truth.

23 261. SANYO Consumer Electronics denies the allegations in paragraph 261 to the
24 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
25 knowledge or information sufficient to form a belief as to their truth.

26 262. SANYO Consumer Electronics denies the allegations in paragraph 262 to the
27 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
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1 knowledge or information sufficient to form a belief as to their truth.

2 263. SANYO Consumer Electronics denies the allegations in paragraph 263 to the
3 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
4 knowledge or information sufficient to form a belief as to their truth.

5 264. SANYO Consumer Electronics denies the allegations in paragraph 264 to the
6 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
7 knowledge or information sufficient to form a belief as to their truth.

8 265. SANYO Consumer Electronics denies the allegations in paragraph 265 for lack of
9 knowledge or information sufficient to form a belief as to their truth.

10 266. SANYO Consumer Electronics denies the allegations in paragraph 266 to the
11 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
12 knowledge or information sufficient to form a belief as to their truth.

13 267. SANYO Consumer Electronics denies the allegations in paragraph 267 to the
14 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
15 knowledge or information sufficient to form a belief as to their truth.

16 268. SANYO Consumer Electronics denies the allegations in paragraph 268 for lack of
17 knowledge or information sufficient to form a belief as to their truth.

18 269. SANYO Consumer Electronics denies the allegations in paragraph 269 to the
19 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth.

21 270. SANYO Consumer Electronics denies the allegations in paragraph 270 for lack of
22 knowledge or information sufficient to form a belief as to their truth.

23 271. SANYO Consumer Electronics denies the allegations in paragraph 271 to the
24 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
25 knowledge or information sufficient to form a belief as to their truth.

26 272. SANYO Consumer Electronics denies the allegations in paragraph 272 for lack of
27 knowledge or information sufficient to form a belief as to their truth.

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1 273. SANYO Consumer Electronics denies the allegations in paragraph 273 to the
2 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
3 knowledge or information sufficient to form a belief as to their truth.

4 274. SANYO Consumer Electronics denies the allegations in paragraph 274 to the
5 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
6 knowledge or information sufficient to form a belief as to their truth.

7 275. Paragraph 275 states a legal conclusion to which no response is required. To the
8 extent any response is required, SANYO Consumer Electronics denies the allegations in paragraph
9 275.

10 276. SANYO Consumer Electronics denies the allegations in paragraph 276. Further,
11 SANYO Consumer Electronics denies that Plaintiff may recover for any indirect purchases as
12 Plaintiff has represented that it does not seek to recover for indirect purchases under federal law.
13 *See* MDL Dkt. No. 4786 (February 6, 2012), footnote 1.

14 277. Paragraph 277 states a legal conclusion to which no response is required. To the
15 extent any response is required, SANYO Consumer Electronics denies the allegations in paragraph
16 277.

17 278. Paragraph 278 states a legal conclusion to which no response is required. To the
18 extent any response is required, SANYO Consumer Electronics denies the allegations in paragraph
19 278.

20 279. SANYO Consumer Electronics denies the allegations in paragraph 279 to the
21 extent directed at SANYO Consumer Electronics, and otherwise denies the allegations for lack of
22 knowledge or information sufficient to form a belief as to their truth. Further, SANYO Consumer
23 Electronics denies that Plaintiff may recover for any indirect purchases as Plaintiff has represented
24 that it does not seek to recover for indirect purchases under federal law. *See* MDL Dkt. No. 4786
25 (February 6, 2012), footnote 1.

26 280. In Answering paragraph 280 SANYO Consumer Electronics incorporates its
27 response to each of the paragraphs 1 to 279 as set forth above.

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1 281. SANYO Consumer Electronics denies the allegations in paragraph 281 to the
2 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
3 knowledge and information sufficient to form a belief as to their truth.

4 282. SANYO Consumer Electronics denies the allegations in paragraph 282 to the
5 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
6 knowledge and information sufficient to form a belief as to their truth.

7 283. SANYO Consumer Electronics denies the allegations in paragraph 283 to the
8 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
9 knowledge and information sufficient to form a belief as to their truth.

10 284. SANYO Consumer Electronics denies the allegations in paragraph 284 to the
11 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
12 knowledge and information sufficient to form a belief as to their truth.

13 285. SANYO Consumer Electronics denies the allegations in paragraph 285 to the
14 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
15 knowledge and information sufficient to form a belief as to their truth.

16 286. SANYO Consumer Electronics denies the allegations in Paragraph 286.

17 287. Answering paragraph 287 of the Complaint, SANYO Consumer Electronics
18 incorporates its responses to paragraphs 1-286 as set forth above.

19 288. SANYO Consumer Electronics denies the allegations in paragraph 288.

20 289. SANYO Consumer Electronics denies the allegations in paragraph 289 to the
21 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
22 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
23 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
24 California and New York state law claims were dismissed.

25 290. SANYO Consumer Electronics denies the allegations in paragraph 290 to the
26 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
27 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
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1 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
2 California and New York state law claims were dismissed.

3 291. SANYO Consumer Electronics denies the allegations in paragraph 291 to the
4 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
5 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
6 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
7 California and New York state law claims were dismissed.

8 292. SANYO Consumer Electronics denies the allegations in paragraph 292 to the
9 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
10 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
11 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
12 California and New York state law claims were dismissed.

13 293. SANYO Consumer Electronics denies the allegations in paragraph 293 to the
14 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
15 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
16 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
17 California and New York state law claims were dismissed.

18 294. SANYO Consumer Electronics denies the allegations in paragraph 294 to the
19 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
20 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
21 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
22 California and New York state law claims were dismissed.

23 295. SANYO Consumer Electronics denies the allegations in paragraph 295 to the
24 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
25 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
26 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
27 California and New York state law claims were dismissed.

1 296. SANYO Consumer Electronics denies the allegations in paragraph 296 to the
2 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
3 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
4 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
5 California and New York state law claims were dismissed.

6 297. SANYO Consumer Electronics denies the allegations in paragraph 297 to the
7 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
8 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
9 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
10 California and New York state law claims were dismissed.

11 298. SANYO Consumer Electronics denies the allegations in paragraph 298 to the
12 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
13 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
14 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
15 California and New York state law claims were dismissed.

16 299. SANYO Consumer Electronics denies the allegations in paragraph 299 to the
17 extent directed to SANYO Consumer Electronics, and otherwise denies the allegations for lack of
18 knowledge or information sufficient to form a belief as to their truth in all other respects. Further,
19 in light of this Court's Order (MDL Dkt. No. 4786) granted on February 6, 2012, Plaintiff's
20 California and New York state law claims were dismissed.

21 300. SANYO Consumer Electronics denies that Plaintiff is entitled to any of the relief
22 requested in its Prayer for Relief.

23 301. Any allegations of the Complaint not specifically admitted are denied.

24 **ADDITIONAL OR AFFIRMATIVE DEFENSES**

25 SANYO Consumer Electronics asserts the following affirmative defenses to Plaintiff's
26 Complaint.

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FIRST AFFIRMATIVE DEFENSE

The Complaint fails to state a claim upon which relief can be granted, including, without limitation, failure to allege fraud or fraudulent concealment with particularity.

SECOND AFFIRMATIVE DEFENSE

The Statutes of Limitations bar the claims of Plaintiff set forth in the Complaint.

THIRD AFFIRMATIVE DEFENSE

The Foreign Trade Antitrust Improvements Act, 15 U.S.C. § 6a, bars the claims of Plaintiff set forth in the Complaint.

FOURTH AFFIRMATIVE DEFENSE

Plaintiff lacks standing as an indirect purchaser to pursue claims under the antitrust laws, and also lacks standing to pursue claims on behalf of subsidiaries or affiliates.

FIFTH AFFIRMATIVE DEFENSE

Plaintiff is barred from recovery of any damages because of, and to the extent of, its failure to mitigate damages.

SIXTH AFFIRMATIVE DEFENSE

Any injuries or damages Plaintiff may have suffered were caused solely and proximately by the acts and omissions of others.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred by the doctrines of waiver, estoppel, unclean hands, and/or laches.

EIGHTH AFFIRMATIVE DEFENSE

To the extent that any actionable conduct occurred, Plaintiff's claims against SANYO Consumer Electronics are barred because any such conduct would have been committed by individuals acting ultra vires.

NINTH AFFIRMATIVE DEFENSE

Any alleged liability of SANYO Consumer Electronics for any damages incurred by any Plaintiff terminated as of October 1, 2004 when its TFT-LCD business and assets were transferred

1 to Sanyo Epson Imaging Devices Corporation.

2 **TENTH AFFIRMATIVE DEFENSE**

3 Plaintiff's claims should be dismissed to the extent that they are barred, in whole or in part,
4 because SANYO Consumer Electronics' alleged actions did not lessen competition in the relevant
5 market.

6 **ELEVENTH AFFIRMATIVE DEFENSE**

7 Plaintiff's claims for an illegal overcharge are barred, in whole or in part, to the extent that
8 any such overcharge, the existence of which SANYO Consumer Electronics expressly denies, was
9 absorbed, in whole or in part, by others, and was not passed through to Plaintiff, or was passed on
10 by Plaintiff to others.

11 **TWELFTH AFFIRMATIVE DEFENSE**

12 Plaintiff's damages are barred to the extent they seek recovery of damages, in whole or
13 part, that would duplicate damages sought or obtained by others.

14 **THIRTEENTH AFFIRMATIVE DEFENSE**

15 Plaintiff's claims are barred, in whole or in part, because Plaintiff would be unjustly
16 enriched if it was allowed to recover any part of the damages alleged in the Complaint.

17 **FOURTEENTH AFFIRMATIVE DEFENSE**

18 SANYO Consumer Electronics incorporates by reference and asserts to the extent
19 applicable, all other affirmative defenses set forth in the answers to the Complaint of each of the
20 other Defendants.

21 **FIFTEENTH AFFIRMATIVE DEFENSE**

22 SANYO Consumer Electronics reserves the right to assert other defenses as this action
23 proceeds up to and including the time of trial.

24 **PRAYER FOR RELIEF**

25 WHEREFORE, SANYO Consumer Electronics prays as follows:

- 26 1. That the Complaint be dismissed with prejudice;
27 2. That the Court enter judgment in favor of SANYO Consumer Electronics;

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